

HR 2196

Design Piracy Prohibition Act

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Apr 30, 2009

Current Status: Referred to the House Committee on the Judiciary.

Latest Action: Referred to the House Committee on the Judiciary. (Apr 30, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/2196>

Sponsor

Name: Rep. Delahunt, Bill [D-MA-10]

Party: Democratic • **State:** MA • **Chamber:** House

Cosponsors (23 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Bono Mack, Mary [R-CA-45]	R · CA		Apr 30, 2009
Rep. Coble, Howard [R-NC-6]	R · NC		Apr 30, 2009
Rep. Cohen, Steve [D-TN-9]	D · TN		Apr 30, 2009
Rep. DeLauro, Rosa L. [D-CT-3]	D · CT		Apr 30, 2009
Rep. Goodlatte, Bob [R-VA-6]	R · VA		Apr 30, 2009
Rep. Issa, Darrell E. [R-CA-49]	R · CA		Apr 30, 2009
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Apr 30, 2009
Rep. Maffei, Daniel B. [D-NY-25]	D · NY		Apr 30, 2009
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Apr 30, 2009
Rep. Miller, George [D-CA-7]	D · CA		Apr 30, 2009
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Apr 30, 2009
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Apr 30, 2009
Rep. Sensenbrenner, F. James, Jr. [R-WI-5]	R · WI		Apr 30, 2009
Rep. Wasserman Schultz, Debbie [D-FL-20]	D · FL		Apr 30, 2009
Rep. Waters, Maxine [D-CA-35]	D · CA		Apr 30, 2009
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Apr 30, 2009
Rep. Wexler, Robert [D-FL-19]	D · FL		Apr 30, 2009
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		May 5, 2009
Rep. Quigley, Mike [D-IL-5]	D · IL		Jun 4, 2009
Rep. Franks, Trent [R-AZ-2]	R · AZ		Jun 8, 2009
Resident Commissioner Pierluisi, Pedro R. [D-PR-At Large]	D · PR		Jun 9, 2009
Rep. Rooney, Thomas J. [R-FL-16]	R · FL		Jun 15, 2009
Rep. Schiff, Adam B. [D-CA-29]	D · CA		Jun 16, 2009

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred To	Apr 30, 2009

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
111 S 3728	Related bill	Dec 6, 2010: Placed on Senate Legislative Calendar under General Orders. Calendar No. 674.

Summary (as of Apr 30, 2009)

Design Piracy Prohibition Act - Extends copyright protection to fashion designs. Includes as protected items clothing, handbags, duffel bags, tote bags, and eyeglass frames. Excludes from such protection designs embodied in a useful article made public by the designer more than six months before the registration of copyright application. Prohibits considering certain factors in determining the originality of a fashion design. Sets the term of protection at three years.

Declares that it is not infringement to make, have made, import, sell, or distribute any article which was created without reasonable grounds to know that design protection is claimed.

Prohibits deeming a fashion design to have been copied from a protected design if it: (1) is original and not closely and substantially similar in overall visual appearance to a protected design; (2) merely reflects a trend; or (3) is the result of independent creation.

Prohibits deeming a vessel hull design to have been copied from a protected design if it is original and not substantially similar in appearance to a protected design.

Applies the doctrines of secondary infringement or secondary liability to actions related to original designs.

Requires that applications for design registration be made within two years after the design is made public for vessel hulls and within six months after the design is made public for fashion designs. (Current law sets such a time limit at two years for designs in general.)

Increases allowable damage awards for infringement of original designs and for false representation.

Requires the Register of Copyrights to establish and maintain an electronically searchable fashion design database available to the public without charge.

Actions Timeline

- **Apr 30, 2009:** Introduced in House
- **Apr 30, 2009:** Referred to the House Committee on the Judiciary.