

S 3389

Protecting American Trade Secrets and Innovation Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Jul 17, 2012

Current Status: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S5086-

Latest Action: Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S5086-5087) (Jul 17, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/3389>

Sponsor

Name: Sen. Kohl, Herb [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coons, Christopher A. [D-DE]	D · DE		Jul 17, 2012
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Jul 17, 2012

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Jul 17, 2012

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Protecting American Trade Secrets and Innovation Act of 2012 - Amends the federal criminal code to authorize a person who is aggrieved by an act of economic espionage, theft of a trade secret, or misappropriation of a trade secret that is related to or included in a product that is produced for or placed in interstate or foreign commerce to bring a civil action under this Act (current law authorizes the Attorney General to bring a civil action to obtain injunctive relief against any violation of provisions regarding the protection of trade secrets).

Requires a complaint filed in such an action to: (1) describe with specificity the reasonable measures taken to protect the secrecy of the alleged trade secrets in dispute, and (2) include a sworn representation by the party asserting the claim that the dispute involves either substantial need for nationwide service of process or misappropriation of trade secrets from the United States to another country.

Authorizes the court, in a civil action, upon ex parte application and if the court finds by clear and convincing evidence that issuing the order is necessary to prevent irreparable harm, to issue an order providing for: (1) the seizure of any property (including computers) used or intended to be used to commit or facilitate the commission of the alleged violation, and (2) the preservation of evidence.

Sets forth provisions regarding the scope of such an order, rights of a party injured by a seizure under such an order, and remedies with respect to civil actions brought under this Act. Establishes a three-year limitations period, beginning when the misappropriation is discovered or should have been discovered.

Actions Timeline

- **Jul 17, 2012:** Introduced in Senate
- **Jul 17, 2012:** Sponsor introductory remarks on measure. (CR S5086)
- **Jul 17, 2012:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S5086-5087)