

HR 5757

CASE Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Commerce

Introduced: Jul 13, 2016

Current Status: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.

Latest Action: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet. (Jul 27, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/5757>

Sponsor

Name: Rep. Jeffries, Hakeem S. [D-NY-8]

Party: Democratic • State: NY • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Marino, Tom [R-PA-10]	R · PA		Jul 13, 2016

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Referred to	Jul 27, 2016

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
114 HR 6496	Related bill	Dec 22, 2016: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.

## **Copyright Alternative in Small-Claims Enforcement Act of 2016 or the CASE Act of 2016**

This bill establishes in the U.S. Copyright Office a small claims board to serve as an alternative forum for parties to voluntarily seek to resolve certain copyright claims if the total monetary recovery sought by a party does not exceed \$30,000.

The board is authorized to: (1) conduct hearings and conferences to facilitate parties' settlement of claims and counterclaims; (2) render independent determinations based on copyright laws and regulations; (3) award monetary relief; and (4) require cessation or mitigation of infringing activity, including the takedown or destruction of infringing materials, where the parties agree.

The bill preserves the right of parties to instead pursue a claim or defense in court.

Board proceedings shall not require in-person appearances by parties. Proceedings may take place through Internet-based teleconference applications.

Discovery shall be limited to the production of relevant information and documents, written interrogatories, and written requests for admission. But the board may consider a party's request for additional limited discovery.

A party may request: (1) the claims board to reconsider its determinations, and (2) the Register of Copyrights to review a claims board determination if the board denies reconsideration.

A final determination precludes relitigation of the claims before a court or the board, but parties may apply for the U.S. District Court for the District of Columbia to vacate, modify, or correct a determination that: (1) was issued as a result of fraud, corruption, misrepresentation, or misconduct; (2) exceeds the board's authority or fails to render a definite determination; or (3) was based on a default determination or failure to prosecute that was due to excusable neglect.

If a party fails to pay or comply with relief awarded in a final board determination, the aggrieved party may apply for a court order confirming the final award.

### **Actions Timeline**

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- **Jul 27, 2016:** Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.
- **Jul 13, 2016:** Introduced in House
- **Jul 13, 2016:** Referred to the House Committee on the Judiciary.