

S 1273

CASE Act of 2019

Congress: 116 (2019–2021, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: May 1, 2019

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 206.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 206. (Sep 12, 2019)

Official Text: <https://www.congress.gov/bill/116th-congress/senate-bill/1273>

Sponsor

Name: Sen. Kennedy, John [R-LA]

Party: Republican • **State:** LA • **Chamber:** Senate

Cosponsors (21 total)

| Cosponsor | Party / State | Role | Date Joined |
|-----------------------------------|---------------|------|--------------|
| Sen. Durbin, Richard J. [D-IL] | D · IL | | May 1, 2019 |
| Sen. Hirono, Mazie K. [D-HI] | D · HI | | May 1, 2019 |
| Sen. Tillis, Thomas [R-NC] | R · NC | | May 1, 2019 |
| Sen. Blackburn, Marsha [R-TN] | R · TN | | May 21, 2019 |
| Sen. Shaheen, Jeanne [D-NH] | D · NH | | Jun 4, 2019 |
| Sen. Udall, Tom [D-NM] | D · NM | | Jul 9, 2019 |
| Sen. Coons, Christopher A. [D-DE] | D · DE | | Jul 16, 2019 |
| Sen. Cramer, Kevin [R-ND] | R · ND | | Jul 16, 2019 |
| Sen. Leahy, Patrick J. [D-VT] | D · VT | | Jul 17, 2019 |
| Sen. Blumenthal, Richard [D-CT] | D · CT | | Jul 18, 2019 |
| Sen. Cornyn, John [R-TX] | R · TX | | Jul 18, 2019 |
| Sen. Cruz, Ted [R-TX] | R · TX | | Jul 18, 2019 |
| Sen. Feinstein, Dianne [D-CA] | D · CA | | Jul 18, 2019 |
| Sen. Heinrich, Martin [D-NM] | D · NM | | Jul 18, 2019 |
| Sen. Braun, Mike [R-IN] | R · IN | | Oct 15, 2019 |
| Sen. Grassley, Chuck [R-IA] | R · IA | | Oct 15, 2019 |
| Sen. Hyde-Smith, Cindy [R-MS] | R · MS | | Oct 23, 2019 |
| Sen. Young, Todd [R-IN] | R · IN | | Oct 30, 2019 |
| Sen. Ernst, Joni [R-IA] | R · IA | | Mar 2, 2020 |
| Sen. Wicker, Roger F. [R-MS] | R · MS | | Jun 23, 2020 |
| Sen. Duckworth, Tammy [D-IL] | D · IL | | Dec 3, 2020 |

Committee Activity

| Committee | Chamber | Activity | Date |
|---------------------|---------|-------------|--------------|
| Judiciary Committee | Senate | Reported By | Sep 12, 2019 |

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

| Bill | Relationship | Last Action |
|-------------|----------------|--|
| 116 S 4632 | Related bill | Sep 21, 2020: Read twice and referred to the Committee on the Judiciary. |
| 116 HR 2426 | Identical bill | Oct 23, 2019: Received in the Senate. Read twice. Placed on Senate Legislative Calendar under General Orders. Calendar No. 266. |

Summary (as of Sep 12, 2019)

Copyright Alternative in Small-Claims Enforcement Act of 2019 or the CASE Act of 2019

This bill creates the Copyright Claims Board, a body within the U.S. Copyright Office, to decide copyright disputes. Damages awarded by the board are capped at \$30,000.

Participation in board proceedings is voluntary with an opt-out procedure for defendants, and parties may choose instead to have a dispute heard in court. If the parties agree to have their dispute heard by the board, they shall forego the right to be heard before a court and the right to a jury trial. Board proceedings shall have no effect on class actions.

The board shall be authorized to hear copyright infringement claims, actions for a declaration of noninfringement, claims that a party knowingly sent false takedown notices, and related counterclaims.

The bill provides for various procedures, including with respect to requests for information from the other party and requests for the board to reconsider a decision.

The board may issue monetary awards based on actual or statutory damages.

The parties shall bear their own attorneys' fees and costs except where there is bad faith misconduct.

A board's final determination precludes relitigating the claims in court or at the board. Parties may challenge a board decision in federal district court only if (1) the decision was a result of fraud, corruption, or other misconduct; (2) the board exceeded its authority or failed to render a final determination; or (3) in a default ruling or failure to prosecute, the default or failure was excusable.

Actions Timeline

- **Sep 12, 2019:** Committee on the Judiciary. Reported by Senator Graham without amendment. With written report No. 116-105.
- **Sep 12, 2019:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 206.
- **Jul 18, 2019:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **May 1, 2019:** Introduced in Senate
- **May 1, 2019:** Read twice and referred to the Committee on the Judiciary.