

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.

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