

## S 1843

### SHOP SAFE Act of 2021

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Commerce

**Introduced:** May 26, 2021

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (May 26, 2021)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/1843>

### Sponsor

**Name:** Sen. Coons, Christopher A. [D-DE]

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

### Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Tillis, Thomas [R-NC]	R · NC		May 26, 2021

### Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	May 26, 2021

### Subjects & Policy Tags

#### Policy Area:

Commerce

### Related Bills

Bill	Relationship	Last Action
117 HR 3429	Identical bill	Nov 1, 2022: Referred to the Subcommittee on Courts, Intellectual Property, and the Internet.
117 HR 5374	Related bill	Sep 29, 2021: Ordered to be Reported in the Nature of a Substitute by the Yeas and Nays: 30 - 8.

## **Stopping Harmful Offers on Platforms by Screening Against Fakes in E-commerce Act of 2021 or SHOP SAFE Act of 2021**

This bill makes an electronic commerce platform liable for infringement of a registered trademark by a third-party seller of goods that implicate health and safety unless the platform takes certain actions.

Specifically, the platform may be contributorily liable if the seller uses a counterfeit mark in connection with selling, offering, or advertising such goods on the platform. The platform may avoid such liability by taking certain actions before the infringing act, including (1) requiring the seller to have a registered agent or a verified address for service of process in the United States, (2) verifying the seller's identity and contact information, (3) requiring the seller to agree to not use counterfeit marks with goods sold on the platform, (4) implementing technical measures to prescreen listings on the platform and remove listings for goods being sold with a counterfeit mark, and (5) implementing policies to remove and ban repeat offenders.

### **Actions Timeline**

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- **May 26, 2021:** Introduced in Senate
- **May 26, 2021:** Read twice and referred to the Committee on the Judiciary.