

106TH CONGRESS  
1ST SESSION

# S. 1257

To amend statutory damages provisions of title 17, United States Code.

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 1999

Mr. HATCH (for himself, Mr. LEAHY, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To amend statutory damages provisions of title 17, United States Code.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Digital Theft Deter-  
5 rence and Copyright Damages Improvement Act of 1999”.

6 **SEC. 2. STATUTORY DAMAGES ENHANCEMENT.**

7 Section 504(e) of title 17, United States Code, is  
8 amended—

9 (1) in paragraph (1)—

1 (A) by striking “\$500” and inserting  
2 “\$750”; and

3 (B) by striking “\$20,000” and inserting  
4 “\$30,000”; and

5 (2) in paragraph (2)—

6 (A) by inserting “(A)” after “(2)”;

7 (B) by striking “\$100,000” and inserting  
8 “\$150,000”;

9 (C) by inserting after the second sentence  
10 the following:

11 “(B) In a case where the copyright owner dem-  
12 onstrates that the infringement was part of a re-  
13 peated pattern or practice of willful infringement,  
14 the court may increase the award of statutory dam-  
15 ages to a sum of not more than \$250,000 per  
16 work.”; and

17 (D) by striking “The court shall remit  
18 statutory damages” and inserting the following:

19 “(C) The court shall remit statutory damages”.

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