

110TH CONGRESS
2D SESSION

S. 3106

To amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2008

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

A BILL

To amend chapter 13 of title 17, United States Code (relating to the vessel hull design protection), to clarify the definitions of a hull and a deck.

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. VESSEL HULL DESIGN PROTECTION.**

4 (a) **SHORT TITLE.**—This section may be cited as the
5 “Vessel Hull Design Protection Amendments of 2008”.

6 (b) **DESIGNS PROTECTED.**—Section 1301(a) of title
7 17, United States Code, is amended by striking paragraph
8 (2) and inserting the following:

1 “(2) VESSEL FEATURES.—The design of a ves-
2 sel hull, deck, or combination of a hull and deck, in-
3 cluding a plug or mold, is subject to protection
4 under this chapter, notwithstanding section
5 1302(4).”.

6 (c) EXCEPTIONS.—Section 1301(a) of title 17,
7 United States Code, is amended by adding at the end the
8 following:

9 “(3) EXCEPTIONS.—Department of Defense
10 rights in a registered design under this chapter, in-
11 cluding the right to build to such registered design,
12 shall be determined solely by operation of section
13 2320 of title 10, the United States Code, or by the
14 instrument under which the design was developed
15 for the United States Government.”.

16 (d) DEFINITIONS.—Section 1301(b) of title 17,
17 United States Code, is amended—

18 (1) in paragraph (2), by striking “vessel hull,
19 including a plug or mold,” and inserting “vessel hull
20 or deck, including a plug or mold,”;

21 (2) by striking paragraph (4) and inserting the
22 following:

23 “(4) A ‘hull’ is the exterior frame or body of a
24 vessel, exclusive of the deck, superstructure, masts,

1 sails, yards, rigging, hardware, fixtures, and other
2 attachments.”; and

3 (3) by adding at the end the following:

4 “(7) A ‘deck’ is the horizontal surface of a ves-
5 sel that covers the hull, including exterior cabin and
6 cockpit surfaces, and exclusive of masts, sails, yards,
7 rigging, hardware, fixtures, and other attachments.”.

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