

112TH CONGRESS
1ST SESSION

H. R. 243

To amend title 35, United States Code, to modify the penalty for false marking, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2011

Mr. LATTA introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 35, United States Code, to modify the penalty for false marking, and for other purposes.

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 “Patent Lawsuit Re-
5 form Act of 2011”.

6 **SEC. 2. FALSE MARKING.**

7 (a) IN GENERAL.—Section 292 of title 35, United
8 States Code, is amended—

9 (1) in subsection (a)—

1 (A) in the second undesignated paragraph,
2 by striking “any unpatented article” and insert-
3 ing “unpatented articles”;

4 (B) in the third undesignated paragraph,
5 by striking “any article” and inserting “one or
6 more articles”; and

7 (C) , by striking “\$500 for every such of-
8 fense” and inserting “\$500, in the aggregate,
9 for all offenses in connection with such arti-
10 cles”; and

11 (2) by amending subsection (b) to read as fol-
12 lows:

13 “(b) A person who has suffered a competitive injury
14 as a result of a violation of this section may bring a civil
15 action in the appropriate district court of the United
16 States against the person violating this section for recov-
17 ery of not more than \$500 in damages to compensate for
18 the injury.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to any case pending on the date
21 of the enactment of this Act, and to any case commenced
22 on or after such date of enactment.

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