84TH CONGRESS
1ST SESSION

H. R. 6716

IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1955

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

A BILL

To amend title 28 of the United States Code relating to actions for infringements of copyrights by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1498 of title 28 of the United States Code is hereby amended by inserting the letter "(a)" at the beginning of the section and adding at the end thereof a new subsection "(b)" reading as follows:

"(b) Whenever after December 31, 1956, any work protected under the copyright laws of the United States shall be infringed by the United States, by a corporation owned or controlled by the United States, or by a contractor, subcontractor or any person or corporation pursuant to a contract

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with or authorization by the Government, the owner's remedy shall be by action against the United States in the Court of Claims or in any district court for the recovery of such damages as the copyright owner may have suffered due to such infringement in accordance with the procedure and terms, including the minimum statutory damages, set forth in section 101 (b) of title 17, United States Code: *Provided,* That the copyright owner shall also have the right to pursue the administrative remedy available under the Federal Tort Claims Act (secs. 2671-2680 of title 28, U. S. C.) in cases in which the damages claimed, including the minimum statutory damages set forth in section 101 (b) of title 17, United States Code, do not exceed $1,000, except that in claims for copyright infringement section 2680 (a) of title 28, United States Code, shall not be available as a defense to the Government: *And provided further,* That the statute of limitations in bringing actions or in making claims under this subsection shall be the six years specified in section 2401 (a) of title 28, United States Code."

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By Mr. CRUMPACKER

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