

Session 120 - (2013-2014)

S 1121 General Bill, By Campbell, Setzler, McElveen and L. Martin

Summary: Unlawful trade practices

A BILL TO AMEND CHAPTER 5, TITLE 39 OF THE 1976 CODE, RELATING TO UNLAWFUL TRADE PRACTICES, TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENT ARE UNLAWFUL TRADE PRACTICES, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, TO PROVIDE THAT A CLAIM FOR RELIEF UNDER 35 U.S.C. § 271(E)(2) OR 42 U.S.C. § 262 SHALL NOT BE SUBJECT TO THE PROVISIONS OF THIS ARTICLE, TO PROVIDE FOR CONSIDERATION BY THE COURT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND THE RECIPIENT OF A BAD FAITH ASSERTION OF PATENT INFRINGEMENT, TO PROVIDE FOR PENALTIES FOR VIOLATIONS OF THE ARTICLE, TO PROVIDE THAT THIS ARTICLE DOES NOT LIMIT THE ATTORNEY GENERAL'S AUTHORITY TO PURSUE OTHER ALLEGATIONS OF UNLAWFUL TRADE PRACTICES, AND TO DEFINE NECESSARY TERMS.

03/13/14 Senate Introduced and read first time (Senate Journal-page 5)

03/13/14 Senate Referred to Committee on Judiciary (Senate Journal-page 5)

03/25/14 Senate Referred to Subcommittee: Gregory (ch), Young, Kimpson