CHAPTER 4

Abusive Assertions Relating to Intellectual Property [Repealed]

Editor's Note

2016 Act No. 261, Section 1, provides as follows:

"SECTION 1. It is the intent of the General Assembly to encourage research, development, and innovation. Doing so provides jobs for South Carolina's residents and boosts the economy of the State. Patents encourage research, development, and innovation. Holders of patents have legitimate rights to protect and enforce their patents. It is not the intent of the General Assembly to interfere with the good faith enforcement of patents or good faith patent litigation. The assertion of infringement claims made in bad faith is conduct that hurts South Carolina's businesses and citizens. Businesses must use funds to respond to these threats of bad faith assertions of patent infringement and those funds are no longer available to invest, to produce new products, to expand, or to hire new workers. This harms the citizens and the economy of South Carolina. Through the provisions of this narrowly focused chapter, the General Assembly, in order to protect South Carolina's businesses, citizens, and economy, seeks to facilitate the efficient and prompt resolution of the conduct of persons asserting bad faith patent infringement claims and not to interfere with legitimate patent infringement claims."

**SECTIONS 39‑4‑100 to 39‑4‑150.** Repealed.

HISTORY: Former Section 39‑4‑100, titled Short title, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.

HISTORY: Former Section 39‑4‑101, titled Definitions, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.

HISTORY: Former Section 39‑4‑120, titled Bad faith assertions of patent infringement prohibited; exceptions, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.

HISTORY: Former Section 39‑4‑130, titled Authority of Attorney General; civil penalties; bond, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.

HISTORY: Former Section 39‑4‑140, titled Remedies, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.

HISTORY: Former Section 39‑4‑150, titled Repeal of chapter, had the following history: 2016 Act No. 261 (H.3682), Section 2, eff July 1, 2016. Repealed by 2016 Act No. 261, Section 2, eff July 1, 2021.