Calendar No. 437

102D CONGRESS
2D SESSION

S. 893

[Report No. 102–268]

To amend title 18, United States Code, to impose criminal sanctions for violation of software copyright.

IN THE SENATE OF THE UNITED STATES

APRIL 23 (legislative day, APRIL 9), 1991

Mr. HATCH (for himself, Mr. DECONCINI and Mr. GORTON) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

APRIL 7 (legislative day, MARCH 26), 1992

Reported by Mr. BIDEN, without amendment

A BILL

To amend title 18, United States Code, to impose criminal sanctions for violation of software copyright.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2319(b)(1) of title 18, United States Code, is amended—

(1) in paragraph (B) by striking "or" after the semicolon;

(2) redesignating paragraph (C) as paragraph (D);

(3) by adding after paragraph (B) the following:

"(C) involves the reproduction or distribution, during any 180-day period, of at least 50 copies infringing the copyright in one or more computer programs (including any tape, disk, or other medium embodying such programs); or";

(4) in new paragraph (D) by striking "or" after "recording,"; and

(5) in new paragraph (D) by adding ", or a computer program", before the semicolon.

(b) Section 2319(b)(2) of title 18, United States Code, is amended—

(1) in paragraph (A) by striking "or" after the semicolon;

(2) in paragraph (B) by striking "and" at the end thereof and inserting "or"; and

(3) by adding after paragraph (B) the following:

"(C) involves the reproduction or distribution, during any 180-day period, of more than 10 but less than 49 copies infringing the

copyright in one or more computer programs (including any tape, disk, or other medium embodying such programs); and".

(c) Section 2319(c) of title 18, United States Code, is amended—

(1) in paragraph (1) by striking "and" after the semicolon;

(2) in paragraph (2) by striking the period at the end thereof and inserting "; and"; and

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

"(3) the term 'computer program' has the same meaning as set forth in section 101 of title 17, United States Code.".

Calendar No. 437

102D CONGRESS
2D SESSION

S. 893

[Report No. 102-268]

A BILL

To amend title 18, United States Code, to impose criminal sanctions for violation of software copyright.

APRIL 7 (legislative day, MARCH 26), 1992

Reported without amendment