

102D CONGRESS
1ST SESSION

S. 893

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 and Mr. DECONCINI) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 That (a) section 2319(b)(1) of title 18, United States
4 Code, is amended—

5 (1) in paragraph (B) by striking “or” after the
6 semicolon;

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

9 (3) by adding after paragraph (B) the follow-
10 ing:

1 “(C) involves the reproduction or distribu-
2 tion, during any 180-day period, of at least 50
3 copies infringing the copyright in one or more
4 computer programs (including any tape, disk,
5 or other medium embodying such programs);
6 or”;

7 (4) in new paragraph (D) by striking “or” after
8 “recording,”; and

9 (5) in new paragraph (D) by adding “, or a
10 computer program”, before the semicolon.

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

13 (1) in paragraph (A) by striking “or” after the
14 semicolon;

15 (2) in paragraph (B) by striking “and” at the
16 end thereof and inserting “or”; and

17 (3) by adding after paragraph (B) the follow-
18 ing:

19 “(C) involves the reproduction or distribu-
20 tion, during any 180-day period, of more than
21 10 but less than 49 copies infringing the copy-
22 right in one or more computer programs (in-
23 cluding any tape, disk, or other medium em-
24 bodying such programs); and”.

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

3 (1) in paragraph (1) by striking “and” after
4 the semicolon;

5 (2) in paragraph (2) by striking the period at
6 the end thereof and inserting “; and”; and

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

8 “(3) the term ‘computer program’ has the same
9 meaning as set forth in section 101 of title 17, Unit-
10 ed States Code.”.

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