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(Original Signature of Member)

108TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. CONYERS (for himself, Mr. BERMAN, Mr. SCHIFF, Mr. MEEHAN, Mr. WEXLER, and Mr. WEINER) introduced the following bill; which was referred to the Committee on _____

A BILL

To encourage the development and distribution of creative works by enhancing domestic and international enforcement of the copyright laws, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Author, Consumer, and
5 Computer Owner Protection and Security (ACCOPS) Act
6 of 2003”.



1 **TITLE I—INCREASED DOMESTIC**
2 **ENFORCEMENT EFFORTS**

3 **SEC. 101. AUTHORIZED APPROPRIATIONS.**

4 There are authorized to be appropriated for fiscal
5 year 2004, to the Department of Justice for investigation
6 and prosecution of violations of title 17, United States
7 Code, not less than \$15,000,000.

8 **SEC. 102. NATIONAL INTELLECTUAL PROPERTY LAW EN-**
9 **FORCEMENT COORDINATION COUNCIL.**

10 Section 653(b) of title VI of Public Law 106-58 (15
11 U.S.C. 1128(b)) is amended by adding at the end the fol-
12 lowing: “The Council shall develop guidelines to ensure
13 that its component members share amongst themselves
14 law enforcement information related to infringement of
15 United States copyrighted works.”

16 **SEC. 103. ENHANCED CRIMINAL COPYRIGHT REPORTING.**

17 Section 2320(f) of title 28, United States Code, is
18 amended by striking “Beginning with the first year after
19 the date of enactment of this subsection, the Attorney
20 General shall include in the report of the Attorney General
21 to Congress on the business of the Department of Justice
22 prepared pursuant to section 522 of title 28,” and insert-
23 ing “Beginning with the first year after the date of enact-
24 ment of this subsection, the Attorney General shall submit



1 to the House and Senate Judiciary Committees on a bian-
2 nual basis,”

3 **TITLE II—INCREASED INTER-**
4 **NATIONAL ENFORCEMENT**
5 **EFFORTS**

6 **SEC. 201. INFORMATION SHARING.**

7 (a) IN GENERAL.—Subject to the limitations in sec-
8 tion 202, the Attorney General of the United States shall
9 provide to a foreign authority evidence to assist such
10 authority—

11 (1) in determining whether a person has vio-
12 lated any of the copyright laws administered or en-
13 forced by the foreign authority; or

14 (2) in enforcing any of such foreign copyright
15 laws.

16 (b) EXAMPLES OF TYPE OF EVIDENCE.—Such evi-
17 dence includes evidence obtained pursuant to criminal
18 complaints or to investigations of violations of sections
19 2318, 2319, 2319A, and 2320 of title 17, United States
20 Code that explains, analyzes, or describes—

21 (1) the nature of the violation;

22 (2) the technological means through which vio-
23 lations of the copyright law has occurred;

24 (3) the identity and location of the person who
25 has committed such violation; or



1 (4) the estimated financial loss caused by the
2 violation.

3 **SEC. 202. LIMITATIONS.**

4 The Attorney General shall not provide evidence
5 under section 201—

6 (1) that is a matter occurring before a grand
7 jury with respect to which disclosure is prohibited by
8 Federal Rules of Criminal Procedure;

9 (2) that is classified; or

10 (3) that should not be disclosed for national se-
11 curity reasons.

12 **TITLE III—ANTI-PIRACY TOOLS**

13 **SEC. 301. CRIMINAL PENALTIES FOR PLACING WORKS ON**
14 **COMPUTER NETWORKS.**

15 Section 506(a) of title 17, United States Code, is
16 amended—

17 (1) by striking “, United States Code”; and

18 (2) by adding at the end the following: “For
19 purposes of section 2319(b) of title 18, the placing
20 of a copyrighted work, without the authorization of
21 the copyright owner, on a computer network acces-
22 sible to members of the public who are able to copy
23 the work through such access shall be considered to
24 be the distribution, during a 180-day period, of at



1 least 10 copies of that work with a retail value of
2 more than \$2,500.”.

3 **SEC. 302. NOTICE AND CONSENT.**

4 (a) IN GENERAL.—Chapter 89 of title 18, United
5 States Code, is amended by adding at the end the fol-
6 lowing:

7 **“§ 1822. Notice and consent relating to certain soft-
8 ware**

9 “(a) Whoever knowingly offers enabling software for
10 download over the Internet and does not—

11 “(1) clearly and conspicuously warn any person
12 downloading that software, before it is downloaded,
13 that it is enabling software and could create a secu-
14 rity and privacy risk for the user’s computer; and

15 “(2) obtain that person’s prior consent to the
16 download after that warning;

17 shall be fined under this title or imprisoned not more than
18 6 months, or both.

19 “(b) As used in this section, the term ‘enabling soft-
20 ware’ means software that, when installed on the user’s
21 computer, enables 3rd parties to store data on that com-
22 puter, or use that computer to search other computers’
23 contents over the Internet.”.

24 (b) AMENDMENT TO TABLE OF SECTIONS.—The
25 table of sections at the beginning of chapter 89 of title



1 18, United States Code, is amended by adding at the end
2 the following new item:

“1822. Notice and consent relating to certain software.”.

3 **SEC. 303. CRIMINAL PENALTIES FOR FALSE INFORMATION**
4 **IN REGISTRATION OF DOMAIN NAMES.**

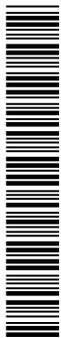
5 (a) IN GENERAL.—Chapter 47 of title 18, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 1037. Fraudulent information in registering do-**
9 **main name**

10 “(a) OFFENSE.—Whoever knowingly and with intent
11 to defraud provides material and misleading false contact
12 information to a domain name registrar, domain name
13 registry, or other domain name registration authority in
14 registering a domain name shall be fined under this title
15 or imprisoned not more than 5 years, or both.

16 “(b) DEFINITIONS.—In this section—

17 “(1) the term ‘domain name’ means any alpha-
18 numeric designation which is registered with or as-
19 signed by a domain name registrar, domain name
20 registry, or other domain name registration author-
21 ity as part of an electronic address on the Internet;
22 and



1 knowing and intentional provision of material and mis-
2 leading false contact information to a domain name reg-
3 istrar, domain name registry, or other domain name reg-
4 istration authority in registering a domain name shall be
5 considered evidence of willfulness with respect to infringe-
6 ments committed by the domain name registrant through
7 the use of that domain name.”.

8 (b) DEFINITION.—Section 506 of title 17, United
9 States Code, is amended by adding at the end the fol-
10 lowing:

11 “(g) DEFINITIONS.—In this section—

12 “(1) the term ‘domain name’ means any alpha-
13 numeric designation which is registered with or as-
14 signed by a domain name registrar, domain name
15 registry, or other domain name registration author-
16 ity as part of an electronic address on the Internet;
17 and

18 “(2) the term ‘Internet’ has the meaning given
19 that term in section 230(f)(1) of the Communica-
20 tions Act of 1034 (47 U.S.C. 230(f)(1)).”.

