



H.R. 6531 – VESSEL HULL DESIGN PROTECTION AMENDMENTS OF 2008

FLOOR SITUATION

H.R. 6531 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Howard Berman (D-CA) on July 17, 2008. It was referred to the House Committee on the Judiciary, but was never considered.

H.R. 6531 is expected to be considered on the floor of the House on July 22, 2008.

SUMMARY

H.R. 6531 provides that the individual design of all vessel hulls, decks, or specific combinations of the two, are protected under U.S. copyright law.

BACKGROUND

A hull is the main body of a watercraft ship or boat and the deck is the structure which spans across the hull to provide strength to the ships body, as well as a working surface onboard the ship.

Under current U.S. copyright law, a vessel hull is defined as including its corresponding deck. This definition does not specifically provide individual protection for a ship's deck design or the specific combination of a hull and a deck. State laws have been enacted to prohibit the manufacturing practice in which an existing ship hull and deck design are copied and used to make a replica 'mold' of the original hull/deck design. However, in *Bonito Boats, Inc. v. Thunder Craft Boats, Inc.*, the Supreme Court ruled these state laws to be in conflict with federal patent law.

COST

The Congressional Budget Office did not have a cost estimate available for H.R. 6531 as of July 21, 2008.

STAFF CONTACT

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