

110TH CONGRESS  
2D SESSION

# H. R. 5638

To amend title 35, United States Code, to create an exception from infringement for certain component parts used to repair another article of manufacture.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2008

Ms. ZOE LOFGREN of California introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To amend title 35, United States Code, to create an exception from infringement for certain component parts used to repair another article of manufacture.

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. EXCEPTION FROM INFRINGEMENT FOR CER-**  
4 **TAIN COMPONENT PARTS.**

5 (a) IN GENERAL.—Section 271 of title 35, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing new subsection:

8 “(j) It shall not be an act of infringement to make,  
9 use, offer to sell, or sell within the United States or import

1 into the United States any article of manufacture that  
2 itself constitutes a component part of another article of  
3 manufacture, if the sole purpose of the component part  
4 is for the repair of the article of manufacture of which  
5 it is a part so as to restore its original appearance.”.

6 (b) APPLICABILITY.—The amendment made by sub-  
7 section (a) applies to acts done on or after March 13,  
8 2008.

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