

112TH CONGRESS
2D SESSION

H. R. 5977

To amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2012

Mr. SMITH of Texas (for himself and Mr. UPTON) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend the Hobby Protection Act to make unlawful the provision of assistance or support in violation of that Act, 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 “Collectible Coin Pro-
5 tection Act”.

6 **SEC. 2. PROVISION OF ASSISTANCE OR SUPPORT.**

7 The Hobby Protection Act (15 U.S.C. 2101 et seq.)
8 is amended—

9 (1) in section 2—

1 (A) in subsection (b), by inserting “, or the
2 sale in commerce” after “distribution in com-
3 merce”;

4 (B) by redesignating subsection (d) as sub-
5 section (e) and inserting after subsection (c) the
6 following:

7 “(d) PROVISION OF ASSISTANCE OR SUPPORT.—It
8 shall be a violation of subsection (a) or (b) for a person
9 to provide substantial assistance or support to any manu-
10 facturer, importer, or seller if that person knows or con-
11 sciously avoids knowing that the manufacturer, importer,
12 or seller is engaged in any act or practice that violates
13 subsection (a) or (b).”; and

14 (C) in subsection (e) (as so redesignated),
15 by striking “and (b)” and inserting “(b), and
16 (d)”;
17 (2) in section 3—

18 (A) by striking “If any person” and insert-
19 ing “(a) IN GENERAL.—If any person”;

20 (B) by striking “or has an agent” and in-
21 serting “, has an agent, transacts business, or
22 wherever venue is proper under section 1391 of
23 title 28, United States Code”; and

24 (C) by adding at the end the following:

1 “(b) TRADEMARK VIOLATIONS.—If the violation of
2 section 2 (a) or (b) or a rule under section 2(c) also in-
3 volves unauthorized use of registered trademarks belong-
4 ing to a collectibles certification service, the owner of such
5 trademarks shall have, in addition to the remedies pro-
6 vided in subsection (a), all rights provided under sections
7 34, 35, and 36 of the Trademark Act of 1946 (15 U.S.C.
8 1116, 1117, and 1118) for violations of such Act.”; and

9 (3) in section 7, by adding at the end the fol-
10 lowing:

11 “(8) The term ‘collectibles certification service’
12 means a person recognized by collectors for pro-
13 viding independent certification that collectible items
14 are genuine.”.

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