

## Session 121 - (2015-2016)

### H\*3682 (Rat #0299, Act #0261 of 2016) General Bill, By Finlay, Bannister, Newton, Cole, Delleney, Weeks, Whipper, Robinson-Simpson and Bingham

**Summary:** Bad Faith Assertion of Patent Infringement Act

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 4 TO TITLE 39 SO AS TO ENACT THE "BAD FAITH ASSERTION OF PATENT INFRINGEMENT ACT", TO PROVIDE THAT BAD FAITH ASSERTIONS OF PATENT INFRINGEMENTS ARE PROHIBITED, TO DEFINE TERMS, TO PROVIDE FOR A PRIVATE CAUSE OF ACTION IN STATE COURTS BY A RECIPIENT OF A BAD FAITH ASSERTION TO PATENT INFRINGEMENT, TO PROVIDE THAT ENFORCEMENT ACTIONS MAY BE BROUGHT BY THE ATTORNEY GENERAL AND WILFUL AND KNOWING VIOLATIONS MAY RESULT IN CIVIL PENALTIES OF NOT MORE THAN FIFTY THOUSAND DOLLARS FOR EACH VIOLATION, TO PROVIDE FOR THE FACTORS THAT A COURT MAY CONSIDER WHEN MAKING A BAD FAITH DETERMINATION, AND TO PROVIDE EXCEPTIONS. - ratified title

02/18/15	House	Introduced and read first time (House Journal-page 31)
02/18/15	House	Referred to Committee on Judiciary (House Journal-page 31)
04/22/15	House	Member(s) request name added as sponsor: Weeks, Whipper
04/22/15	House	Committee report: Favorable Judiciary (House Journal-page 6)
04/23/15	House	Member(s) request name added as sponsor: Robinson-Simpson
04/28/15	House	Member(s) request name added as sponsor: Bingham
04/28/15	House	Read second time (House Journal-page 37)
04/28/15	House	Roll call Yeas-103 Nays-0 (House Journal-page 38)
04/29/15	House	Read third time and sent to Senate (House Journal-page 21)
04/29/15	House	Roll call Yeas-87 Nays-0 (House Journal-page 21)
04/29/15	Senate	Introduced and read first time (Senate Journal-page 13)
04/29/15	Senate	Referred to Committee on Judiciary (Senate Journal-page 13)
05/01/15	Senate	Referred to Subcommittee: Gregory (ch), Young, Kimpson
01/27/16	Senate	Committee report: Favorable with amendment Judiciary (Senate Journal-page 12)
01/28/16		Scrivener's error corrected
04/13/16	Senate	Committee Amendment Adopted (Senate Journal-page 31)
05/24/16	Senate	Amended (Senate Journal-page 25)
05/24/16	Senate	Read second time (Senate Journal-page 25)
06/02/16	Senate	Read third time and returned to House with amendments (Senate Journal-page 51)
06/02/16	Senate	Roll call Ayes-42 Nays-1 (Senate Journal-page 51)
06/02/16	House	Concurred in Senate amendment and enrolled (House Journal-page 77)
06/02/16	House	Roll call Yeas-96 Nays-0 (House Journal-page 77)
06/06/16		Ratified R 299
06/09/16		Signed By Governor
06/15/16		Effective date 07/01/16
06/16/16		Act No. 261