

—th Congress
—nd Session

S. _____

To modernize and enhance intellectual property laws, and for other purposes

IN THE SENATE OF THE UNITED STATES

M _____ introduced the following bill, which was read twice and referred to the Committee on the Judiciary

A BILL

To modernize and enhance intellectual property laws, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1.—SHORT TITLE

This Act may be cited as the "Eliminating Barriers to Lawful Use Act."

SEC. 2.—LAWFUL CIRCUMVENTION OF COPYRIGHT PROTECTION SYSTEMS AND CIRCUMVENTION DEVICES

Section 1201 of title 17, United States Code, is amended—

(1) in subsection (a),

(a) in paragraph (1), by adding at the end the following:

“(F) Notwithstanding the prohibition contained in subparagraph (A), it shall not be a violation of this section to circumvent a technological measure in connection with access to, or the use of, a work if such circumvention is for the purpose of engaging in noninfringing use of a work protected under this title.”

(b) in paragraph (2), by adding after "or part thereof, that" the following:

“,with the intent of infringing, or with the stated purpose of actively promoting, the infringement of, a right protected by section 106 of this title”.

(2) in subsection (b),

(a) in paragraph (1), by adding after "or part thereof, that"

“,with the intent of infringing, or with the stated purpose of actively promoting, the infringement of a right protected by section 106 of this title”.