

## 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

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