



1           WHEREAS, existing laws relating to unfair trade practices do not adequately address  
2 the harms that occur when manufacturers use stolen or misappropriated information  
3 technology to gain an unfair competitive advantage over companies that play by the rules;  
4 and

5           WHEREAS, it is important for the state of Louisiana to enable effective recourse  
6 against manufacturers that obtain an unlawful competitive advantage by using stolen or  
7 misappropriated information technology to make goods; and

8           WHEREAS, to accomplish this purpose, law abiding manufacturers who have  
9 suffered economic harm from a directly competing manufacturer's sale of products made  
10 using stolen or misappropriated information technology should be allowed to pursue a cause  
11 of action against the company that used the stolen or misappropriated information  
12 technology; and

13           WHEREAS, the remedies available to the law abiding manufacturer in such cases  
14 should be limited to ensure that the relief obtained is proportional to the harm; and

15           WHEREAS, to safeguard against the possibility of frivolous litigation or other  
16 negative consequences, the law should also provide carefully circumscribed procedures and  
17 exemptions designed to protect businesses that make good faith efforts to act in accordance  
18 with their legal responsibilities.

19           THEREFORE, the House of Representatives of the Legislature of Louisiana requests  
20 the House Committee on Commerce to study the problems surrounding the use of stolen and  
21 misappropriated information technology and to report its findings to the House of  
22 Representatives no later than sixty days prior to the convening of the 2012 Regular Session  
23 of the Legislature of Louisiana.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HSR No. 7

Requests the House Committee on Commerce to study the problems surrounding the use of stolen and misappropriated information technology and report its findings no later than 60 days prior to the 2012 R.S.