

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.

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## 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

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## 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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