

AMENDMENT TO H.R. 4680

OFFERED BY MR. HUFFMAN OF CALIFORNIA

At the end of the bill, add the following:

1 **TITLE _____—INTELLECTUAL**
2 **PROPERTY**

3 **SEC. __01. PROTECTION OF INTELLECTUAL PROPERTY.**

4 (a) PROTECTION OF NAMES.—Section 709 of Chap-
5 ter 33 of title 18, United States Code, is amended by in-
6 serting before the undesignated paragraph that begins
7 “Shall be punished” the following:

8 “Whoever, except with the written permission of the
9 Director of the National Park Service, knowingly uses the
10 words the ‘National Park Service’, the official name of any
11 unit, or any official natural, cultural, or historic site, with-
12 in the National Park System, or the likeness of a National
13 Park Service badge, logo, or insignia, on any item of ap-
14 parel, in connection with any business, advertisement, cir-
15 cular, book, pamphlet, software, or other publication, or
16 any play, motion picture, broadcast, telecast, web site or
17 other production, in a manner that is reasonably cal-
18 culated to convey the impression that the wearer of the
19 item of apparel is acting pursuant to the legal authority
20 of the National Park Service, or to convey the impression

1 that such business, advertisement, circular, book, pam-
2 phlet, software, or other publication, or such play, motion
3 picture, broadcast, telecast, web site, or other production,
4 is approved, endorsed, or authorized by the National Park
5 Service;”

6 (b) PROTECTION OF ARROWHEAD INSIGNIA.—Sec-
7 tion 715 of chapter 33 of title 18, United States Code,
8 is amended by inserting before the undesignated para-
9 graph that beings “The use of” the following:

10 “Whoever, except as authorized under rules and regu-
11 lations issued by the Secretary of the Interior, knowingly
12 manufactures, reproduces, or uses the National Park
13 Service Arrowhead insignia or symbol, or any facsimile
14 thereof, in such a manner as is likely to cause confusion,
15 or to cause mistake, or to deceive, shall be fined under
16 this title or imprisoned not more than six months, or
17 both.”.

18 **SEC. _02. LICENSING.**

19 (a) IN GENERAL.—The Secretary of the Interior may
20 license and collect fees and royalties for the use of the
21 National Park Service badge, insignia, or materials other-
22 wise subject to intellectual property protections, under ap-
23 propriate written contracts or agreements.

24 (b) RETENTION OF FUNDS.—Any funds collected
25 pursuant to subsection (a) shall by retained by the Na-

1 tional Park Service, until expended and without further
2 appropriation, for use by parks and programs adminis-
3 tered by the National Park Service.

4 **SEC. __03. REPRODUCTIONS OF MUSEUM OBJECTS.**

5 (a) IN GENERAL.—Chapter 1025 of title 54, United
6 States Code, is amended by adding at the end the fol-
7 lowing new section:

8 **“§ 102505. Reproductions of museum objects**

9 “(a) AGREEMENTS FOR REPRODUCTIONS.—With re-
10 spect to a museum object in which the object itself and
11 the object’s intellectual property rights, if any, are under
12 the control of the Secretary, the Secretary may enter into
13 agreements for the creation of reproductions of the object
14 with other Federal agencies, units of State or local govern-
15 ments, for-profit corporations, public and private founda-
16 tions, nonprofit organizations, educational institutions,
17 and individuals. The agreements may include provisions
18 for the collection of fees or royalties.

19 “(b) TERMS AND CONDITIONS.—Any agreement
20 under subsection (a) shall provide for the protection of the
21 public interest in the museum object and any other terms
22 and conditions that the Secretary deems appropriate.

23 “(c) RETENTION OF FUNDS.—Any funds collected
24 pursuant to this section shall be retained, until expended
25 and without further appropriation, for use by the System

1 unit, office, or repository where the museum object is
2 held.”.

3 (b) CLERICAL AMENDMENT.—The analysis at the be-
4 ginning of such chapter is amended by adding at the end
5 the following:

“102505. Reproductions of museum objects”.

