

House Bill 1259

By: Representatives Momtahan of the 17th, Gullett of the 19th, Cannon of the 172nd, Daniel of the 117th, Hilton of the 48th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia
2 Annotated, relating to registration and use of trademarks and service marks, so as to provide
3 for streaming services to comply with certain provisions of federal copyright law; to provide
4 for a definition; to provide for enforcement by the Attorney General; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Part 1 of Article 16 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated,
9 relating to registration and use of trademarks and service marks, is amended by adding a new
10 Code section to read as follows:

11 "10-1-455.

12 (a) As used in this Code section, 'streaming service' means a digital content provider that
13 provides on-demand consumption of video over the internet.

14 (b) No streaming service shall operate in this state unless such service is in full compliance
15 with subparagraph (5)(B)(11) of 17 U.S.C. Section 110.

16 (c) The Attorney General is authorized and empowered, upon the receipt of a complaint
17 or upon his or her own initiative, to investigate any violation of subsection (b) of this Code
18 section. The Attorney General is authorized to bring appropriate legal actions to enforce
19 to this Code section."

20

SECTION 2.

21 All laws and parts of laws in conflict with this Act are repealed.