issued under section 69 shall remain in force for the term of the international registration upon which it is based, except that the extension of protection of any mark shall be canceled by the Commissioner—

''(1) at the end of the 6-year period beginning on the date on which the certificate of extension of protection was issued by the Commissioner, unless within the 1-year period preceding the expiration of that 6-year period the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with a fee prescribed by the Commissioner; and

''(2) at the end of the 10-year period beginning on the date on which the certificate of extension of protection was issued by the Commissioner, and at the end of each 10-year period thereafter, unless—

''(A) within the 6-month period preceding the expiration of such 10-year period the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with a fee prescribed by the Commissioner; or

''(B) within 3 months after the expiration of such 10-year period, the holder of the international registration files in the Patent and Trademark Office an affidavit under subsection (b) together with the fee described in subparagraph (A) and an additional fee prescribed by the Commissioner.

''(b) CONTENTS OF AFFIDAVIT.—The affidavit referred to in subsection (a) shall set forth those goods or services recited in the extension of protection on or in connection with which the mark is in use in commerce and the holder of the international registration shall attach to the affidavit a specimen or facsimile showing the current use of the mark in commerce, or shall set forth that any nonuse is due to special circumstances which excuse such nonuse and is not due to any intention to abandon the mark. Special notice of the requirement for such affidavit shall be attached to each certificate of extension of protection.

**''SEC. 72. ASSIGNMENT OF AN EXTENSION OF PROTECTION.**

''An extension of protection may be assigned, together with the goodwill associated with the mark, only to a person who is a national of, is domiciled in, or has a bona fide and effective industrial or commercial establishment either in a country that is a Contracting Party or in a country that is a member of an intergovernmental organization that is a Contracting Party.

**''SEC. 73. INCONTESTABILITY.**

''The period of continuous use prescribed under section 15 for a mark covered by an extension of protection issued under this title may begin no earlier than the date on which the Commissioner issues the certificate of the extension of protection under section 69, except as provided in section 74.

**''SEC. 74. RIGHTS OF EXTENSION OF PROTECTION.**

''An extension of protection shall convey the same rights as an existing registration for the same mark, if—

''(1) the extension of protection and the existing registration are owned by the same person;

''(2) the goods and services listed in the existing registration are also listed in the extension of protection; and

''(3) the certificate of extension of protection is issued after the date of the existing registration.''.

**SEC. 3. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on the date on which the Madrid Protocol (as defined in section 60(1) of the Trademark Act of 1946) enters into force with respect to the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 769, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of H.R. 769, the Madrid Protocol Implementation Act, and urge the House to adopt the measure.

House Resolution 769 is the implementing legislation for the Protocol Related to the Madrid Agreement on the Registration of Marks, commonly known as the Madrid Protocol. The bill is identical to legislation introduced in the preceding three Congresses, and will send a signal to the international business community, United States businesses, and trademark owners that the 106th Congress is determined to help our Nation, and particularly our small businesses, become part of an inexpensive, efficient system that allows the international registration of marks.

As a practical matter, Mr. Speaker, ratification of the Protocol and the enactment of H.R. 769 will enable American trademark owners to pay a nominal fee to the United States Patent and Trademark Office which will then register the marks in the individual countries that comprise the European Union, or more commonly known as the EU. Currently, American trademark attorneys must hire attorneys or agents in each individual country to acquire protection. This process is both laborious and expensive, and discourages small businesses and individuals from registering their marks in Europe.

Mr. Speaker, H.R. 769 is an important and noncontroversial bill that will greatly help those American businesses and other individuals who need to register their trademarks overseas in a prompt and cost-effective manner. I implore my colleagues to pass the bill today, and want to express my thanks to the gentleman from California (Mr. BERMAN), the ranking member of the subcommittee, and the entire subcommittee membership and staff for that matter, who have worked very cooperatively in getting the bill to this point.

Mr. Speaker, I reserve the balance of my time.

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Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of H.R. 769, a bill to implement the Madrid Protocol Agreement providing for an international registration system for trademarks.

I am strongly of the belief that the one-stop shop provided for in the Madrid Protocol whereby trademark applicants can file one application in their own country and in their own language and, in so doing, achieve worldwide protection for their trademarks is in the interest of American businesses.

But while the Protocol took effect 2 years ago, it may never achieve its purpose unless and until the U.S. elects to participate. However, the State Department has not forwarded the treaty to the Senate for ratification because of continuing concerns on the part of the United States regarding the voting rights of intergovernmental members of the Protocol.

In particular, under the Protocol, the European Union receives a separate vote in addition to the votes of its member states. The State Department is concerned that it is a violation of the concept of one vote per country and could set an unfortunate precedent in future international agreements.

While the State Department pursues its concerns with European Commission officials, I believe it is important that we in this body signal our support for the substantive provisions of the Protocol. I know of no opposition to these provisions, nor to this bill. I urge its support.

Mr. Speaker, I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. EWING). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 769.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## MAKING TECHNICAL CORRECTIONS IN TITLE 17, UNITED STATES CODE

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1189) to make technical corrections in title 17, United States Code, and other laws, as amended.

The Clerk read as follows:

H.R. 1189

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TECHNICAL CORRECTIONS TO TITLE 17, UNITED STATES CODE.**

(a) EXEMPTION OF CERTAIN PERFORMANCES AND DISPLAYS ON EXCLUSIVE RIGHTS.—Section 110(5) of title 17, United States Code, is amended—

(1) by striking ''(A) a direct charge'' and inserting ''(i) a direct charge''; and

(2) by striking ''(B) the transmission'' and inserting ''(ii) the transmission''.

(b) EPHEMERAL RECORDINGS.—Section 112(e) of title 17, United States Code, is amended—

(1) by redesignating paragraphs (3) through (10) as paragraphs (2) through (9), respectively;

(2) in paragraph (3), as so redesignated, by striking ''(2)'' and inserting ''(1)'';

(3) in paragraph (4), as so redesignated—

(A) by striking ''(3)'' and inserting ''(2)'';

(B) by striking ''(4)'' and inserting ''(3)'';

(C) by striking ''(6)'' and inserting ''(5)''; and

(D) by striking ''(3) and (4)'' and inserting ''(2) and (3)''; and

(4) in paragraph (6), as so redesignated—

(A) by striking ''(4)'' each place it appears and inserting ''(3)''; and

(B) by striking ''(5)'' each place it appears and inserting ''(4)''.

(c) DETERMINATION OF REASONABLE LICENSE FEES FOR INDIVIDUAL PROPRIETORS.—Chapter 5 of title 17, United States Code, is amended—

(1) by redesignating the section 512 entitled ''**Determination of reasonable license fees for individual proprietors**'' as section 513 and placing such section after the section 512 entitled ''**Limitations on liability relating to material online**''; and

(2) in the table of sections at the beginning of that chapter by striking

''512. Determination of reasonable license fees for individual proprietors.''

and inserting

''513. Determination of reasonable license fees for individual proprietors.''

and placing that item after the item entitled

''512. Limitations on liability relating to material online.''.

(d) ONLINE COPYRIGHT INFRINGEMENT LIABILITY.—Section 512 of title 17, United States Code, is amended—

(1) in subsection (e)—

(A) by amending the caption to read as follows:

''(e) LIMITATION ON LIABILITY OF NONPROFIT EDUCATIONAL INSTITUTIONS.—''; and

(B) in paragraph (2), by striking ''INJUNCTIONS.—''; and

(2) in paragraph (3) of subsection (j), by amending the caption to read as follows:

''(3) NOTICE AND EX PARTE ORDERS.—''.

(e) INTEGRITY OF COPYRIGHT MANAGEMENT INFORMATION.—Section 1202(e)(2)(B) of title 17, United States Code, is amended by striking ''category or works'' and inserting ''category of works''.

(f) PROTECTION OF DESIGNS.—(1) Section 1302(5) of title 17, United States Code, is amended by striking ''1 year'' and inserting ''2 years''.

(2) Section 1320(c) of title 17, United States Code, is amended in the subsection caption by striking ''ACKNOWLEDGEMENT'' and inserting ''ACKNOWLEDGMENT''.

**SEC. 2. OTHER TECHNICAL CORRECTIONS.**

(a) CLERICAL AMENDMENT TO TITLE 28, U.S.C.—The section heading for section 1400 of title 28, United States Code, is amended to read as follows:

**''§ 1400. Patents and copyrights, mask works, and designs''.**

(b) ELIMINATION OF CONFLICTING PROVISION.—Section 5316 of title 5, United States Code, is amended by striking ''Commissioner of Patents, Department of Commerce.''.

(c) CLERICAL CORRECTION TO TITLE 35, U.S.C.—Section 3(d) of title 35, United States Code, is amended by striking '', United States Code''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from North Carolina (Mr. COBLE) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1189.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COBLE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. COBLE asked and was given permission to revise and extend his remarks.)

Mr. COBLE. Mr. Speaker, I rise today in support of H.R. 1189, to make technical corrections to title 17 of the United States Code and other laws. An amended version of this bill is presented for passage under suspension of the rules.

The amendment to the reported bill makes further technical corrections to title 17 and other laws. As a result of two major copyright bills which were signed in law late in the 105th Congress, several technical errors need to be corrected in order to prevent confusion. H.R. 1189 corrects these errors by making purely technical amendments to the Copyright Act and other laws. H.R. 1189, Mr. Speaker, does not make any substantive changes in the law.

I am unaware of any opposition to this amendment, and I urge a favorable vote on H.R. 1189.

Mr. Speaker, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support also of H.R. 1189, a bill making technical corrections in title 17, the Copyright Act.

If ever a bill were truly technical, this is it. Our committee labored long, hard, and successfully last Congress to produce landmark legislation in the copyright area. The brevity of the bill before us today is testimony to a job well done by all concerned in that effort, and I commend those people.

I commend this technical corrections bill to my colleagues.

Mr. Speaker, I yield back the balance of my time.

Mr. COBLE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 1189, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## PUBLIC SAFETY OFFICER MEDAL OF VALOR ACT OF 1999

Mr. MCCOLLUM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 46) to provide for a national medal for public safety officers who act with extraordinary valor above and beyond the call of duty.

The Clerk read as follows:

H.R. 46

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Public Safety Officer Medal of Valor Act of 1999''.

**SEC. 2. AUTHORIZATION OF MEDAL.**

The President may award, and present in the name of Congress, a Medal of Valor of appropriate design, with ribbons and appurtenances, to a public safety officer who is cited by the Attorney General, on the advice of the Medal of Valor Review Board, for extraordinary valor above and beyond the call of duty.

**SEC. 3. BOARD.**

(a) BOARD.—There is established a permanent Medal of Valor Review Board (hereinafter in this Act referred to as the ''Board''). The Board shall—

(1) be composed of 11 members appointed in accordance with subsection (b); and

(2) conduct its business in accordance with this Act.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The members of the Board shall be appointed as follows:

(A) Two shall be appointed by the Speaker of the House of Representatives.

(B) Two shall be appointed by the minority leader of the House of Representatives.

(C) Two shall be appointed by the Majority Leader of the Senate.

(D) Two shall be appointed by the Minority Leader of the Senate.

(E) Three shall be appointed by the President, one of whom shall have substantial experience in firefighting, one of whom shall have substantial experience in law enforcement, and one of whom shall have substantial experience in emergency services.

(2) PERSONS ELIGIBLE.—The members of the Board shall be individuals who have knowledge or expertise, whether by experience or training, in the field of public safety.

(3) TERM.—The term of a Board member is 4 years.

(4) VACANCIES.—Any vacancy in the membership of the Board shall not affect the powers of the Board and shall be filled in the same manner as the original appointment.

(5) OPERATION OF THE BOARD.—

(A) MEETINGS.—The Board shall meet at the call of the Chairman and not less than twice each year. The initial meeting of the Board shall be conducted not later than 30 days after the appointment of the last member of the Board.

(B) QUORUM; VOTING; RULES.—A majority of the members of the Board shall constitute a quorum to conduct business, but the Board may establish a lesser quorum for conducting hearings scheduled by the Board. The Board may establish by majority vote any other rules for the conduct of the Board's business, if such rules are not inconsistent with this Act or other applicable law.

(c) DUTIES.—The Board shall select candidates as recipients of the Medal of Valor from among those applications received by the National Medal Office. Not more often than once each year, the Board shall present to the Attorney General the name or names of those it recommends as Medal of Valor recipients. In a given year, the Board is not required to choose any names, but is limited to a maximum number of 6 recipients. The Board shall set an annual timetable for fulfilling its duties under this Act.

(d) HEARINGS.—

(1) IN GENERAL.—The Board may hold such hearings, sit and act at such times and