

118TH CONGRESS
2D SESSION

S. 5160

To expand the sharing of information with respect to suspected violations
of intellectual property rights in trade.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 24, 2024

Mr. GRASSLEY (for himself and Ms. HASSAN) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To expand the sharing of information with respect to
suspected violations of intellectual property rights in trade.

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. SHARING OF INFORMATION WITH RESPECT TO**
4 **SUSPECTED VIOLATIONS OF INTELLECTUAL**
5 **PROPERTY RIGHTS.**

6 Section 628A of the Tariff Act of 1930 (19 U.S.C.
7 1628a) is amended—

8 (1) in subsection (a)—

1 (A) in the matter preceding paragraph (1),
2 by striking “suspects” and inserting “has a rea-
3 sonable suspicion”;

4 (B) in paragraph (1)—

5 (i) by inserting “, packing materials,
6 shipping containers,” after “its packaging”
7 each place it appears; and

8 (ii) by striking “; and” and inserting
9 a semicolon;

10 (C) in paragraph (2), by striking the pe-
11 riod and inserting “; and”; and

12 (D) by adding at the end the following:

13 “(3) may provide to the person nonpublic infor-
14 mation about the merchandise that was—

15 “(A) generated by an online marketplace
16 or other similar market platform, an express
17 consignment operator, a freight forwarder, or
18 any other entity that plays a role in the sale or
19 importation of merchandise into the United
20 States or the facilitation of such sale or impor-
21 tation; and

22 “(B) provided to, shared with, or obtained
23 by, U.S. Customs and Border Protection.”; and
24 (2) in subsection (b)—

1 (A) in paragraph (3), by striking “; and”
2 and inserting a semicolon;

3 (B) in paragraph (4), by striking the pe-
4 riod at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(5) any other party with an interest in the
7 merchandise, as determined appropriate by the Com-
8 missioner.”.

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