S T A T E O F N E W Y O R K

3351

2009-2010 Regular Sessions

I N A S S E M B L Y

January 27, 2009

Introduced by M. of A. WEPRIN -- read once and referred to the Committee on Codes

AN ACT to amend the penal law, in relation to the definition of the term "retail value" for purposes of crimes involving trademark counterfeiting

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Section 165.70 of the penal law is amended by adding a new subdivision 5 to read as follows:

5. THE TERM "RETAIL VALUE" MEANS THE VALUE OF THE ACTUAL GOODS IDENTIFIED BY A TRADEMARK, AS DEFINED IN SUBDIVISION ONE OF THIS SECTION, WHERE THE COUNTERFEIT TRADEMARK, AS DEFINED IN SUBDIVISION TWO OF THIS SECTION, IS USED IN CONNECTION WITH THE TRAFFICKING OR SALE OF GOODS.

S 2. This act shall take effect on the first of November next succeeding the date on which it shall have become a law.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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