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

3793

2015-2016 Regular Sessions

I N S E N A T E

February 17, 2015

Introduced by Sen. SANDERS -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to remedies for dilution

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

Section 1. Section 360-l of the general business law, as added by chapter 319 of the laws of 1996, is amended to read as follows:

S 360-l. Injury to business reputation; dilution. Likelihood of injury to business reputation or of dilution of the distinctive quality of a mark or trade name shall be a ground for injunctive relief in cases of infringement of a mark registered or not registered or in cases of unfair competition, notwithstanding the absence of competition between the parties or the absence of confusion as to the source of goods or services. THE COURT, IN ITS DISCRETION, MAY ENTER JUDGMENT FOR AN AMOUNT THREE TIMES SUCH PROFITS AND DAMAGES AND/OR REASONABLE ATTORNEYS' FEES OF THE PREVAILING PARTY.

S 2. This act shall take effect immediately.

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

LBD08851-01-5