• Miscellaneous provisions:

Section 401(b) adds language to section 701 of the Copyright Act confirming the Copyright Office's authority to continue to perform the policy and international functions that it has carried out for decades under its existing general authority.

• Vessel Hull Design Protection Act:

Title V of the DMCA, entitled the Vessel Hull Design Protection Act (VHDPDA), adds a new chapter 13 to Title 17 of the U.S. Code. It creates a new system for protecting original designs of certain useful articles that make the article attractive or distinctive in appearance. For purposes of the VHDPDA, “useful articles” are limited to the hulls (including the decks) of vessels no longer than 200 feet.

The Lanham (Trademark) Act (15 USC §§ 1051–1127)

This act was first passed on July 5, 1946, and was signed into law by President Harry Truman. It concerns activities like trademark infringement, trademark dilution, and false advertising, and is subdivided into four chapters, one of which is partially quoted below:

TITLE 15 – COMMERCE AND TRADE
CHAPTER 22 – TRADEMARKS
SUBCHAPTER III – GENERAL PROVISIONS

Sec. 1114. Remedies; Infringement; Innocent Infringement By Printers And Publishers

(1) Any person who shall, without the consent of the registrant—

a) use in commerce any reproduction, counterfeit, copy, or colorable imitation of a registered mark in connection with the sale, offering for sale, distribution, or advertising of any goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive; or

b) reproduce, counterfeit, copy, or colorably imitate a registered mark and apply such reproduction, counterfeit, copy, or colorable imitation to labels, signs, prints, packages, wrappers, receptacles or advertisements intended to be used in commerce upon or in connection with the sale, offering for sale, distribution, or advertising of goods or services

(2) Notwithstanding any other provision of this chapter, the remedies given to the owner of a right infringed under this chapter or to a person bringing an action under section 1125(a) of this title shall be limited as follows:

a) Where an infringer or violator is engaged solely in the business of printing the mark or violating matter for others and establishes that he or she was an innocent infringer or innocent violator, the owner of the right infringed or person bringing the action under section 1125(a) of this title shall be entitled as against such infringer

b) Where the infringement or violation complained of is contained in or is part of paid advertising matter in a newspaper, magazine, or other similar periodical or in an electronic communication as defined in section 2510(12) of title 18

Doctrine of “Fair Use”

Section 107 of the Copyright Law mentions the doctrine of “fair use.” This doctrine is a result of a number of court decisions over the years. Reproduction of a particular work for criticism, news reporting, comment, teaching, scholarship, and research is considered as fair according to Section 107 of the Copyright Law. The copyright office does not give permission to use copyrighted works. It is advised to obtain permission from the owner of a particular copyrighted work.

Section 107 also sets out four factors to be considered in determining whether or not a particular use is fair:

• The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes;
• The nature of the copyrighted work;