



CONGRESSIONAL BUDGET OFFICE  
COST ESTIMATE

August 23, 2012

**H.R. 6215**

**A bill to amend the Trademark Act of 1946 to correct an error  
in the provisions relating to remedies for dilution**

*As ordered reported by the House Committee on the Judiciary on August 1, 2012*

CBO estimates that implementing H.R. 6215 would have no significant cost to the federal government. Further, enacting H.R. 6215 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 6215 would amend provisions of trademark law that relate to a trademark owner's ability to be sued for diluting another trademark. Under current law, the owner of a famous trademark can bring a suit against another trademark owner alleging dilution when the other trademark impairs the distinctiveness or harms the reputation of the famous trademark. For example, the owner of a trademark for a famous handbag could sue another company that begins using the trademark to refer to laundry detergent. However, certain dilution claims are disallowed in both federal and state courts if the person being sued holds a registered trademark. H.R. 6215 would continue the prohibition of those claims in state courts, but allow the claims to go forward in federal court. Based on information from the Patent and Trademark Office, CBO estimates that implementing H.R. 6215 would have no significant cost to the federal government because of the small number of cases likely to be affected.

H.R. 6215 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contacts for this estimate are Susan Willie (for federal costs) and Paige Piper/Bach (for the private-sector impact). The estimate was approved by Peter H. Fontaine, Assistant Director for Budget Analysis.