117th Congress  
2d Session

S.

To address the duration of copyright, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

Mr. Hawley introduced the following bill; which was read twice and referred
to the Committee on __________________

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A BILL

To address the duration of copyright, and for other purposes.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Copyright Clause Resto-
ration Act of 2022”.

SEC. 2. DURATION OF COPYRIGHT.

(a) In General.—

(1) Original Term.—Notwithstanding any
provision of title 17, United States Code, or any
other provision of law, copyright in any work shall
endure for 28 years from the date it was originally
secured.
(2) EXTENSION.—The holder of a copyright under paragraph (1) shall be entitled to a renewal and extension of the copyright in the applicable work for a further term of 28 years if the holder applies for that renewal and extension during the 1-year period before the expiration of the original term of the copyright under that paragraph.

(b) APPLICATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsection (a) shall apply with respect to copyright protection for any work fixed on or after the date of enactment of this Act.

(2) RETROACTIVE EFFECT.—

(A) IN GENERAL.—Subject to subparagraph (B), subsection (a) shall apply with respect to a copyright that, on any date on or after May 1, 2022, is owned by a person that—

(i) has a market capitalization of more than $150,000,000,000; and

(ii)(I) is classified under North American Industry Classification System code 5121 or 71; or

(II) engages in substantial activities for which a code described in subclause (I) could be assigned.
(B) Licensing.—If, as of May 1, 2022, a person is operating under a license with respect to a copyright that is subject to subparagraph (A) and that, because of the application of that subparagraph, would expire during the 10-year period beginning on May 1, 2022, that person shall continue to hold the rights contained in that license (to the exclusion of any person not granted those rights by a license before May 1, 2022) for a period that is the shorter of—

(i) 50 percent of the remaining license term, as of May 1, 2022; or

(ii) 10 years, beginning on May 1, 2022.