

Honolulu, Hawaii

March 20, 2014

RE: S.B. No. 2958
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2958, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ONLINE PROTECTION OF INDIVIDUAL RIGHTS,"

begs leave to report as follows:

The purpose of this measure is to broaden the protections afforded under cybersquatting laws by specifying that bad faith includes the registration of a domain name that consists of the name of another person, including a deceased person, and clarifies the civil liabilities imposed for such action.

The Office of Consumer Protection testified in support of this measure. An individual commented on this measure.

Your Committee has amended this measure by:


- (1) Making it unlawful for a person, with bad faith intent, to register, traffic in, or use a domain name, that is identical or confusingly similar to the personal name of another person or deceased personality, without regard to the goods or services of the parties; and
- (2) Changing its effective date to December 21, 2112, to encourage further discussion.



Concerns were raised regarding due process and other legal issues, and your Committee respectfully requests that should your Committee on Judiciary consider this measure, it further examine these issues.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2958, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2958, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



