

STAND. COM. REP. NO. 2697

Honolulu, Hawaii

FEB 28 2014

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

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, 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 and intent of this measure is to broaden the
protections afforded under the cybersquatting laws by expanding
the applicability of determining bad faith under section 481B-23,
Hawaii Revised Statutes, and good faith exceptions under section
481B-24, Hawaii Revised Statutes, to individuals and business
entities.

Your Committee received testimony in support of this measure
from the Office of Consumer Protection of the Department of
Commerce and Consumer Affairs and one individual.

Your Committee finds that provisions under chapter 481B, part
II, Hawaii Revised Statutes, relating to civil liability for bad
faith registration of a domain name, determining bad faith intent,
and the good faith exception apply only to living persons, rather
than to the broader definition of "persons" under chapter 481B,
part II, Hawaii Revised Statutes, which includes individuals and
business entities. Your Committee further finds that businesses
that are victims of online bad faith registration of a domain name
have no recourse under this existing chapter. Therefore, this
measure changes references from "living person" to "person",



thereby ensuring that individuals and business entities are protected from bad faith actors.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2958, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON FEE, Chair



