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HOUSE BILL NO. 180

Offered January 8, 2014

Prefiled December 23, 2013

A *BILL to amend and reenact §§ 59.1-210 and 59.1-215 of the Code of Virginia, relating to the regulation of invention development services; required disclosure; civil penalty.*

Patrons—Farrell and Ramadan

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That §§ 59.1-210 and 59.1-215 of the Code of Virginia are amended and reenacted as follows:

§ 59.1-210. Standard provisions for cover notice.

Every contract for invention development services shall have a conspicuous and legible cover sheet attached with the following notice imprinted thereon in boldface type of not less than ~~ten-point~~ 10-point size:

1. "This contract between you and an invention developer is regulated by Chapter 18 (§ 59.1-208 et seq.) of Title 59.1. You are not permitted or required to make any payments under this contract until four working days after you sign this contract and receive a completed copy of it."

2. *A statement that the contract is a fee-for-service contract and that the invention developer makes no guarantees as to the success of the invention.*

3. *A statement that discloses the average total amount of money spent by an invention developer per customer in evaluating, perfecting, marketing, brokering, or promoting an invention for which the invention developer has entered into a contract with a customer pursuant to this chapter.*

4. *Information as to how a customer who feels that his rights have been violated pursuant to this chapter may lodge a complaint with the Consumer Protection Division at the Office of the Attorney General, including a phone number and directions as to how to file an online consumer complaint.*

Such cover sheet shall contain only the notice required by this section.

§ 59.1-215. Enforcement; civil penalty; restraint of violations.

A. For the purpose of enforcing this chapter, the Attorney General is hereby authorized to conduct investigations and hold hearings and compel the attendance of witnesses and the production of accounts, books and documents by the issuance of subpoenas.

B. The Attorney General shall enforce the provisions of this chapter, and shall have the right to recover a civil penalty of not to exceed ~~\$3,000~~ \$25,000 for each and every violation of any provisions of this chapter, and to seek equitable relief to restrain any such violation. *Penalties collected pursuant to this section shall be payable to the State Treasurer for deposit to the general fund.*

INTRODUCED

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