

GENERAL ASSEMBLY OF NORTH CAROLINA  
1985 SESSION

CHAPTER 772  
HOUSE BILL 911

AN ACT PROHIBITING THE COPYING OF BOAT HULLS BY THE DIRECT  
MOLDING PROCESS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 75A of the General Statutes is amended by adding a new Article to read:

"Article 3.

"Boat Hull Anti-Copying Act.

"§ 75A-27. **Short title.**—This Article shall be known as the Boat Hull Anti-Copying Act.

"§ 75A-28. **Definitions.**—As used in this Article, unless the context requires a different meaning:

(1) 'Direct molding process' means any process by which a boat hull or component is used as a plug for the making of a mold from which a duplicate of the boat hull or component is made.

(2) 'Mold' means any pattern, hollow form, matrix or other device for giving shape or form to material in a plastic or molten state for the making of a boat hull or component.

(3) 'Plug' means a boat hull or component used to make a mold.

"§ 75A-29. **Unfair competition.**—It is an act of unfair competition as defined in G.S. 75-1.1(a), if within 10 years of the first production of a boat hull or component, to misappropriate the design of a boat hull or component for commercial purposes in making a boat hull or component by copying by use of the direct molding process without the owner's prior written consent.

"§ 75A-30. **Prohibited activities.**—The following are prohibited:

(1) Any activities violating G.S. 75A-29.

(2) Sale in this State of a boat hull that was made with knowledge that the boat was produced in violation of that section.

"§ 75A-31. **Remedies.**—(a) Any person injured in his business by virtue of any violation of G.S. 75A-30 may sue and may recover the actual damages suffered by virtue of the violation, the costs of suit, and reasonable attorney's fees.

(b) Any person injured in his business by virtue of any violation of G.S. 75A-30 may sue for injunctive relief and injunctive relief may be granted regardless of the failure of the plaintiff to show irreparable injury."

Sec. 2. This act shall become effective October 1, 1985, and shall apply to items duplicated using a mold made on or after that date.

In the General Assembly read three times and ratified, this the 16th day of July, 1985.