



News from Senator
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Griffo: Don't Destroy Merchandise, Help The Poor Instead

(Marcy, NY) - With the needs of people across the region hitting unprecedented levels, and government funding no longer being able to be spread as widely as in the past, Senator Joseph A. Griffo has proposed an innovative idea that can help needy individuals have access to clothes and boots.

Griffo highlighted the need for his legislation at the New York State Police substation in Marcy, where thousands upon thousands of dollars worth of usable clothing is scheduled to be destroyed because it was confiscated as "trademark counterfeit merchandise."

"I fully support those laws that punish infringement of copyrights and trademarks," Griffo said. "However, it bothers me deeply to see those who are in need, desperate for clothing while we are destroying serviceable items that could and should have a use."

To allow this to happen, Griffo developed legislation under which, confiscated counterfeit items could actually help someone in need. Once the products have been altered to ensure that they are marked as imitation and found to be safe, they could be donated to nonprofit organizations who could then distribute the merchandise to persons living in poverty.

"To me this is an exercise in common sense," Griffo said. "People who are desperate for warm shoes and coats are not going to care if the counterfeit brand name has been obliterated. They simply want to be warm. Many organizations work very hard to find clothes for those in need; it makes far more sense to use clothes that already exist to meet some of the most urgent needs and focus other resources on other needs. In practical terms, this would impact a small sliver of the stream of confiscated goods, but it will make a huge difference to the men and women we can help."

SPONSORS MEMO:

NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1

BILL NUMBER: S3660

SPONSOR: GRIFFO

TITLE OF BILL:

An act to amend the penal law, in relation to authorizing distribution of seized counterfeit goods to the needy after permanent alteration of the items

PURPOSE:

To authorize the distribution of seized counterfeit goods to the needy.

SUMMARY OF PROVISIONS:

Section one amends section 165.74 of the penal law authorizing the distribution of seized goods bearing counterfeit trademarks to a charitable organization for distribution to the needy, once there has been permanent alteration of the items so as to not be mistaken for authentic items.

Section two provides for an immediate effective date.

EXISTING LAW:

Current law states that the counterfeit items must be destroyed.

JUSTIFICATION:

Under this legislation, confiscated counterfeit items could actually help someone in need. Once the products have been altered to insure that they are marked as imitation and found to be safe, they could be donated to nonprofit organizations who could then distribute the merchandise to persons living in poverty.

At present, counterfeit goods have to be destroyed.

LEGISLATIVE HISTORY:

New.

FISCAL IMPLICATIONS:

None.

EFFECTIVE DATE:

Immediate.