

**3rd Sub. S.B. 239**  
**UNFAIR BUSINESS PRACTICES**

Senator **Curtis S. Bramble** proposes the following amendments:

1. *Page 2, Lines 37 through 42:*

37           (3) (a) Except as provided in Subsection (3) ~~[(b)]~~ (c), "unfair competition" means a business

38 act or practice that:

39           (i) is unlawful, unfair, or fraudulent; and

40           (ii) leads to a material diminution in value of intellectual property.

**(b) "Unfair competition" includes:**

**(i) damaging an Internet website;**

**(ii) computer hacking;**

**(iii) cyber-terrorism;**

**(iv) misuse of a patent, trademark, or trade name;**

**(v) a software license violation;**

**(vi) misuse of an Internet domain name;**

**(vii) misleading Internet domain name directions;**

**(viii) predatory hiring practices;**

**(ix) encouraging a person to violate a provision of an employment contract that prohibits competition or disclosure; or**

**(x) making false or misleading claims.**

41           ~~[(b)]~~ (c) Notwithstanding ~~[(Subsection)]~~ Subsections (3)(a) or (b), "unfair

competition" does not include the

42 departure and hiring of an employee by a competitor.