

whether or not the defendant knew such mark was so registered; and

“(iii) the use of which is likely to cause confusion, to cause mistake, or to deceive; or”.

Subsec. (e)(2). Pub. L. 109-181, §2(b)(1), added par. (2) and struck out former par. (2) which read as follows: “the term ‘traffic’ means transport, transfer, or otherwise dispose of, to another, as consideration for anything of value, or make or obtain control of with intent so to transport, transfer, or dispose of; and”.

Subsec. (e)(3), (4). Pub. L. 109-181, §2(b)(2), (3), added par. (3) and redesignated former par. (3) as (4).

Subsecs. (f), (g). Pub. L. 109-181, §1(b)(4), added subsec. (f) and redesignated former subsec. (f) as (g).

2002—Subsec. (e)(1)(B). Pub. L. 107-140 substituted “section 220506 of title 36” for “section 220706 of title 36”.

Subsec. (f). Pub. L. 107-273, §205(e), designated existing provisions as par. (1), substituted “this title” for “title 18” wherever appearing, redesignated former pars. (1) to (4) as subpars. (A) to (D), respectively, of par. (1), and added par. (2).

1998—Subsec. (e)(1)(B). Pub. L. 105-225, §4(b)(1), as amended by Pub. L. 105-354, §2(c)(1), substituted “section 220706 of title 36” for “section 110 of the Olympic Charter Act”.

Subsec. (e)(2). Pub. L. 105-225, §4(b)(2), as amended by Pub. L. 105-354, §2(c)(1), inserted “and” after semicolon at end.

Subsec. (e)(3). Pub. L. 105-225, §4(b)(3), as amended by Pub. L. 105-354, §2(c)(1), substituted a period for “; and” at end.

Subsec. (e)(4). Pub. L. 105-225, §4(b)(4), as amended by Pub. L. 105-354, §2(c)(1), struck out par. (4) which read as follows: “the term ‘Olympic Charter Act’ means the Act entitled ‘An Act to incorporate the United States Olympic Association’, approved September 21, 1950 (36 U.S.C. 371 et seq.).”

1997—Subsecs. (d) to (f). Pub. L. 105-147 added subsec. (d) and redesignated former subsecs. (d) and (e) as (e) and (f), respectively.

1996—Subsec. (e). Pub. L. 104-153 added subsec. (e).

1994—Pub. L. 103-322, §330016(1)(U), which directed the amendment of this section by striking “not more than \$250,000” and inserting “under this title”, could not be executed because the phrase “not more than \$250,000” did not appear in text subsequent to amendment of subsec. (a) by Pub. L. 103-322, §320104(a). See below.

Subsec. (a). Pub. L. 103-322, §320104(a), in first sentence, substituted “\$2,000,000 or imprisoned not more than 10 years” for “\$250,000 or imprisoned not more than five years” and “\$5,000,000” for “\$1,000,000”, and in second sentence, substituted “\$5,000,000 or imprisoned not more than 20 years” for “\$1,000,000 or imprisoned not more than fifteen years” and “\$15,000,000” for “\$5,000,000”.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105-354, §2(c), Nov. 3, 1998, 112 Stat. 3244, provided that the amendment made by section 2(c) is effective Aug. 12, 1998.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(l), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

PRIORITY GIVEN TO CERTAIN INVESTIGATIONS AND PROSECUTIONS

Pub. L. 112-144, title VII, §717(a)(4), July 9, 2012, 126 Stat. 1076, provided that: “The Attorney General shall give increased priority to efforts to investigate and prosecute offenses under section 2320 of title 18, United States Code, that involve counterfeit drugs.”

FINDINGS

Pub. L. 109-181, §1(a)(2), Mar. 16, 2006, 120 Stat. 285, provided that: “The Congress finds that—

“(A) the United States economy is losing millions of dollars in tax revenue and tens of thousands of jobs because of the manufacture, distribution, and sale of counterfeit goods;

“(B) the Bureau of Customs and Border Protection estimates that counterfeiting costs the United States \$200 billion annually;

“(C) counterfeit automobile parts, including brake pads, cost the auto industry alone billions of dollars in lost sales each year;

“(D) counterfeit products have invaded numerous industries, including those producing auto parts, electrical appliances, medicines, tools, toys, office equipment, clothing, and many other products;

“(E) ties have been established between counterfeiting and terrorist organizations that use the sale of counterfeit goods to raise and launder money;

“(F) ongoing counterfeiting of manufactured goods poses a widespread threat to public health and safety; and

“(G) strong domestic criminal remedies against counterfeiting will permit the United States to seek stronger anticounterfeiting provisions in bilateral and international agreements with trading partners.”

§ 2321. Trafficking in certain motor vehicles or motor vehicle parts

(a) Whoever buys, receives, possesses, or obtains control of, with intent to sell or otherwise dispose of, a motor vehicle or motor vehicle part, knowing that an identification number for such motor vehicle or part has been removed, obliterated, tampered with, or altered, shall be fined under this title or imprisoned not more than ten years, or both.

(b) Subsection (a) does not apply if the removal, obliteration, tampering, or alteration—

(1) is caused by collision or fire; or

(2) is not a violation of section 511 of this title.

(c) As used in this section, the terms “identification number” and “motor vehicle” have the meaning given those terms in section 511 of this title.

(Added Pub. L. 98-547, title II, §204(a), Oct. 25, 1984, 98 Stat. 2770, §2320; renumbered §2321, Pub. L. 99-646, §42(a), Nov. 10, 1986, 100 Stat. 3601; amended Pub. L. 103-322, title XXXIII, §330016(1)(N), Sept. 13, 1994, 108 Stat. 2148.)

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$20,000”.

§ 2322. Chop shops

(a) IN GENERAL.—

(1) UNLAWFUL ACTION.—Any person who knowingly owns, operates, maintains, or controls a chop shop or conducts operations in a chop shop shall be punished by a fine under this title or by imprisonment for not more than 15 years, or both. If a conviction of a per-