

BAD-FAITH PATENT INFRINGEMENT CLAIMS ACT (EXCERPT)
Act 550 of 2016

***** 446.169b.new THIS NEW SECTION IS EFFECTIVE OCTOBER 1, 2017 *****

446.169b.new Assurance of discontinuance.

Sec. 9b. (1) If the attorney general has authority to institute an action under section 9c, the attorney general may accept an assurance of discontinuance of a practice that is alleged to be unlawful under section 5 from the person that is alleged to have engaged, be engaging, or be about to engage in the practice. An assurance under this section does not constitute an admission of guilt and is not admissible in any other proceeding. The assurance may include a stipulation for 1 or more of the following:

- (a) The voluntary payment by the person of the costs of investigation.
- (b) An amount to be held in escrow pending the outcome of an action.
- (c) An amount for restitution to an aggrieved person.

(2) An assurance of discontinuance under this section must be in writing and may be filed with the circuit court of Ingham County. The clerk of the court shall maintain a record of filings under this section. Unless rescinded by the parties or voided by a court for good cause, the assurance may be enforced in the circuit court by the parties to the assurance. The assurance may be modified by the parties or by a court for good cause.

History: 2016, Act 550, Eff. Oct. 1, 2017.