

IC 24-4.8-3

Chapter 3. Relief and Damages

IC 24-4.8-3-1

Civil action

Sec. 1. In addition to any other remedy provided by law, a provider of computer software, the owner of a web site, or the owner of a trademark who is adversely affected by reason of the violation may bring a civil action against a person who violates IC 24-4.8-2:

(1) to enjoin further violations of IC 24-4.8-2; and

(2) to recover the greater of:

(A) actual damages; or

(B) one hundred thousand dollars (\$100,000);

for each violation of IC 24-4.8-2.

As added by P.L.115-2005, SEC.1.

IC 24-4.8-3-2

Separate violations

Sec. 2. For purposes of section 1 of this chapter, conduct that violates more than one (1) subdivision, clause, or item of IC 24-4.8-2 constitutes a separate violation for each separate subdivision, clause, or item violated. However, a single action or course of conduct that causes repeated violations of a single subdivision, clause, or item of IC 24-4.8-2 constitutes one (1) violation.

As added by P.L.115-2005, SEC.1.