

37. *Definitions.*

(a) *As used in this sub-title, unless the context otherwise requires "person" means any natural person or persons, or any corporation, partnership, company, trust or association of persons.*

(b) *"Trade or commerce" includes all economic activity within this State involving or relating to any commodity or service.*

~~(c) *"Commodity" means any kind of real or personal property.*~~

(C) "COMMODITY" MEANS GOODS, WARES, MERCHANDISE, MACHINERY, SUPPLIES OR ANY OTHER ARTICLES IN TRADE OR COMMERCE.

(d) *"Service" means any activity which is performed in whole or in part for the purpose of financial gain, including but not limited to sale, rental, leasing, or licensing for use.*

38. *Prohibited Conduct; Unlawful Contracts, Combinations, and Conspiracies.*

(a) *Every person shall be deemed to have committed a violation of this sub-title who:*

(1) *By contract, combination, or conspiracy with one or more other persons unreasonably restrains trade or commerce; or*

(2) *Monopolizes or attempts to monopolize, or combines or conspires with any other person or persons, to monopolize any part of the trade or commerce within the State, for the purpose of excluding competition or of controlling, fixing, or maintaining prices in trade or commerce; or*

(3) (i) *Directly or indirectly discriminates in price among different purchasers of commodities or services of like grade and quality, where the effects of the discrimination may be substantially to lessen competition or tend to create a monopoly in any line of trade or commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them; or*

(ii) *Pays or contracts for the payment of anything of value to or for the benefit of a customer of the person in the course of commerce as compensation or in consideration for any services or facilities furnished by or through the customer in connection with the processing, handling, sale, or offering for sale of any services or commodities manufactured, sold, or offered for sale by the person, unless the payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of the products or commodities; or*

(iii) *Discriminates in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all purchasers on proportionally equal terms; or*