~~(45)~~ (46) "MERCHANT" MEANS A PERSON:

(A)   THAT DEALS IN INFORMATION OR INFORMATIONAL RIGHTS OF THE KIND INVOLVED IN THE TRANSACTION;

(B)   THAT BY THE PERSON'S OCCUPATION HOLDS ITSELF OUT AS HAVING KNOWLEDGE OR SKILL PECULIAR TO THE RELEVANT ASPECT OF THE BUSINESS PRACTICES OR INFORMATION INVOLVED IN THE TRANSACTION; OR

(C)   TO WHICH THE KNOWLEDGE OR SKILL PECULIAR TO THE PRACTICES OR INFORMATION INVOLVED IN THE TRANSACTION MAY BE ATTRIBUTED BY THE PERSON'S EMPLOYMENT OF AN AGENT OR BROKER OR OTHER INTERMEDIARY THAT BY ITS OCCUPATION HOLDS ITSELF OUT AS HAVING THE KNOWLEDGE OR SKILL.

~~(46)~~ (47) "NONEXCLUSIVE LICENSE" MEANS A LICENSE THAT DOES NOT PRECLUDE THE LICENSOR FROM TRANSFERRING TO OTHER LICENSEES THE SAME INFORMATION, INFORMATIONAL RIGHTS, OR CONTRACTUAL RIGHTS WITHIN THE SAME SCOPE. THE TERM INCLUDES A CONSIGNMENT OF A COPY.

~~(47)~~ (48) "NOTICE" OF A FACT MEANS KNOWLEDGE OF THE FACT, RECEIPT OF NOTIFICATION OF THE FACT, OR REASON TO KNOW THE FACT EXISTS.

~~(48)~~ (49) "NOTIFY", OR "GIVE NOTICE", MEANS TO TAKE SUCH STEPS AS MAY BE REASONABLY REQUIRED TO INFORM THE OTHER PERSON IN THE ORDINARY COURSE, WHETHER OR NOT THE OTHER PERSON ACTUALLY COMES TO KNOW OF IT.

~~(49)~~ (50) "PARTY" MEANS A PERSON THAT ENGAGES IN A TRANSACTION OR MAKES AN AGREEMENT UNDER THIS TITLE.

~~(50)~~ (51) "PERSON" MEANS AN INDIVIDUAL, CORPORATION, BUSINESS TRUST, ESTATE, TRUST, PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, JOINT VENTURE, GOVERNMENTAL SUBDIVISION, INSTRUMENTALITY, OR AGENCY, PUBLIC CORPORATION, OR ANY OTHER LEGAL OR COMMERCIAL ENTITY.

~~(51)~~ (52) "PUBLISHED   INFORMATIONAL   CONTENT"   MEANS INFORMATIONAL CONTENT PREPARED FOR OR MADE AVAILABLE TO RECIPIENTS GENERALLY, OR TO A CLASS OF RECIPIENTS, IN SUBSTANTIALLY THE SAME FORM. THE TERM DOES NOT INCLUDE INFORMATIONAL CONTENT THAT IS:

(A)   CUSTOMIZED FOR A PARTICULAR RECIPIENT BY ONE OR MORE INDIVIDUALS ACTING AS OR ON BEHALF OF THE LICENSOR, USING JUDGMENT OR EXPERTISE; OR

(B)   PROVIDED IN A SPECIAL RELATIONSHIP OF RELIANCE BETWEEN THE PROVIDER AND THE RECIPIENT.

~~(52)~~ (53) "RECEIPT" MEANS:

(A)   WITH RESPECT TO A COPY, TAKING DELIVERY; OR

(B)   WITH RESPECT TO A NOTICE: