

- (3) "FINANCIAL ASSET" § 8-102(A)(9).
- (4) "FUNDS TRANSFER" § 4A-104.
- (5) "IDENTIFICATION" TO THE CONTRACT § 2-501.
- (6) "INSTRUMENT" § 9-102(A)(47).
- (7) "INVESTMENT PROPERTY" § 9-102(A)(49).
- (8) "ITEM" § 4-104.
- (9) "LETTER OF CREDIT" § 5-102.
- (10) "PAYMENT ORDER" § 4A-103.
- (11) "SALE" § 2-106.

## GENERAL SCOPE AND TERMS.

## 21-103. SCOPE; EXCLUSIONS.

(A) THIS TITLE APPLIES TO COMPUTER INFORMATION TRANSACTIONS.

(B) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (D) OF THIS SECTION AND § 21-104 OF THIS SUBTITLE, IF A COMPUTER INFORMATION TRANSACTION INCLUDES SUBJECT MATTER OTHER THAN COMPUTER INFORMATION, THE FOLLOWING RULES APPLY:

(1) IF A TRANSACTION INCLUDES COMPUTER INFORMATION AND GOODS, THIS TITLE APPLIES TO THE PART OF THE TRANSACTION INVOLVING COMPUTER INFORMATION, INFORMATIONAL RIGHTS IN IT, AND CREATION OR MODIFICATION OF IT. HOWEVER, IF A COPY OF A COMPUTER PROGRAM IS CONTAINED IN AND SOLD OR LEASED AS PART OF GOODS, THIS TITLE APPLIES TO THE COPY AND THE COMPUTER PROGRAM ONLY IF:

(A) THE GOODS ARE A COMPUTER OR COMPUTER PERIPHERAL; OR

(B) GIVING THE BUYER OR LESSEE OF THE GOODS ACCESS TO OR USE OF THE PROGRAM IS ORDINARILY A MATERIAL PURPOSE OF TRANSACTIONS IN GOODS OF THE TYPE SOLD OR LEASED.

(2) SUBJECT TO SUBSECTION (D)(3)(A) OF THIS SECTION, IF A TRANSACTION INCLUDES AN AGREEMENT FOR CREATING OR FOR OBTAINING RIGHTS TO CREATE COMPUTER INFORMATION AND A MOTION PICTURE, THIS TITLE DOES NOT APPLY TO THE AGREEMENT IF THE DOMINANT CHARACTER OF THE AGREEMENT IS FOR CREATING OR OBTAINING RIGHTS TO CREATE A MOTION PICTURE. IN ALL OTHER SUCH AGREEMENTS, THIS TITLE DOES NOT APPLY TO THE PART OF THE AGREEMENT THAT INVOLVES A MOTION PICTURE EXCLUDED UNDER SUBSECTION (D)(3) OF THIS SECTION, BUT DOES APPLY TO THE COMPUTER INFORMATION.

(3) IN ALL OTHER CASES ~~NOT INVOLVING GOODS~~, THIS TITLE APPLIES TO THE ENTIRE TRANSACTION IF THE COMPUTER INFORMATION AND