

(3) THE LICENSOR'S RIGHTS REMAIN IN EFFECT BUT ARE SUBJECT TO THE LICENSEE'S REMEDY FOR BREACH, INCLUDING ANY RIGHT OF RECOUPMENT OR SETOFF.

21-814. DISCONTINUING ACCESS.

~~(A) ON SUBJECT TO SUBSECTION (B) OF THIS SECTION, ON MATERIAL BREACH OF AN ACCESS CONTRACT OR IF THE AGREEMENT SO PROVIDES, A PARTY MAY DISCONTINUE ALL CONTRACTUAL RIGHTS OF ACCESS OF THE PARTY IN BREACH AND DIRECT ANY PERSON THAT IS ASSISTING THE PERFORMANCE OF THE CONTRACT TO DISCONTINUE ITS PERFORMANCE.~~

~~(B) IN AN ACCESS CONTRACT THAT REQUIRES PERIODIC PAYMENTS OVER TIME, BEFORE OR AT THE TIME OF DISCONTINUATION OF ALL CONTRACTUAL RIGHTS OF ACCESS, A PARTY SHALL NOTIFY THE PARTY IN BREACH IN A RECORD OF:~~

~~(1) THE DISCONTINUATION OF ALL CONTRACTUAL RIGHTS OF ACCESS IN THE ACCESS CONTRACT;~~

~~(B) EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, BEFORE DISCONTINUING ALL CONTRACTUAL RIGHTS OF ACCESS IN AN ACCESS CONTRACT, A PARTY SHALL GIVE NOTICE IN A RECORD TO THE PARTY IN BREACH STATING:~~

~~(1) THAT THE PARTY INTENDS TO DISCONTINUE ALL CONTRACTUAL RIGHTS OF ACCESS IN THE ACCESS CONTRACT ON OR AFTER 3 DAYS FOLLOWING THE DATE NOTICE IS GIVEN;~~

~~(2) THE NATURE OF THE CLAIMED BREACH THAT ENTITLES THE PARTY TO DISCONTINUE ALL CONTRACTUAL RIGHTS OF ACCESS IN THE ACCESS CONTRACT;~~

~~(3) THE OPPORTUNITY TO CURE AS PROVIDED UNDER § 21-703 OF THIS TITLE; AND~~

~~(4) INFORMATION TO ALLOW FOR COMMUNICATION CONCERNING THE CLAIMED BREACH, INCLUDING THE PARTY'S:~~

~~(I) ADDRESS AND TELEPHONE NUMBER; AND~~

~~(II) 1. FACSIMILE NUMBER; OR~~

~~2. E-MAIL ADDRESS.~~

~~(C) THE NOTICE REQUIRED IN SUBSECTION (B) OF THIS SECTION IS NOT REQUIRED FOR A DISCONTINUATION TO MEET A STATUTORY OR LEGAL REQUIREMENT OR DUE TO A MATERIAL BREACH OF A CONTRACTUAL USE TERM.~~

21-815. RIGHT TO POSSESSION AND PREVENT USE.

(A) ON CANCELLATION OF A LICENSE, THE LICENSOR HAS THE RIGHT:

(1) TO POSSESSION OF ALL COPIES OF THE LICENSED INFORMATION IN THE POSSESSION OR CONTROL OF THE LICENSEE AND ANY OTHER MATERIALS PERTAINING TO THAT INFORMATION WHICH BY CONTRACT ARE TO BE RETURNED OR DELIVERED BY THE LICENSEE TO THE LICENSOR; AND