

(C) IF AN OFFER AND ACCEPTANCE ARE IN STANDARD FORMS AND AT LEAST ONE FORM IS CONDITIONAL, THE FOLLOWING RULES APPLY:

(1) CONDITIONAL LANGUAGE IN A STANDARD TERM PRECLUDES FORMATION OF A CONTRACT ONLY IF THE ACTIONS OF THE PARTY PROPOSING THE FORM ARE CONSISTENT WITH THE CONDITIONAL LANGUAGE, SUCH AS BY REFUSING TO PERFORM, REFUSING TO PERMIT PERFORMANCE, OR REFUSING TO ACCEPT THE BENEFITS OF THE AGREEMENT, UNTIL ITS PROPOSED TERMS ARE ACCEPTED.

(2) A PARTY THAT AGREES, SUCH AS BY MANIFESTING ASSENT, TO A CONDITIONAL OFFER THAT IS EFFECTIVE UNDER PARAGRAPH (1) OF THIS SUBSECTION ADOPTS THE TERMS OF THE OFFER UNDER § 21-208 OR § 21-209 OF THIS SUBTITLE, EXCEPT A TERM THAT CONFLICTS WITH AN EXPRESSLY AGREED TERM REGARDING PRICE OR QUANTITY.

21-206. OFFER AND ACCEPTANCE: ELECTRONIC AGENTS.

(A) A CONTRACT MAY BE FORMED BY THE INTERACTION OF ELECTRONIC AGENTS. IF THE INTERACTION RESULTS IN THE ELECTRONIC AGENTS' ENGAGING IN OPERATIONS THAT UNDER THE CIRCUMSTANCES INDICATE ACCEPTANCE OF AN OFFER, A CONTRACT IS FORMED, BUT A COURT MAY GRANT APPROPRIATE RELIEF IF THE OPERATIONS RESULTED FROM FRAUD, ELECTRONIC MISTAKE, OR THE LIKE.

(B) A CONTRACT MAY BE FORMED BY THE INTERACTION OF AN ELECTRONIC AGENT AND AN INDIVIDUAL ACTING ON THE INDIVIDUAL'S OWN BEHALF OR FOR ANOTHER PERSON. A CONTRACT IS FORMED IF THE INDIVIDUAL TAKES AN ACTION OR MAKES A STATEMENT THAT THE INDIVIDUAL CAN REFUSE TO TAKE OR SAY AND THAT THE INDIVIDUAL HAS REASON TO KNOW WILL:

(1) CAUSE THE ELECTRONIC AGENT TO PERFORM, PROVIDE BENEFITS, OR ALLOW THE USE OR ACCESS THAT IS THE SUBJECT OF THE CONTRACT, OR SEND INSTRUCTIONS TO DO SO; OR

(2) INDICATE ACCEPTANCE, REGARDLESS OF OTHER EXPRESSIONS OR ACTIONS BY THE INDIVIDUAL TO WHICH THE INDIVIDUAL HAS REASON TO KNOW THE ELECTRONIC AGENT CANNOT REACT.

(C) THE TERMS OF A CONTRACT FORMED UNDER SUBSECTION (B) OF THIS SECTION ARE DETERMINED UNDER § 21-208 OR § 21-209 OF THIS SUBTITLE BUT DO NOT INCLUDE A TERM PROVIDED BY THE INDIVIDUAL IF THE INDIVIDUAL HAD REASON TO KNOW THAT THE ELECTRONIC AGENT COULD NOT REACT TO THE TERM.

21-207. FORMATION: RELEASES OF INFORMATIONAL RIGHTS.

(A) A RELEASE IS EFFECTIVE WITHOUT CONSIDERATION IF IT IS:

(1) IN A RECORD TO WHICH THE RELEASING PARTY AGREES, SUCH AS BY MANIFESTING ASSENT, AND WHICH IDENTIFIES THE INFORMATIONAL RIGHTS RELEASED; OR

(2) ENFORCEABLE UNDER ESTOPPEL, IMPLIED LICENSE, OR OTHER LAW.