

(I) WITH THE INTENT TO SELL OR CAUSE TO BE SOLD FOR PROFIT OR USED TO PROMOTE THE SALE OF ANY PRODUCT; AND

(II) WITHOUT THE CONSENT OF THE PERFORMER.

(2) A PERSON MAY NOT KNOWINGLY DELIVER, OFFER FOR DELIVERY, OR POSSESS FOR THE PURPOSE OF DELIVERY A RECORDED ARTICLE ON WHICH SOUNDS OR IMAGES HAVE BEEN TRANSFERRED OR STORED, UNLESS THE RECORDED ARTICLE BEARS IN A PROMINENT PLACE ON ITS OUTSIDE FACE OR PACKAGE:

(I) THE ACTUAL NAME AND STREET ADDRESS OF THE TRANSFEROR OF THE SOUNDS OR IMAGES; AND

(II) THE ACTUAL NAME OF THE PERFORMER OR GROUP.

REVISOR'S NOTE: Subsection (a) of this section is new language added to avoid unnecessary repetition of identical phrases.

Subsections (b), (c), and (d) of this section are new language derived without substantive change from former Art. 27, § 467A(a) and (b).

In subsection (a)(2) of this section, the defined term "deliver" is substituted for the former references to "sell, rent, distribute, circulate" and similar references.

In subsection (a)(3) of this section, the defined term "performance" is substituted for the former reference to "any performance whether live before an audience or transmitted by wire or through the air by radio or television".

In subsection (a)(4) of this section, the defined term "recorded article" is substituted for the former references to "phonograph record, disc, wire, tape, film, videocassette, or other article on which sounds are recorded or otherwise stored" and similar references.

Throughout this section, the defined term "person" is substituted for the former reference to a "person, firm, partnership, corporation, or association", for brevity.

In subsection (b)(2) of this section, the term "master recorded article" is substituted for the former phrase "master recording, film, or other such article" for brevity.

In subsection (c)(1) of this section, the phrase "the owner of the original fixation of sounds embodied in the master recorded article" is substituted for the former reference to "the owner as defined in (a)(1)" for clarity.

In subsection (d) of this section, the term "recorded article on which sounds or images have been transferred or stored" is substituted for the former phrase "phonograph record, disc, wire, tape, film, videocassette, or other article on which sounds or images are recorded or otherwise stored" for brevity.