

“alcoholic beverage” are substituted for the former archaic references to “spirituous or fermented liquors”, and “spirituous liquor” and “fermented liquor”, respectively.

In subsection (a) of this section, the reference to an “authorized provider, as defined in § 5-101 of this article” is substituted for the former references to a “licensed practitioner” for clarity.

Also in subsection (a) of this section, the former references to a “letter writing” are deleted as implicit in the reference to a “paper”.

In subsection (b)(1) and (2) of this section, the defined term “counterfeit” is substituted for the former references to “falsely mak[ing], alter[ing], forg[ing] or counterfeit[ing]” a device, although the defined term only includes a “materially” altered device. In order to prove fraud under current law, any such alteration must be material. No substantive change is intended.

In subsection (c) of this section, the former reference to a conviction “in any court in this State” is deleted as surplusage.

Also in subsection (c) of this section, the former reference to imprisonment “in the discretion of the court” is deleted as implicit in setting a maximum term.

In subsection (d) of this section, the reference to drugs, medicine, or alcoholic beverages obtained “in violation of this section” is substituted for the former reference to those substances obtained “by means of the falsely made, altered, forged or counterfeited order, paper, letter writing, prescription, recipe or other device purporting to have been made by a duly licensed practitioner” for brevity.

Defined terms: “Counterfeit” § 1-101
“Person” § 1-101

8-611. TRADEMARK COUNTERFEITING.

(A) DEFINITIONS.

(1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “COUNTERFEIT MARK” MEANS:

(I) AN UNAUTHORIZED COPY OF INTELLECTUAL PROPERTY; OR

(II) INTELLECTUAL PROPERTY AFFIXED TO GOODS KNOWINGLY SOLD, OFFERED FOR SALE, MANUFACTURED, OR DISTRIBUTED, TO IDENTIFY SERVICES OFFERED OR RENDERED, WITHOUT THE AUTHORITY OF THE OWNER OF THE INTELLECTUAL PROPERTY.