

(1) THE PERFORMING GROUP IS THE AUTHORIZED REGISTRANT AND OWNER OF A SERVICE MARK FOR THAT GROUP THAT IS REGISTERED WITH THE UNITED STATES PATENT AND TRADEMARK OFFICE;

(2) AT LEAST ONE MEMBER OF THE PERFORMING GROUP WAS A MEMBER OF THE RECORDING GROUP AND THE MEMBER HAS A LEGAL RIGHT TO THE RECORDING GROUP NAME DUE TO THE MEMBER'S USE OF OR OPERATION UNDER THE GROUP NAME WITHOUT HAVING ABANDONED THE RECORDING GROUP NAME OR AFFILIATION WITH THE RECORDING GROUP;

(3) THE LIVE MUSICAL PERFORMANCE OR PRODUCTION IS IDENTIFIED IN ALL ADVERTISING AND PROMOTION AS A SALUTE ~~OR~~, TRIBUTE, PARODY, OR SATIRE AND THE PERFORMING GROUP NAME IS NOT SO CLOSELY RELATED OR SIMILAR TO THAT USED BY THE RECORDING GROUP THAT IT WOULD TEND TO CONFUSE OR MISLEAD THE PUBLIC;

(4) THE ADVERTISING DOES NOT RELATE TO A LIVE MUSICAL PERFORMANCE OR PRODUCTION IN THE STATE; OR

(5) THE PERFORMANCE OR PRODUCTION IS EXPRESSLY AUTHORIZED BY THE RECORDING GROUP.

11-1503.

(A) IF THE ATTORNEY GENERAL BELIEVES THAT A PERSON HAS ENGAGED IN OR WILL ENGAGE IN A VIOLATION OF § 11-1502 OF THIS SUBTITLE, AND AN INJUNCTION WOULD BE IN THE PUBLIC INTEREST, THE ATTORNEY GENERAL MAY SEEK AN INJUNCTION TO PROHIBIT A PERSON FROM CONTINUING OR ENGAGING IN THE VIOLATION.

(B) IF A COURT ISSUES A PERMANENT INJUNCTION UNDER SUBSECTION (A) OF THIS SECTION, THE COURT MAY ENTER A JUDGMENT TO RESTORE TO A PERSON ANY MONEY OR REAL OR PERSONAL PROPERTY ACQUIRED FROM THE PERSON BY MEANS OF ANY PROHIBITED PRACTICE.

(C) (1) IN ADDITION TO ANY RELIEF GRANTED UNDER SUBSECTION (B) OF THIS SECTION, A PERSON WHO VIOLATES § 11-1502 OF THIS SUBTITLE IS SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$5,000 OR MORE THAN \$15,000 FOR EACH VIOLATION.

(2) EACH PERFORMANCE OR PRODUCTION IN VIOLATION OF § 11-1502 OF THIS SUBTITLE IS CONSIDERED A SEPARATE VIOLATION.