

Article - Commercial Law

[Previous][Next]

§11-1502.

(a) Except as provided in subsection (b) of this section, a person may not advertise or conduct a live musical performance or production in the State through the use of a false, deceptive, or misleading affiliation, connection, or association between a performing group and a recording group.

(b) Subsection (a) of this section does not apply if:

(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, 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.

[Previous][Next]