

§1158. Production

A person may not promote, advertise or conduct a live musical performance or production in this State through the use of a false, deceptive or misleading affiliation, connection or association between a performing group and a recording group unless: [PL 2007, c. 171, §1 (NEW).]

1. Authorized; federal service mark. The performing group is the authorized registrant and owner of a federal service mark for that group registered in the United States Patent and Trademark Office;

[PL 2007, c. 171, §1 (NEW).]

2. Legal right. At least one member of the performing group was a member of the recording group and has a legal right by virtue of use or operation under the group name without having abandoned the name or affiliation with the group;

[PL 2007, c. 171, §1 (NEW).]

3. Salute or tribute. The live musical performance or production is identified in all advertising and promotion as a salute or tribute and the name of the performing group is not so closely related or similar to the name used by the recording group that it would tend to confuse or mislead the public; and

[PL 2007, c. 171, §1 (NEW).]

4. Expressly authorized. The performance or production is expressly authorized by the recording group.

[PL 2007, c. 171, §1 (NEW).]

SECTION HISTORY

PL 2007, c. 171, §1 (NEW).

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