

(2) IS:

(I) WRITTEN OR PRINTED;

(II) MADE BY MEANS OF A RECORDED TELEPHONE MESSAGE; OR

(III) SPOKEN ON RADIO, TELEVISION, OR SIMILAR COMMUNICATIONS MEDIA.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 56, § 345(b).

Defined term: "Franchise" § 14-201

(C) AREA FRANCHISE.

"AREA FRANCHISE" MEANS AN AGREEMENT BETWEEN A FRANCHISOR AND SUBFRANCHISOR IN WHICH, FOR CONSIDERATION, THE SUBFRANCHISOR IS GRANTED THE RIGHT TO SELL OR NEGOTIATE THE SALE OF FRANCHISES IN THE NAME OF OR FOR THE FRANCHISOR.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 56, § 345(g).

Defined terms: "Franchise" § 14-201

"Franchisor" § 14-201

"Subfranchisor" § 14-201

(D) COMMISSIONER.

"COMMISSIONER" MEANS THE SECURITIES COMMISSIONER IN THE OFFICE OF THE ATTORNEY GENERAL.

REVISOR'S NOTE: This subsection formerly was Art. 56, § 345(c), except as it related to the agent of the Commissioner.

(E) FRANCHISE.

(1) "FRANCHISE" MEANS AN EXPRESSED OR IMPLIED, ORAL OR WRITTEN AGREEMENT IN WHICH:

(I) A FRANCHISEE IS GRANTED THE RIGHT TO DO BUSINESS OFFERING, SELLING, OR DISTRIBUTING GOODS OR SERVICES UNDER A MARKETING PLAN OR SYSTEM PRESCRIBED IN SUBSTANTIAL PART BY THE FRANCHISOR;

(II) THE OPERATION OF THE BUSINESS UNDER THE MARKETING PLAN OR SYSTEM IS ASSOCIATED SUBSTANTIALLY WITH THE TRADEMARK, SERVICE MARK, TRADE NAME, LOGOTYPE, ADVERTISING, OR OTHER COMMERCIAL SYMBOL THAT DESIGNATES THE FRANCHISOR OR ITS AFFILIATE; AND