

WEST VIRGINIA CODE: §47-11D-2

§47-11D-2. Definitions.

When used in this article, unless the context indicates otherwise:

- (1) "Person" includes one or more individuals, partnerships, associations, societies, trusts or corporations.
- (2) "Theatre" means any establishment in which motion pictures are exhibited to the public regularly for a charge.
- (3) "Distributor" means any person engaged in the business of distributing or supplying motion pictures to exhibitors by rental, sale or licensing.
- (4) "Exhibitor" means any person engaged in the business of operating one or more theatres.
- (5) "Exhibit" or "exhibition" means showing a motion picture to the public for a charge.
- (6) "Invitation to bid" means a written or oral solicitation or invitation by a distributor to one or more exhibitors to bid or negotiate for the right to exhibit a motion picture.
- (7) "Bid" means a written or oral offer or proposal by an exhibitor to a distributor, in response to an invitation to bid or otherwise, stating the terms under which the exhibitor will agree to exhibit a motion picture.
- (8) "License agreement" means any contract, agreement, understanding or condition between a distributor and an exhibitor relating to the licensing or exhibition of a motion picture by the exhibitor.
- (9) "Trade screening" means the showing of a motion picture by a distributor, which showing is open to any of this state's exhibitors who are interested in exhibiting the motion picture.
- (10) "Blind bidding" means the bidding for, negotiating for, or offering or agreeing to terms for the licensing or exhibition of a motion picture before that motion picture has been trade screened for this state's exhibitors.
- (11) "Run" means the continuous exhibition of a motion picture in a defined geographic area for a specified period of time. A "first run" is the first exhibition of a picture in the designated area, a "second run" is the second exhibition and "subsequent runs" are all exhibitions after the second run.