

Article 2.

Sale of Prints.

§ 25C-10. Definitions.

As used in this Article, the term:

- (1) "Artist" means any person who created or who conceived of and approved:
 - a. The master image of a work of art for a print, including but not limited to a photograph or a negative; or
 - b. The master image of a work of art which served as the model for a print.
- (2) "Art dealer" means a person:
 - a. Who is in the business of dealing in prints to which this Article applies; or
 - b. Who holds himself out as having knowledge or skills particular to prints to which this Article applies; or
 - c. Who employs an agent or other intermediary who holds himself out as having knowledge or skills particular to prints to which this Article applies; or
 - d. Who is a professional auctioneer who sells prints to which this Article applies, at auctions.
- (3) "Fine print" means a printed image on paper or any other suitable substance which is based on an artist's master image and has been taken off a plate by printing, stamping, casting, or any other process commonly used in the graphic arts, and includes but is not limited to engraving, etching, woodcut, lithograph, or serigraph, or a print developed or created from a negative when such negative is itself an original work of art.
- (4) "Person" means an individual, partnership, corporation, association, joint venture, or any other legal or commercial entity.
- (5) "Plate" means a plate, stone, block, or other material used to create a fine print or from which a fine print is taken.
- (6) "Print" means a fine print or reproduction as defined in this Article.
- (7) "Photograph" means the image produced upon a photosensitive surface by the chemical action of light.
- (8) "Negative" means any negative image, photographic plate, slide, or other material created by the artist and used for the purpose of creating the print.
- (9) "Reproduction" means a copy of a fine print or other work of art made by a commercial mechanical process which does not require the use of an original plate or an original negative.
- (10) "Signed print" means a finished fine print autographed by the artist and not by mechanical means of reproduction, whether or not it was signed or unsigned in the plate.
- (11) "Work of art" means an original art work that is:
 - a. A visual rendition, including a painting, drawing, sculpture, mosaic, or photograph;
 - b. A work of calligraphy;
 - c. A work of graphic art, including but not limited to a fine print;
 - d. A craft work in materials, including clay, textile, fiber, wood, metal, plastic, or glass; or
 - e. A work in mixed media, including a collage or a work consisting of any combination of works included in this subdivision. (1989, c. 464; 1997-456, s. 27.)