

365.750 Definitions.

As used in KRS 365.755 and 365.760, unless the context requires otherwise:

- (1) "Theater" means any establishment in which motion pictures are exhibited to the public regularly for a charge.
- (2) "Distributor" means any person engaged in the business of distributing or supplying motion pictures to exhibitors by rental, sale, or licensing.
- (3) "Exhibitor" means any person engaged in the business of operating one (1) or more theaters.
- (4) "Exhibit" or "exhibition" means showing a motion picture to the public for a charge.
- (5) "Invitation to bid" means a written or oral solicitation or invitation by a distributor to one (1) or more exhibitors to bid for the right to exhibit a motion picture.
- (6) "Bid" means a written offer or proposal by an exhibitor to a distributor in response to an invitation to bid for the right to exhibit a motion picture, stating the terms under which the exhibitor will agree to exhibit a motion picture.
- (7) "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.
- (8) "Trade screening" means the showing of a motion picture by a distributor within the cities of Lexington and Paducah and any other location the distributor may wish to include which is open to any exhibitor from whom the distributor intends to solicit bids or with whom the distributor intends to negotiate for the right to exhibit the motion picture.
- (9) "Blind bidding" means the bidding for, negotiating for, offering or agreeing to terms for the licensing or exhibition of a motion picture at any time before such motion picture has either been trade screened within the state or before such motion picture, at the option of the distributor, has been otherwise made available for viewing within the state by all exhibitors from whom the distributor is soliciting bids or with whom the distributor is negotiating for the right to exhibit such motion picture.
- (10) "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 motion picture in the designated area; a "second run" is the second exhibition; and "subsequent runs" are subsequent exhibitions after the second run. "Exclusive run" is any run limited to a single theater in a defined geographical area, and a "nonexclusive run" is any run in more than one (1) theater in a defined geographical area.

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