

An Act relating to commercial law; creating the Oklahoma Uniform Computer Information Transactions Act; providing short title; defining terms; declaring scope of act and providing exclusions; authorizing agreement to opt-in or opt-out for certain transactions; clarifying relation to federal law; stating fundamental public policy; stating certain transactions subject to other state law; stating rules of construction; providing for legal recognition of electronic record and authentication and for use of electronic agents; stating proof and effect of authentication; providing for choice of law; authorizing contractual choice of forum; providing for unconscionable contract or term; stating manifestations assent; stating rules for opportunity to review; authorizing variation by agreement; stating relevance of commercial practice; stating applicability of supplemental principles; requiring good faith; stating certain questions for decision by court; providing for determination of reasonable time; stating when a person has reason to know; stating formal requirements for certain contracts; stating rules for formation in general; providing for offer and acceptance in general; providing for acceptance with varying terms; providing for conditional offer or acceptance; authorizing offer and acceptance by electronic agents; stating rules for formation of releases of informational rights; stating rules for adopting terms of records; stating rules for adopting terms of mass-market license; stating when terms of contract are formed by conduct; providing for pretransaction disclosures in internet-type transactions; stating efficacy and commercial reasonableness of attribution procedure; stating rules for determining attribution; stating consumer defenses for electronic error; stating when electronic message is effective and stating effect of acknowledgement; stating rules for submission of ideas or information; providing for parole or extrinsic evidence; requiring practical construction; providing for modification and rescission; stating when certain contractual terms continue; authorizing specification of certain terms by one party; providing for performance under open terms; providing for interpretation and requirements for grant; stating rules for determining duration of contract; stating rules for agreement for performance to party's satisfaction; stating warranty and obligations concerning noninterference and noninfringement; providing for creation of certain express and implied warranties; authorizing disclaimer or modification of certain warranties; stating effect of modification of computer program on certain warranties; providing for cumulation and conflict of warranties; providing for third-party beneficiaries of warranty; stating rules for transfer of certain interests and rights; stating ownership of certain informational rights; stating rules for determining title to copies; providing for transfer of contractual interest; stating effect of transfer of contractual interest; authorizing performance by a delegate; stating obligation under subcontracts; providing for transfer by licensee; stating rules for financing in which financier does not become licensee; stating rules for finance licenses; authorizing certain financing arrangements including certain irrevocable obligations; stating rules for remedies and enforcement of certain financing arrangements; stating effect on licensor's rights of certain financing arrangements; stating rules for performance of contract in general; stating licensor's obligations to enable use; providing for submissions of information to satisfaction of party; stating rules for immediately completed performance; providing for electronic regulation of performance; stating rules for performance in delivery of copies; stating rules for certain special types of contracts; providing for risk of loss of copy; providing for excuse of performance by failure of presupposed conditions; stating rules for, notice of, and enforcement of termination; providing for determination of breach of contract and for determining materiality

of breach; providing for waiver of remedy for breach of contract; providing for cure of breach of contract; providing for refusal of defective copies; stating duties on rightful refusal of defective copies; providing for revocation of acceptance due to defective copies; providing for adequate assurance of performance; stating rules for anticipatory repudiation; providing for retraction of anticipatory repudiation; stating remedies in general; authorizing cancellation under certain circumstances; authorizing contractual modification of remedies; authorizing agreements for liquidation of damages; stating limitations for certain actions; providing remedies for fraud; stating rules for measurement of damages in general; providing for licensor's and licensee's damages; authorizing recoupment under certain circumstances; providing for remedy of specific performance; authorizing completion of performance under certain circumstances; stating rules for continuing use under license; authorizing discontinuation of access; stating right to possession and to prevent use; stating limitations on electronic self-help; providing for previous rights and transactions; providing for codification; and providing an effective date.