

THESE ARE THE TERMS AND CONDITIONS ON WHICH MIRACLON WILL SUPPLY THE CUSTOMER WITH THE EQUIPMENT, THE SUPPORT SERVICES AND THE CONSUMABLES. THE CUSTOMER AGREES TO BE BOUND BY MIRACLON'S TERMS AND CONDITIONS CONTAINED BELOW.

**Miraclon's Terms and Condition (T&C's)**

**1. Definitions, interpretation and conflicts.**

Orders for Consumables may be subject to minimum order values, quantities and maximum frequency.

**2.3.**

does not allow pick up of these Parts within fourteen (14) days, then Miraclon shall charge the Customer for the equivalent price of the Parts due for return at Miraclon's then current rates.

6.3.2. Restrictions.

6.3.2.1. Customer's employees. The Customer shall not permit any other persons to provide



custom or usage) as to quality, or fitness for any particular purpose, are expressly excluded.

**9.9.** Subject to the provisions of Section 10.1, any further conditions or warranties (whether express or implied by Applicable Law or arising from conduct or a previous course of dealing or trade custom or usage) as to quality, or fitness for any particular purpose, are expressly excluded.

**10. Exclusions and Limitation of Liability.**

**10.1.** Nothing in the Agreement and in these Miraclon T&C's shall affect any liability which Miraclon may have in respect of the death of, or personal injury to, any person resulting from Miraclon's negligence or operate to limit or exclude any liability for fraud or fraudulent misrepresentation or other liability which cannot be excluded by Applicable Law.

**10.2.** Subject to Section 10.1, in no event shall the liability of Miraclon or that of its parent corporation, subsidiaries, affiliates, licensors, manufacturers, subcontractors and suppliers exceed the actual amount that the Customer paid for the specific Products that directly gave rise to the damages claimed, regardless of the basis on which the injured Party claims. IN NO EVENT SHALL MIRACLON OR ITS PARENT CORPORATION, SUBSIDIARIES, AFFILIATES, LICENSORS, MANUFACTURERS, SUBCONTRACTORS AND SUPPLIERS BE LIABLE FOR ANY KIND OF

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