

ELEMENT MATERIALS TECHNOLOGY

TERMS AND CONDITIONS (US)

1. Formation of Contract

- 1.1 Terms and Conditions shall apply to all contracts for the supply of testing, calibration and/or other services on behalf of the Company (as defined in this sub-condition) shall apply to all contracts for the supply of testing, calibration and/or other services
- Services FDUULHG R XMMaterials Technology Atlanta - Gainesville LLC (a Delaware limited liability company), a member of the Company OR JS URXLGS QJ WKH

company of that party, and any subsidiary of a holding company of that party.

3.7 The Customer undertakes that during the provision of the Services and for 6 months following completion thereof, the Customer shall not

3.7.1 solicit or entice away (or assist anyone else in soliciting or
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the Customer has had dealings in connection with the Contract
and/or the provision of the Services during the 12 months
immediately prior to th

Property Rights belonging to the Company (including trade marks) pursuant to this Contract.

Notwithstanding any other provision of these Terms and Conditions, the
& X V W R P H U \ V O L D E L O L W \ X Q O n h u e d \ K L V L Q G H P Q L W \ V K D O O E H

8.8 Nothing in these Terms and Conditions limits or excludes the liability of the Company for:

8.8.1 death or personal injury to the extent resulting from the
& R P S D Q \ \ V Q H J O L J H Q F H R U

8.8.2 liability incurred by the Customer to the extent resulting from fraud or fraudulent misrepresentation by the Company; or

8.8.3 any other

12.2 In the event that the Company is required by a party other than the Customer to present the results or findings of Services carried out by the Company for the Customer in any legal proceedings relating to the Customer, the Customer shall pay all costs and fees arising from any services which the Company is required to do as a result, including the

20. Data Protection

For the purposes of this condition 20, Data Protection Laws mean (a) up to and including 24 May 2018 the Directive 95/46/EC as transposed into domestic legislation of each Member State of the European Economic Area and in each case as amended, replaced or superseded from time to time, and (b) on and from 25 May 2018 the EU General Data Protection Regulation 2016/679 of the European Union, local, international or other applicable laws, rules or regulations governing the use and protection of data.

20.1 Within this condition 20. Process/Processing/Processed Data Controller Data Processor Data Subject Personal Data Data Breach Data Protection Laws; provided that the US Data Protection Laws shall be controlling

22.2.1 it is required to do so by any governmental,