ELEMENT MATERIALS TECHNOLOGY

TERMS AND CONDITIONS (US)

1. Formation of Contract

1.1 These terms and F R Q G L W L R Q V Terms and Conditions ´ W R J H W K H U Z L W K any quotation, proposal, estimate, R U I H H T X R W H ´ ³ S U R Y L G H G by or 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 V H U Y L F H V Services ³ F D U U L H G Element Materials Technology Denver, a division of Element Materials Technology Portland Inc. ´ Company ´ S U R Y L G L Q J W K H V H U Y L F H V to the F X V W R P H U Customer³ ´ F R Q W H P S O D W H G W K H U H L Q

1.2 These Terms and Conditions shall supersede and override any terms or F R Q G L W L R Q V F R Q W D L Q H G L Q R U U H I H U U H G W R L Q W K H &XVWRPHU¶V SXUFKDVH RUGHU or acceptance of a quotation or specification and shall prevail over any inconsistent terms or conditions contained or referred to in the Com S D Q \¶V F R Q I L U P D W L R Q R I R U G H U R U L P S O L H G E \ O D Z X Q O H V V W K H O D Z L Q question cannot be excluded), trade, custom, practice or course of G H D O L Q J $ Q \ S K U D V H L Q W H U R G X F H G E \ W K H W H U P V ³ including X F H G E \ W K H W H U P V ³ p4>4<004F004C>.