

ELEMENT MATERIALS TECHNOLOGY

TERMS AND CONDITIONS (US)

1. Formation of Contract

- 1.1 These terms and Conditions apply to any quotation, proposal, estimate, or order by or on behalf of the Company (as defined in this sub

5.4 When testing, analysis or other services are carried out, the Company

8.8.1 death or personal injury to the extent resulting from the & R P S D negligence; or

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 matter which may not be limited or excluded by law to the extent arising out of the errors or omissions of Company.

8.9 This condition 8 shall survive termination of the Contract.

9. Intellectual Property Rights

9.1 In this condition 9, the following definitions apply:

Intellectual Property Rights : all patents, rights to inventions, utility models, copyright and related rights, trademarks, service marks, trade, business and domain names, rights in trade dress or get-up, rights in goodwill or to sue for passing off, unfair competition rights, rights in designs, rights in computer software, database rights, topography rights, moral rights, r

12.3 If any aspect or element of the Services (including any Sample) is, or is likely to be, th

