

(7) The user hereby agrees that KU-MACC or its depositors shall bear no liability for an infringement of the intellectual property rights or another person's rights by using of a strain.

(8) The user hereby agrees to indemnify, defend and hold harmless KU-MACC and its depositors against all third party claims, losses, expenses and damages relating to the transfer, use, handling, disposal and other activities relating to the material, replicates or derivatives. All non-monetary settlements will be subject to KU-MACC's consent.

(9) The user shall submit the Strain the Receipt Form within thirty (30) days (the "Warranty Period") of the date of receipt of the strain. The user may request that the strain be sent again without charge (exclusive of shipping and handling charges) if the strain is seriously damaged in transit and does not show viability during this warranty period. This exclusive remedy applies under the condition that the user handles and stores Material as described in the product sheet.

Payment; Taxes; Shipping

KU-MACC issues invoice after receiving the report of survival from the user (within 30 days after the arrival of culture). Payments due to KU-MACC should be done by wire transfer to the specified bank account of Kobe University before the date specified in the invoice. Any payments not made within such twenty (20) day period will be subject to an interest charge of five percent (5%) per year or the maximum rate allowed by applicable law, whichever is less. The user is responsible for all taxes, duties, tariffs and permit fees assessed in connection with the material.

KU-MACC will package the material for shipping in accordance with applicable laws and regulations. The user is responsible for ensuring that all permits required for user to receive its order are obtained and that sufficient proof of such permits is provided to KU-MACC. KU-MACC will notify the user when orders are submitted without the necessary permits, and the user will have a two (2) month period after such notification to supply proof of the necessary permit(s) before an order will be cancelled.

2. Procedure for distribution

(1) The user shall complete the [KU-MACC Strain Ordering and Agreement Form] and send it to the following

Address:

Kobe University Organization of Advanced Science and Technology

Research Center for Inland Seas

Kobe University Macroalgal Culture Collection (KU-MACC)

Rokkodai 1-1, Nada-ku, Kobe 657-8501, Japan

Phone: +81-78-803-5781 Fax: +81-78-803-6698

Email: kumacc@kobe-u.ac.jp

Homepage: <http://www.research.kobe-u.ac.jp/rcis-ku-macc/>

(2) The user shall submit the Strain Receipt Form within thirty (30) days of the date of receipt of the strain by fax, e-mail or post.

3. Cost of strains

Universities, public institutions: 3,000 yen

Companies, commercial organizations: 6,000 yen

The cost of postage or other shipping should be paid by the users.