

OEM AGREEMENT

This OEM Agreement (the "Agreement") is effective [DATE].

BETWEEN: [YOUR COMPANY NAME] (the "Supplier"), a company organized and existing under the laws of the [State/Province] of [STATE/PROVINCE], with its head office located at:

[YOUR COMPLETE ADDRESS]

AND: [COMPANY NAME] (the "Purchaser"), a company organized and existing under the laws of the [State/Province] of [STATE/PROVINCE], with its head office located at:

[COMPLETE ADDRESS]

THIS OEM AGREEMENT (the "Agreement") is made and entered into as of the date set forth on the cover page hereof (the Effective Date"), between [YOUR COMPANY NAME], (the "Supplier" hereinafter), and [COMPANY NAME], (the "Purchaser" hereinafter).

The Supplier develops, manufactures, produces and/or supplies [DESCRIBE] products and desires to grant to the Purchaser the right to sell and market certain of such products, and combine same with other products manufactured, produced or supplied by the Supplier, all upon the terms and conditions set forth in this Agreement. The Purchaser develops, manufactures and/or sells and distributes [DESCRIBE] products and services and desires to have the right to sell and market the Supplier's products upon the terms and conditions in this Agreement within [SPECIFY].

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. TERM OF AGREEMENT; DEFINED TERMS

1.1. General Relationship

During the term of this Agreement, the Supplier agrees to make available and sell to the Purchaser the Products set forth in Exhibit 1 in accordance with the terms and conditions set forth herein.

1.2. Term of Agreement

The term of this Agreement shall commence on the Effective Date and shall remain in full force and effect until terminated by either party as set forth herein.

1.3. Definitions

As used in this Agreement, the following terms shall have the meanings indicated, unless the context clearly indicates otherwise:

"APPLICABLE SPECIFICATIONS" means the functional performance, operational and compatibility characteristics of a Product agreed upon in writing by the parties or, by mutual agreement of the parties, as described in applicable Documentation.

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ML Morrison



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Software Protection G. Gervaise Davis,1985 **Buying, Supporting, Maintaining Software and Equipment** Gay Gordon-Byrne,2014-06-25 Describing how to avoid common vendor traps Buying Supporting Maintaining Software and Equipment An IT Manager s Guide to Controlling the Product Lifecycle will help readers better control the negotiation of their IT products and services and ultimately better manage the lifecycle of those purchases The book supplies an inside look at the methods and goals of vendors and their contracts which are almost always in conflict with end user goals The text is set up to follow the way most people experience technology products and contracting decisions It begins by explaining the significance of the decisions made at the time of product selection It details what you need to focus on when negotiating service and support agreements and describes how to use purchase orders to negotiate more favorable agreements Covers product acquisition support and maintenance Examines hardware and software warranty and support models Considers finance and accounting issues for maintenance and support Spells out technology product details Explains postwarranty support and maintenance Provides the understanding to better negotiate with vendor sales teams Illustrating the types of problems typically experienced during product use the book describes how to better control the useful life of your equipment It supplies tips on how to avoid excessive charges from predatory vendors and concludes by delving into issues of product end of life Explaining how to manage support and maintenance issues for the long term this book provides the understanding you need to make sure you are more knowledgeable about the products and services your organization needs than the vendor teams with whom you are negotiating Computerworld ,1982-11-01 For more than 40 years Computerworld has been the leading source of technology news and information for IT influencers worldwide Computerworld s award winning Web site Computerworld com twice monthly publication focused conference series and custom research form the hub of the world s largest global IT media network **Forthcoming Books** Rose Arny,1996-06 *Computerworld* ,1986-10-06 For more than 40 years Computerworld has been the leading source of technology news and information for IT influencers worldwide Computerworld s award winning Web site Computerworld com twice monthly publication focused conference series and custom research form the hub of the world s largest global IT media network Predicasts F&S Index of Corporate Change ,1984 *Library Systems Newsletter* ,1987 *CD-ROM Licensing and Copyright Issues for Libraries* Meta Nissley,Nancy Melin Nelson,1990 *Library Systems* ,1985 **Chilton's Instruments & Control Systems** ,1981-07 **InfoWorld** ,1983-02-28 InfoWorld is targeted to Senior IT professionals Content is segmented into Channels and Topic Centers InfoWorld also celebrates people companies and projects *Instruments & Control Systems* ,1981 **Federal Register** ,2002-05-03 *Network World* ,2002-03-11 For more than 20 years Network World has been the premier provider of information intelligence and insight for network and IT executives responsible for the digital nervous systems of large

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