

Re: Use of ELITech Group Products by Oligo Manufacturers

Our agreement with ELITechGroup allows us to sell you ELITechGroup Products only for your incorporation into oligonucleotides which will be used by end users for research purposes. ELITechGroup Products include AquaPhluor® 593, AquaPhluor® 639, Yakima Yellow®, Eclipse® Dark Quencher, Super G® (PPG), Benzaldehyde Phosphoramidite, Redmond Red® and Gig Harbor Green. In accordance with our agreement with ELITechGroup, you must agree with such restriction and the label requirements set forth below:

Label Requirements.

You may only resell oligonucleotides incorporating ELITechGroup Products that include the following:

1. a label that clearly and conspicuously states that such oligonucleotides are made and sold under license from ELITechGroup.
2. a product insert that clearly and conspicuously states and includes the following:
 - (i) that such oligonucleotides are for research purposes only, and may not be used for commercial, clinical, diagnostic or any other use,
 - (ii) that such oligonucleotides are subject to proprietary rights of ELITechGroup and are made and sold under license from ELITechGroup.
 - (iii) that there is no implied license for commercial use with respect to such oligonucleotides,
 - (iv) that a license must be obtained directly from ELITechGroup with respect to any other proposed commercial use of such oligonucleotides, and
 - (v) that 'commercial use' includes but is not limited to the sale, lease, license or other transfer of such oligonucleotides or any material derived or produced from it, the sale, lease, license or other grant of rights to use such oligonucleotides or any material derived or produced from it, or the use of such oligonucleotides to perform services for a fee for third parties (including contract research).

In the event that you have a separate agreement with ELITechGroup regarding ELITechGroup Products which explicitly states that the foregoing is not applicable to you, your use of oligonucleotides containing such compounds will be governed by the terms of such agreement.

Please sign and return this page to acknowledge your understanding and agreement with the foregoing. Thank you in advance for your cooperation. We require this signed copy by fax or mail prior to the first shipment of any ELITechGroup Product.

Agreed to this ____ day of _____.

Name of Company: _____
Your Name: _____
Title: _____
Signature: _____