

## Echoview upgrade and support agreement (EUSA)

- 1) Myriax aims to provide you with a high level of support and to continuously improve and develop Echoview to better meet your acoustic research needs.
- 2) The purchase price of a single user license for modules of Echoview will normally include a 12-month EUSA.
- 3) A EUSA will entitle you (during the period of the EUSA) to:
  - a) Echoview upgrades released to enhance the software;
  - b) an Echoview upgrade to fix any “bug” or error in the software that affects numerical results or prevents the software from operating substantially as intended;
  - c) unlimited support by email and support by telephone (during business hours in eastern Australia).
- 4) A EUSA will be offered for each of your licenses. A discount of 30% will be allowed on the second and subsequent EUSAs purchased for a single site provided that the EUSA for the primary license at the site is current.
- 5) When we invoice for a EUSA we will also invoice a pro-rata amount for the second and subsequent EUSAs (if you own multiple licenses) to align their expiry dates. All your EUSAs will then expire on the same date as the first EUSA.
- 6) The charge for a twelve-month EUSA will be 19% of the price for the modules covered by the EUSA. The price means the standard retail price in the country of delivery on the date that the invoice for the EUSA is issued.
- 7) A EUSA will always commence on the date of expiry of the previous EUSA for the particular Echoview license.
- 8) Myriax will extend a EUSA by an additional six (6) weeks at no additional charge (equivalent to a discount of 11.5%) if Myriax receives payment for a 12-month extension to a EUSA prior to the expiry of the EUSA.
- 9) An invitation to extend a EUSA will be sent to you along with an invoice approximately six weeks prior to the expiry of the EUSA.
- 10) If more than three months has elapsed since the expiry of a EUSA and you wish to upgrade to the latest version of Echoview then you may, at your discretion, either:
  - a) Bring the EUSA up to date by purchasing a new 12 month EUSA and paying a pro-rata amount for the lapsed period; or
  - b) Purchase a new Echoview license at 70% of the standard list price for a primary license.
- 11) A EUSA does not entitle you to a free license for any newly developed Echoview modules nor for any existing modules for which you have not yet purchased a license.
- 12) If you do not have a current EUSA then support may be charged at a rate of US\$100 per hour with a half-hour minimum charging period.
- 13) Myriax reserves the right to change the price of Echoview modules, the annual charge for a EUSA and the conditions of a EUSA without notice.
- 14) This agreement applies from 18 May 2001.