

SWITCHGEAR GENOMICS LIMITED USE LICENSE

Regulatory Element Sequence and Cloned Fragment

For research use only. This product and/or its use is subject to one or more of the following SwitchGear patents: U.S. Pat. Pub. Nos. US2007/0161031, US2009/0018031, US2008/0220983, and various corresponding patent application and issued patents. Researchers may use this information and/or product in their research, but express written consent from SwitchGear Genomics is required for the transfer of any information including, but not limited to, the DNA sequences or genomic coordinates of these fragments or the products or their derivatives for use by others. Researchers may not reverse engineer, amplify from or transform to prepare more DNA from SwitchGear constructs without express written consent from SwitchGear Genomics.

Unless otherwise agreed, no reach-through payments shall be owed to SwitchGear Genomics relating to an organization's commercialization of products that are the discoveries resulting from the research use of this product or its derivatives, provided that such products do not fall within the scope of the valid claims of any issues patents assigned or licensed to SwitchGear Genomics, or that such commercialization would not be a violation of the terms of this license. No other uses including, but not limited to commercial use, of this information, products or their derivatives is authorized without the express written consent of SwitchGear Genomics. Commercial Use means any and all uses of this product and derivatives by a party for monetary or other consideration and may include, but is not limited to use in: (1) product development or manufacture; (2) to provide a service utilizing SwitchGear information or products; and (3) the resale of the information, products or their derivatives, regardless of their intended use. With respect to such Commercial Use, or any diagnostic, therapeutic or prophylactic uses, please contact SwitchGear Genomics for supply and licensing information.

Luc2P Luciferase Vector

For research use only. This product and/or its use is subject to one or more of the following Promega patents: U.S. Pat. Appln Ser. Nos. 09/645,706, 10/943,508, 10/664,341, PCT Pat. Appln. Ser. No. PCT/US03/28939, U.S. Pat. Nos. 6,387,675 and 6,552,179, Australian Pat. No. 698424 and various corresponding patent application and issued patents. BY USE OF THIS PRODUCT, RESEARCHER AGREES TO BE BOUND BY THE TERMS OF THIS LIMITED USE STATEMENT. If the researcher is not willing to accept the conditions of this limited use statement, and the product is unused, SwitchGear will accept return of the unused product and provide the researcher with a full refund

Researchers may use this product for research use only, no commercial use is allowed. Commercial Use means any and all uses of this product and derivatives by a party for monetary or other consideration and may include but is not limited to use in: (1) product manufacture; and (2) to provide a service, information or data; and/or resale of the product or its derivatives, whether or not such product or derivatives are resold for use in research. Researchers shall have no right to modify or otherwise create variations of the nucleotide sequence of the luciferase gene except that Researchers may: (1) create fused gene sequences provided that the coding sequence of the resulting luciferase gene has no more than four deoxynucleotides missing at the affected terminus compared to the intact luciferase gene sequence, and (2) insert and remove nucleic acid sequences in splicing research predicated on the inactivation or reconstitution of the luminescence of the encoded luciferase. No other use or transfer of this product or derivatives is authorized without the prior express written consent of Promega. In addition, Researchers must either: (1) use luminescent assay reagents purchased from Promega Corporation for all determinations of luminescence activity of this product and its derivatives; or (2) contact Promega to obtain a license for use of the product and its derivatives. Researchers may transfer derivatives to others for research use provided that at the time of transfer a copy of this label license is given to the recipients and recipients agree to be bound by the terms of this label license. With respect to any uses outside this label license, including any diagnostic, therapeutic or prophylactic uses, please contact Promega for supply and licensing information. PROMEGA AND SWITCHGEAR MAKE NO REPRESENTATIONS OR WARRANTIES OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING FOR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE WITH REGARDS TO THE PRODUCT. The terms of this agreement shall be governed under the laws of the State of Wisconsin, USA. The above license relates to Promega patents and/or patent applications on improvements to the luciferase gene.

This product is licensed from Promega Corporation.