

DATA BACKUP AND STORAGE AGREEMENT

THIS AGREEMENT is made this ____ day of _____, 200__ by and between <<Company>> (“Company”) and <<CustCompany>> (“Customer”).

The purpose of this Agreement (hereafter referred to as the “Agreement”) is to set forth a contract arrangement under which Company will provide offsite Data Backup and Storage services (“Data Backup and Storage Services”) on behalf of Customer.

Agreements

In consideration of the mutual covenants set forth in this Agreement, Company and Customer hereby agree as follows:

1. Terms.

Subject to the terms and conditions of this Agreement, Company will provide Data Backup and Storage Services for Customer subject to the following terms:

a) Length of Service.

Customer agrees to an initial six (6) month or twelve (12) month contractual term of service (“Term”). The length of contract required is based on the type of service desired by Customer and shall be determined solely by Company.

b) Service Start Date.

The first payment plus setup charges, if any, shall be due in advance of any service provided. Service shall begin upon Company receipt of payment for such first Term of service or upon a mutually agreed-upon alternate date.

c) Renewal by Customer.

This Agreement will automatically renew for successive six (6) or twelve (12) month Terms unless canceled in writing by Customer at least 30 days prior to the end of Term renewal date. Renewal prices are subject to change. Renewal of services by Customer indicates agreement to any contract revisions and price changes. Renewal fees for the following term will be automatically invoiced to Customer’s account.

d) Type of Service(s).

Company will provide Customer with a custom, offsite data backup and storage solution according to the attached Specifications (Exhibit B) and may comprise one or more of the

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