



**CUSTOM DIE AGREEMENT**

Please take a moment to review the Custom Die Agreement below. Once you have reviewed the Agreement, sign where indicated and return to Ellison. We will then begin the Custom Die Ordering process.

I, \_\_\_\_\_, in consideration of my engagement of ELLISON EDUCATIONAL EQUIPMENT, INC. (hereinafter "Ellison") to manufacture one or more custom order dies, acknowledge that:

(1) I have the exclusive right to my creative expression of the subject matter of any shape and/or artwork that I submit, but do not have the exclusive right to the subject matter of the shape and/or artwork;

(2) Ellison properly may include its own die design or shape of the same subject matter as my custom die, in its catalog and product line; and may manufacture custom dies of the same subject matter for others. For example, Ellison may manufacture a custom die for me from artwork of an apple and Ellison may manufacture a die of its own design of an apple and Ellison may manufacture a die of an apple of another customer's artwork;

(3) Ellison properly may own and assert its own copyright and/or proprietary rights in any dies, artwork and/or shapes it designs; and

(4) Ellison, because it will not knowingly infringe another's rights by manufacturing a custom order die, relies on me to make sure that my custom order die does not violate the rights of another.

I expressly represent and warrant that I am the sole owner of the copyright and/or proprietary rights in the artwork I submit or that I have written permission from the symbol, logo, trademark, copyright and/or proprietary right owner to use the artwork for the custom die I request Ellison to manufacture. I authorize Ellison to make a custom die based on my representation.

I hereby release, indemnify, discharge and agree to hold harmless Ellison, its employees, directors, agents, advisors, subsidiaries and assigns or its customers from and against any liability, loss, damages, attorneys' fee and expenses or settlements amounts arising as a result of the creation, purchase or use of any custom order die I engage Ellison to and/or have manufactured.

By signing below, I agree to the terms and conditions above.

\_\_\_\_\_  
Date

\_\_\_\_\_  
School/School District/Business Name

\_\_\_\_\_  
Customer's Signature

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Fax

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E-Mail