

LIMITED PRODUCT WARRANTY HBO® SEMICONDUCTOR LAMPS

OSRAM SYLVANIA INC. (OSI) warrants that its HBO OSRAM mercury short arc lamp (HBO Lamp) for microlithography will be in conformity with OSI published specifications and free from defects in material and workmanship. In the event a non conformity or defect causes a catastrophic (non-passive) failure which results in damage to customer's Stepper machine during the average rated life of the HBO Lamp, customer's sole and exclusive remedy will be reimbursement for actual direct expenses incurred by the customer for parts, materials and outside labor for the repair of the damaged Stepper, up to a maximum of \$1.5 million per occurrence. As a precondition of such reimbursement, customer must notify OSI within 10 days of the catastrophic failure; make available the HBO Lamp for testing; allow, if requested, the inspection of the damaged Stepper machine; and provide such other documentation or information as OSI may reasonably require to review and process customer's claim, including an itemized proof of loss with supporting documentation and invoices. This limited warranty shall be void if a catastrophic lamp failure results from accident, abuse, misuse, misapplication or occurs during operation of the HBO Lamp beyond its average rated life or during operation of a Stepper machine beyond its operating specifications.

EXCEPT AS EXPRESSLY SET FORTH HEREIN, THERE ARE NO OTHER WARRANTIES, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO ANY IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, WITH RESPECT TO THE HBO LAMP.

OSI's SOLE LIABILITY TO CUSTOMER, AS A RESULT OF THE SALE OR USE OF THE HBO LAMP, IS LIMITED TO THE REIMBURSEMENT REMEDY DETAILED ABOVE. IN NO EVENT WILL OSI BE LIABLE TO THE CUSTOMER, OR ITS CUSTOMERS, AFFILIATES OR DISTRIBUTORS FOR ANY LOST PROFITS, LOST SAVINGS, DOWN TIME, INABILITY TO USE CUSTOMER'S STEPPER MACHINE, OR FOR ANY OTHER CONSEQUENTIAL, DIRECT, INDIRECT, SPECIAL, EXEMPLARY AND PUNITIVE DAMAGES OR FOR ANY OTHER DAMAGES OF ANY KIND OR NATURE.

For purposes of notification to OSI, send all requested information, including invoices and other supporting documentation to:

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