

This Agreement helps Vendors maximize revenue, increase sales and position for follow-on services to the maintenance Customer. This is the form you need if you are maintaining computer hardware for customers.

Form Outline

Hardware Maintenance Agrmt (Favors Vendor)

Article I - Recitals and Definitions

Section 1.01 - Recitals

Section 1.02 - Definitions

Article II- Maintenance Services

Section 2.01 - Correction of Defects

Section 2.02 - Preventive Maintenance

Section 2.03 - Maintenance Record

Section 2.04 - Spare Parts

Section 2.05 - Limitation of Services

Article III - Support Services

Section 3.01 - Computer Upgrades

Section 3.02 - Software Updates

Section 3.03 - Risk of Loss

Section 3.04 - Support Services

Section 3.05 - Customer Cooperation

Section 3.06 - Schedule Restrictions

Section 3.07 - Rescheduling of Services

Article IV - Payment

Section 4.01 - Maintenance Fee

Section 4.02 - Upgrade Fee

Section 4.03 - Update Fee

Section 4.04 - Support Fee

Section 4.05 - Consulting Fee

Section 4.06 - Costs

Section 4.07 - Invoicing and Payment

Section 4.08 - Taxes

Section 4.09 - Late Fee

Section 4.10 - Refund

Article V - Termination

Section 5.01 - Termination Limitations

Section 5.02 - Term and Renewal

Section 5.03 - Termination

Section 5.04 - Cancellation for Cause

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changes to your
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Section 5.05 - Nonpayment

Section 5.06 - Payment

Article VI - Termination

Section 6.01 - Maintenance Warranty

Section 6.02 - Service Warranty

Section 6.03 - Warranty Limitation

Section 6.04 - Express Warranties

Section 6.05 - Indemnification

Section 6.06 - Limitation of Damages

Section 6.07 - Force Majeure

Section 6.08 - Computer Modifications

Section 6.09 - Third Party Maintenance

Section 6.10 - Relocation of Computer

Article VII- Intellectual Property

Section 7.01 - Ownership and Title

Section 7.02 - Update License

Section 7.03 - Authorized Use

Section 7.04 - Support Materials

Section 7.05 - Employee Pirating

Section 7.06 - Continuation

Article VIII- Miscellaneous

Section 8.01 - Assignments

Section 8.02 - Entire Agreement

Section 8.03 - Equitable Remedies

Section 8.04 - Amendments and Modifications

Section 8.05 - Severability

Section 8.06 - Captions

Section 8.07 - Counterparts

Section 8.08 - Governing Law

Section 8.09 - Notice

Section 8.10 - Pronouns/Gender

Section 8.11 - Bankruptcy

Section 8.12 - Waiver

Section 8.13 - Relationship of the Parties

Section 8.14 - Arbitration

Section 8.15 - Assurances

Section 8.16 - Litigation Expense

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