



Terms of Use Agreement – ACerS-NIST Phase Equilibria Diagrams Online

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7. Miscellaneous:

Governing Law: This Agreement shall be interpreted and construed according to, and governed by, the laws of Ohio, excluding any such laws that might direct the application of the laws of another jurisdiction. The federal or state courts located in Columbus, Ohio shall have jurisdiction to hear any dispute under this Agreement.

If any part of these Terms of Use is unlawful, void or unenforceable, that part will be deemed severable and will not affect the validity and enforceability of any remaining provisions. This agreement creates no joint venture, partnership, employment, or agency relationship exists between the CUSTOMER and ACerS as a result of this agreement or use of Phase Equilibria Diagrams Online.

Technical Performance: ACerS shall inform CUSTOMER about any expected systems performance down-time and shall use reasonable efforts to ensure that the CUSTOMER and its Authorized Users will have a quality of service comparable to current standards in the on-line information provision industry.

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