
Short Form Material Transfer Agreement

PROVIDER means: BATTELLE MEMORIAL INSTITUTE, PACIFIC NORTHWEST DIVISION
PROVIDER SCIENTIST (POINT OF CONTACT FOR TRANSFER OF MATERIAL): Dr. Cheryl Baird

RECIPIENT means (name of organization): _____

MATERIAL means: (1) sScFv 10^9 library in yeast strain EBY100
(2) pPNL6 = starting plasmid vector for library construction
(3) EBY100 = yeast strain library is in
(4) pPNL9 = secretion vector used for final production of scFv
(5) YVH10 = yeast strain used for secretion of scFv
(6) scFv Control in EBY100 = positive control for scFv expression and antigen binding
(7) Control biotinylated Antigen

In response to the RECIPIENT's request for the MATERIAL, the RECIPIENT shall agree to the following before the RECIPIENT receives the MATERIAL:

- 1) The MATERIAL is the property of the PROVIDER and is made available **as a bailment** for the conduct of research activities.
- 2) The MATERIAL SHALL NOT BE USED IN HUMAN SUBJECTS.
- 3) The MATERIAL will only be used for research projects or teaching funded solely by the U.S. Government.

United States government contract number: _____

- 4) The MATERIAL will not be distributed to anyone other than the RECIPIENT Scientist without the PROVIDER's written consent. The RECIPIENT shall refer any request for the MATERIAL to the PROVIDER. To the extent supplies are available, the PROVIDER agrees to make the MATERIAL available, under a separate Simple Letter Agreement, to other scientists for teaching or U.S. government funded not-for-profit research purposes only.
- 5) The export or deemed export of goods and/or technical data may require some form of export control license or other authority from the United States Government and failure to obtain such export control license may result in criminal liability under the United States laws. The RECIPIENT shall first obtain the written consent of BATTELLE prior to submitting any request for authority to export any such technical data.
- 6) The RECIPIENT agrees to acknowledge the source of the MATERIAL in any publications reporting its use.
- 7) Any MATERIAL delivered pursuant to this Agreement is understood to be experimental in nature and may have hazardous properties. THE PROVIDER MAKES NO REPRESENTATIONS AND EXTENDS NO WARRANTIES OF ANY KIND, EITHER EXPRESSED OR IMPLIED. THERE ARE NO EXPRESS OR IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, OR THAT THE USE OF THE MATERIAL WILL NOT INFRINGE ANY PATENT, COPYRIGHT, TRADEMARK, OR OTHER PROPRIETARY RIGHTS. Neither the U.S. Government nor PROVIDER nor any affiliated company of PROVIDER shall have any liability whatsoever to RECIPIENT or any other person for or on account of any injury, loss, or damage, of any kind or nature sustained by, or any damage assessed or asserted against, or any other liability incurred by or imposed upon RECIPIENT or any other person, arising out of or in connection with or resulting from the use, storage, or disposal of any MATERIAL provided by PROVIDER. RECIPIENT shall hold the U.S. Government, PROVIDER, and any affiliated company of PROVIDER, harmless in the event the U.S. Government, PROVIDER, or any affiliated company of PROVIDER, is held liable. Further, RECIPIENT agrees to assume the defense of any suit brought against PROVIDER or any affiliated company of PROVIDER resulting from any action of RECIPIENT undertaken under this Agreement.
- 8) The RECIPIENT agrees to use the MATERIAL in compliance with all applicable statutes and regulations.

The PROVIDER and RECIPIENT must sign both copies of this letter and return one signed copy to the PROVIDER. The PROVIDER will then send the MATERIAL to the address listed below.

PROVIDER INFORMATION and AUTHORIZED SIGNATURE

Provider Organization: BATTELLE MEMORIAL INSTITUTE
PACIFIC NORTHWEST DIVISION

Address: 902 BATTELLE Boulevard
Richland, WA 99354

Name of Authorized Official: _____

Title of Authorized Official: Contracting Officer

Signature of Authorized Official _____

Date _____

RECIPIENT INFORMATION and AUTHORIZED SIGNATURE - Please note that no Material will be transferred unless a Federal Express Account Number, a "Ship to Address" for the Recipient Scientist, the recipient scientist phone number and email, are provided in a typed format. Recipient scientist will be provided an e-mail confirmation of shipment.

THIS INFORMATION MUST BE TYPED

Recipient Organization: _____

Address for receipt of MATERIAL: _____

Phone/email _____

Name of Official Authorized to sign on behalf of Recipient Organization _____

Title of Authorized Official: _____

Signature of Authorized Official _____

Date Signed: _____

Federal Express Acct. No. _____

Acknowledgement of Recipient Scientist: I have read and understand the conditions outlined in this Agreement.

Recipient Scientist: _____ Date _____

Printed Name: _____