

Maintenance Agreement

Commencement Date:

Initial Term:

Name of Customer:

Address:

This agreement is made and entered effective as of the date shown above, by and between [AV Dealer] and the customer, whose name and address is set forth above.

- 1. Equipment Schedules:** This Agreement covers the equipment listed on the Equipment Schedule. If we or the manufacturer replace equipment that is under warranty with the same model number, the replacement equipment will also be covered. Except for this type of replacement, no new or additional equipment is covered by this agreement unless it is listed on an equipment schedule.
- 2. Relationship with warranties:** This Agreement isn't a warranty. Equipment purchased from *[AV Dealer]* is covered by the manufacturer's warranty. Replacement and repair of defective parts is also covered by the manufacturer's warranty.
- 3. Service:** For the fee set forth below, *[AV Dealer]* will inspect on a regular basis, and maintain in good operating condition, the equipment itemized on such Equipment Schedule. Inspection and maintenance of equipment will vary by the nature of the equipment, and is set forth on the Equipment Schedule.
- 4. Fees:** The fee for services to be performed under this Agreement are:
- 5. Terms of Payment:** Unless an Equipment Schedule provides otherwise, all Customer Maintenance Agreements are to be prepaid for each maintenance period.
- 6. Limited/Warranty:**
 - a. We will re-perform any maintenance service that proves defective during the term of this agreement. If we cannot provide any maintenance service due to our fault, we will refund that portion of your fee.
 - b. Any materials provided during maintenance services are covered by that materials specific warranty. This agreement does not warrant any materials.
 - c. THE WARRANTY SET FORTH IN 6 (a) CONSTITUTES THE SOLE LIABILITY OF *[AV DEALER]* AND THE SOLE REMEDY OF THE CUSTOMER FOR DEFECTIVE WORKMANSHIP, WHETHER ARISING UNDER CONTRACT, TORT, STRICT LIABILITY OR OTHER FORM OF ACTION. ALL OTHER WARRANTIES, EXPRESS OR IMPLIED, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE EXCLUDED HEREFROM.
- 7. Term:** The term of this Agreement shall be for the initial term set forth above starting on the Commencement date. This Agreement shall automatically renew for additional terms of one (1) year each unless either You or We gives notice of cancellation in writing to the other at least thirty (30) days prior to the expiration of the then current term. In the event of any such renewal period, the maintenance fees You will pay during such period shall be as set forth above.
- 8. Exclusions:** Except as otherwise set forth in the Equipment Schedule, the services to be provided for a quarterly service fee do not include:

Equipment Service Repair Program Contract

David Baud



Equipment Service Repair Program Contract:

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