- The delivery of the goods (hereinafter referred to as the "Delivery") will be at the location
- The shipping method will be decided by the \_\_\_\_\_ and \_\_\_ will be responsible for the costs of the shipment.

#### WARRANTIES

- Except as expressly set forth in this Agreement, the Parties acknowledge and agree that the Goods are provided as is.
- Except for the express warranties set forth herein, neither party makes any representations or grants any warranties, express or implied, either in fact or by operation of law, by statute or otherwise, and each party specifically disclaims any other warranties, whether written or oral, or express or implied, including any warranty of quality, merchantability, or fitness for a particular use or purpose or any warranty as to the validity of any patents or the non-infringement of any intellectual property rights of third parties.

#### INSPECTION

 Hereby, the Customer acknowledges that it has relied solely on the investigations, examinations, and inspections that the Customer has chosen to make and that the Seller has afforded the Customer the opportunity for full and complete investigations, examinations, and inspections.

#### RISK OF LOSS AND TITLE

- The risk of loss or damage for the goods will be on the Seller until the goods pass upon delivery to the Customer or its designee.
- The Title of the goods will also remain with the Seller until the goods pass upon delivery to the Customer or its designee.

## DELAY OR FAILURE TO PERFORM AND FORCE MAJEURE

- Under no circumstances will the Seller be held liable to the Customer for any delay that may occur, non-delivery or an arising fault of this Agreement that may be due to any labour dispute, shortage in transportation, delay or shortage of materials to produce the Goods, fires, accidents, Acts of God, or any other causes outside Seller's control. The Seller will notify the Customer immediately upon realization that it will not be able to deliver the Goods as promised. Upon such notice, either Party may terminate this Agreement.

### TERMINATION

This Agreement may be terminated by either party or both Parties at any instant provided that
the terminating party provides a written notice of termination \_\_\_\_\_\_\_ days in
advance.

# **Guide To Content Of A Sales Contract Final**

Patrick R. Delaney, Ray Whittington

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