

APPENDIX A-__

to

User Agreement No.

BETWEEN

The Regents of the University of California
("CONTRACTOR")

Facility Operator of Ernest Orlando Lawrence Berkeley National Laboratory ("Laboratory") under U.S. Department of Energy ("DOE") Contract No.DE-AC02-05CH11231

AND

("USER")

Pursuant to the above identified User Agreement and subject to the terms and conditions stated therein, CONTRACTOR shall provide, furnish, or otherwise make available to duly authorized employees or representatives of the USER the following facilities, equipment, services, and/or materials below. USER shall flow down the applicable provisions in the User Agreement to any and all collaborators of the Work covered by this Appendix.

User Facility:

Joint Genome Institute ("JGI")

Scope of Work/Purpose/Proposal Description:

This Appendix shall cover DNA Synthesis Work in accordance with JGI-approved USER proposal titled: "_____" (JGI Proposal ID: CSP-_____), the final approved version of the Scope of Work hereby incorporated by reference. USER shall be permitted to submit sequencing data for synthesis by the CONTRACTOR related to this proposal.

USER Principal Investigator:

Deliverables:

Upon completion or termination of the project, USER agrees to deliver to DOE and CONTRACTOR a nonproprietary report describing the Work performed. Publications resulting from research conducted as a Joint Genome Institute User project must be in accordance with Article XIII of the User Agreement and carry the appropriate acknowledgment paragraph.

Period of Performance:

Start date: CONTRACTOR execution date of this Appendix.

End date: 36 months from CONTRACTOR execution of this Appendix

Property and Materials:

Article V of the Agreement is modified by this Appendix to add the following clause:

D. CONTRACTOR retains title to any CONTRACTOR biological materials generated by CONTRACTOR in the course of the Work. Any biological materials provided to USER by CONTRACTOR during this Agreement or as a deliverable, including permitted uses of such biological material, will be governed by a separately executed Material Transfer Agreement (MTA) between USER and CONTRACTOR.

FOR USER

By: _____
Name: _____
Title: _____
Date: _____

FOR CONTRACTOR

By: _____
Name: _____
Title: _____
Date: _____