

## PURCHASER'S INFORMATION (Please print clearly)

Purchaser's Full Legal Name (Company Name): \_\_\_\_\_

Purchaser's Representative Name & Title: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State/Province: \_\_\_\_\_ ZIP/Postal Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

### **Solarc Systems Inc. Terms and Conditions of Sale for Ultraviolet Phototherapy Device for NON-HOME phototherapy applications, such as for use in a phototherapy clinic:**

[Rev05 April-2012]

1. The "Device" is defined as a Solarc/SolRx Ultraviolet Phototherapy Lamp Unit.
2. The "Patient" is defined as the person or persons that receive ultraviolet skin treatments using the Device.
3. The "Purchaser" is defined as the legal entity or person(s) that is purchasing the Device to provide phototherapy treatments to Patients and/or to resell the Device.
4. The "Responsible Person" is defined as the Patient or any person that is in care or custody of the Patient, such as a parent or guardian.
5. A "Healthcare Professional" is defined as a medical doctor (MD) or nurse practitioner qualified to provide advice on ultraviolet phototherapy and qualified to perform skin examinations for skin cancer and other adverse effects.
6. **The Purchaser agrees to:**
  - a. comply with all applicable laws regarding the delivery of ultraviolet phototherapy services;
  - b. **read and fully understand the User's Manual supplied with the Device before using the Device to treat a Patient;** and if any part of the User's Manual is not understood, to consult with a Healthcare Professional or a Solarc Systems Inc. representative for further clarification prior to using or selling the Device; and to request a replacement User's Manual should the original be lost (a replacement User's Manual will be supplied free of charge by Solarc Systems Inc.); and to supply the Device's User's Manual to the Responsible Person for their review if necessary or requested; and to supply the Device's User's Manual to any purchaser of the Device;
  - c. **obtain the necessary medical training for the safe and effective use of the Device.** The User's Manual is provided for reference only and is not a substitute for proper training;
  - d. use the Device to treat only the medical conditions listed on the cover page of the User's Manual, unless otherwise directed by a Healthcare Professional;
  - e. in the USA, not advertise or promote the device for anything to do with vitamin-D;
  - f. advise the Responsible Person to seek the advice of a Healthcare Professional and to ensure that ultraviolet phototherapy is a suitable treatment option for the Patient;
  - g. properly and adequately inform the Responsible Person that, as with natural sunlight, use of the Device may cause adverse effects, including, but not limited to, premature aging of the skin, skin cancer and skin burns;
  - h. ensure the Responsible Person agrees that the Healthcare Professional and/or Solarc Systems Inc. and/or any associated reseller is not responsible for any adverse effects arising from the use or misuse of the Device;
  - i. inform the Responsible Person that the Device should be used only if the Responsible Person arranges and obtains a skin examination for the Patient performed by a Healthcare Professional at least once per year;
  - j. ensure that the Patient and all other persons exposed to the ultraviolet light produced by the Device have been advised that they must wear ultraviolet protective eyewear during Device operation; **failure to may result in severe burns and long-term injury to the eyes;**
  - k. diligently monitor use of the Device during Patient treatments;
  - l. **properly adjust the Patient treatment times if re-bulbing the Device or changing the bulb waveband type - treatment times typically must be significantly reduced to avoid burning the Patient;**
  - m. if reselling the Device to another Purchaser, obtain and retain a signed copy of these terms and conditions completed by said Purchaser;
  - n. if reselling the Device to a Responsible Person, obtain and retain a signed copy of the standard Solarc terms and conditions available on the Home Phototherapy Order Form at SolarcSystems.com;
  - o. if selling the Device to a Responsible Person in the USA, conform to US Federal law 21CFR801.109 by collecting and retaining a Healthcare Professional prescription for the Device.
7. The Purchaser and/or the Responsible Person hereby agrees to save Solarc Systems Inc. and any of its affiliates harmless from any and all actions or claims caused by their negligence or the disregard of any terms and conditions contained herein.
8. This transaction and its terms and conditions shall be governed by the laws of Ontario and the laws of Canada applicable in Ontario.
9. Solarc Systems Inc. and the Purchaser agree to accept signatures by fax or scan&email and that they shall be legal and binding.

I understand and agree to the above:

Company Representative's Signature: **X** \_\_\_\_\_ Date: **X** \_\_\_\_\_