

RELEASE AND WAIVER OF LIABILITY FOR BACKUPS

PLEASE READ THIS CAREFULLY.

It affects any rights you may have if you or the computer network in use by your organization has incurred a loss of any form of electronic data.

I, (participant) from
 (hereinafter referred to as the "COMPANY")
 hereby release, waive, discharge and covenant not to sue SIMCOM Enterprises Pty Ltd and any of their agents or employees (hereinafter referred to as the "RELEASEES") for any liability, claim and/or cause of action arising out of or related to any loss of data or irreparable damage that occurs as a result of

- 1) Use of backup hardware and/or software products that not recommended by RELEASEES;
- 2) The COMPANY taking responsibility for the management and maintenance of backup systems and routines.

The COMPANY agrees to indemnify and hold harmless the RELEASEES whether data loss is caused by my negligence, the negligence of the RELEASEES or the negligence of a third party. The COMPANY further agrees that this Release and Waiver of Liability shall bind the COMPANY. The COMPANY hereby further agrees that this Release and Waiver of Liability shall be construed in accordance with the laws of the State of Queensland, Australia.

By signing this Release and Waiver of Liability, I state that I have read and understand the conditions set forth in this Release and that I agree to all conditions set forth herein, and that I sign this voluntarily.

(Please tick one or more of the following)

- On behalf of the above-entered company, my company will take full responsibility for the management and maintenance of backup systems for my company.
- On behalf of the above-entered company, we accept that we do not employ a backup solution inclusive of all hardware and software products which is recommended by SIMCOM Enterprises.

Name

Date

Signature

Signature of authorized Officer

SIMCOM Enterprises Pty Ltd
 ADDRESS -- Unit D, 7 Curban Street Underwood - QLD 4119
 POSTAL -- P.O. Box 801 Springwood 4127
 TEL -- +61-7-3841 3999 -- 8 lines Fax -- +61-7 3341 7579
 EMAIL -- support@simcom.com.au URL -- http://www.simcom.com.au