

MASTER DEVIATION AGREEMENT (YELLOW/RED BOOK)

According to both YELLOW (CD-ROM) and RED (CD-AUDIO) Book specifications, the maximum playing time for a Compact Disc is 74 minutes, 40 seconds or 660MB. However, more information can be stored on a CD than specified in the specifications. You the client may, without further obligation, exceed the standard up to and including 76:00. Should you, the Client, decide to exceed the specifications, and the above stated 76:00, the following rules shall apply.

OVER 76:00 AND UP TO 79:30 PLAYING TIME CAN BE ACCEPTED ONLY IF:

- THE CUSTOMER SIGNS THIS MASTER DEVIATION AGREEMENT.
- AS PART OF THIS AGREEMENT, THE CLIENT SHALL HOLD MUSICTODAY.COM, INC., IT'S OFFICERS AND EMPLOYEES HARMLESS FROM ANY LITIGATION OR EXPENSE ARISING OUT OF THE CUSTOMER'S CHOICE TO KNOWINGLY EXCEED THE STANDARD AS STATED ABOVE.
- THE CUSTOMER STIPULATES THAT MUSICTODAY.COM, INC., HAS NOTIFIED THEM OF THE DANGERS INHERENT IN EXCEEDING THE STANDARD, AND HAVE STRONGLY RECOMMENDED TO THE CUSTOMER THE UTILIZATION OF THE FOLLOWING WARNING LABEL ON ANY MATERIAL THAT MAY EXCEED THE STANDARD AS STATED ABOVE.
- THE CUSTOMER IS STRONGLY URGED TO UTILIZE THE FOLLOWING WARNING AND INDEMNIFICATION TO BE PRINTED ON THE DIRECT IMPRINT OF THE CD LABEL GRAPHICS, AND/OR ON PRINTED BOOKLET OR INSERT IN PLAIN VIEW FOR THE CONSUMER TO SEE AND READ.

"WARNING: AT _____, THE PLAYING TIME OF THIS CD EXCEEDS THE PRESENT VALID NORM OF PHILIPS/SONY STANDARDS BY _____ (NUMBER OF SECONDS). IT IS POSSIBLE THAT SOME CD PLAYERS WILL NOT PLAY THIS CD IN ITS ENTIRETY."

THIS AGREEMENT IS GOVERNED BY THE LAWS OF THE COMMONWEALTH OF VIRGINIA, USA.
ANY CHANGES OR AMENDMENTS TO THIS AGREEMENT MUST BE IN WRITING AND WITNESSED BY BOTH PARTIES.

THIS AGREEMENT SHALL APPLY TO:

- SELECTION # _____ ONLY
- ALL SELECTIONS RECEIVED BY MUSICTODAY.COM FOR THE CLIENT ENTERED BELOW.

AGREED TO AND ACCEPTED THIS _____ DAY OF _____, 20 _____.

MUSICTODAY.COM, INC.

NAME

TITLE

CLIENT

NAME

TITLE