

## **Service Warranty**

Monkberry provides warranty ONLY for hardware and ONLY for hardware that has been purchased from Monkberry. Please review the System Policy and Parts Policy for specifications covering hardware warranties.

Monkberry will make every effort possible to recover data if requested by clients, however, in NO circumstance will Monkberry be liable for any data loss that may occur. Monkberry will not be held liable for any data and or software loss. It is the ultimate responsibility of the client to ensure that their data is backed up prior to any service performed by Monkberry.

## **Claims and Damages**

ALL MERCHANDISE AND PACKAGES ARE INSPECTED BEFORE SHIPMENT. CLAIMS FOR DAMAGED GOODS OR INCOMPLETE SHIPMENTS MUST BE FILED WITH THE CARRIER IMMEDIATELY BY THE CUSTOMER. THE CARRIER IS RESPONSIBLE FOR INCOMPLETE SHIPMENTS OR DAMAGES INCURRED DURING SHIPMENT.

## **Disclaimer**

ALL OTHER EXPRESS AND IMPLIED WARRANTIES FOR THE MONKBERRY SYSTEM, INCLUDING THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE, ARE HEREBY DISCLAIMED, SOME STATES DO NOT ALLOW THE EXCLUSION OF IMPLIED WARRANTIES OR LIMITATIONS ON HOW LONG AND IMPLIED WARRANTY LASTS, SO THE ABOVE LIMITATIONS MAY NOT APPLY TO YOU.

IF THIS SYSTEM IS NOT IN GOOD WORKING ORDER AS WARRANTED ABOVE, YOUR SOLE AND EXCLUSIVE REMEDY SHALL BE REPAIR OR REPLACEMENT AS PROVIDED ABOVE. IN NO EVENT WILL MONKBERRY BE LIABLE TO CUSTOMER OR ANY THIRD PARTY FOR ANY DAMAGES IN EXCESS OF THE PURCHASE PRICE OF THE MERCHANDISE. THIS LIMITATION APPLIES TO DAMAGES OF ANY KIND INCLUDING ANY DIRECT OR INDIRECT DAMAGES, LOST PROFITS, LOST SAVINGS OR OTHER SPECIAL INCIDENTAL, EXEMPLARY OR CONSEQUENTIAL DAMAGES WHETHER FOR BREACH OF CONTRACT, TORT OR OTHERWISE ARISING OUT OF THE USE OF OR INABILITY TO USE SUCH SYSTEM, EVEN IF MONKBERRY OR AN AUTHORIZED MONKBERRY REPRESENTATIVE OR DEALER HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES OR OF ANY CLAIM BY ANY OTHER PARTY. SOME STATES DO NOT ALLOW THE EXCLUSION OR LIMITATION OF INCIDENTAL OR CONSEQUENTIAL DAMAGES FOR SOME PRODUCTS, SO THE ABOVE LIMITATIONS OR EXCLUSIONS MAY NOT APPLY TO YOU.

THIS WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS, AND YOU MAY HAVE OTHER RIGHTS WHICH VARY FROM STATE TO STATE.