

## RECHARGEABLE BATTERY WARRANTY

- A. Harris Corporation, a Delaware Corporation, through its RF Communications Division (hereinafter "Seller") warrants to the original purchaser for use (hereinafter "Buyer") that nickel-cadmium, nickel-metal hydride, lithium-ion, and lithium-polymer batteries supplied by Seller shall be free from defects in material and workmanship, and shall conform to its published specifications for a period of twelve (12) months from the date of purchase.
- B. For purposes of this warranty, batteries shall be deemed defective if (1) the battery capacity is less than 80% rated capacity, or (2) the battery develops leakage.
- C. If any battery fails to meet the foregoing warranty, Seller shall correct the failure by issuing a replacement battery upon receipt of the defective battery at an Authorized Service Center (ASC) or Seller factory (for OpenSky<sup>®</sup> Equipment only).
- D. Replacement batteries shall be warranted only for the remaining unexpired warranty period of the original battery. This warranty becomes void if:
  - 1. The battery has been subjected to any kind of misuse, detrimental exposure, or has been involved in an accident.
  - 2. The battery is used in equipment or service other than the radio equipment for which it is specified.
- E. The preceding paragraphs set forth the exclusive remedies for claims based upon defects in or non-conformity of any battery, whether the claim is in contract, warranty, tort (including negligence), strict liability or otherwise, and however instituted. Upon the expiration of the warranty period, all such liability shall terminate. The foregoing warranties are exclusive and in lieu of all other warranties, whether oral, written, expressed, implied or statutory. NO IMPLIED OR STATUTORY WARRANTIES OF MERCHANTABILITY OR FITNESS FOR PARTICULAR PURPOSE SHALL APPLY. IN NO EVENT SHALL THE COMPANY BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, SPECIAL, INDIRECT OR EXEMPLARY DAMAGES.

This warranty applies only within the United States.

To obtain the name and address of an Authorized Service Center (ASC), ask your salesperson, or call one of the factory number(s) printed at the bottom of this page.

**Harris Corporation**  
RF Communications Division  
221 Jefferson Ridge Parkway  
Lynchburg, VA 24501  
1-800-528-7711

**Harris Corporation**  
RF Communications Division  
1680 University Avenue  
Rochester, NY 14610  
1-585-244-5830

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