

Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)

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These Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)- govern the remedy of defects in High-Vacuum Elements, Flat Detectors and SPECT Detectors as listed in the relevant tables 1-3 below, in addition to (i) the Commercial Form and (ii) the General Terms and the Supplemental General Terms (together "Terms"). These Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)- shall be read as complementary to the Terms and prevail in case of conflict.

0. Definitions

In addition to the definitions in the Terms the following definitions apply:

- 0.1. "Defective HVE/FD/SPECT" means a HVE/FD/SPECT with a Defect as described in Section 1.1.
- 0.2. "FD" means a Flat Detector.
- 0.3. "HVE" means High Vacuum Element.
- 0.4. "SPECT" means a single photon emission computed tomography Detector

1. Conditions

- 1.1. The following Sections state the entire liability of Siemens Healthineers with respect to Defects existing in HVE/FD/SPECT at the time of delivery and any other claims, rights and remedies of Customer for Defects shall be excluded. The limitation and exclusion of liability in this Sections shall not apply to the extent that liability cannot be limited under applicable laws. HVE/FD/SPECT are wearing parts which must be replaced on a regular basis due to normal wear and tear. If HVE/FD/SPECT fail as a result of normal wear and tear, no warranty claims exist.
- 1.2. If Customer becomes aware of a Defective HVE/DF/SPECT, Customer shall order a replacement for such Defective HVE/DF/SPECT at Siemens Healthineers according to the terms herein. The replacement part shall be delivered FCA Frankfurt am Main (Incoterms 2020) at the replacement price valid on the day of confirmation of the order unless otherwise agreed.
- 1.3. Customer shall send the Defective HVE/FD/SPECT at its cost and risk and freight prepaid to the address determined by Siemens Healthineers within a period of 2 weeks from replacement delivery unless otherwise agreed. Customer transfers clear and free title to the returned parts to Siemens Healthineers. Returned HVE/FD/SPECT become the property of Siemens Healthineers upon arrival.

- 1.4. If Customer returns the Defective HVE/FD/SPECT in time according to Section 1.3, Siemens Healthineers shall issue a credit note taking into consideration the usage of the Defective HVE/FD/SPECT as listed in the tables below.

- 1.5. The amount taken into consideration shall be calculated at a graduated rate by considering the period and intensity of use and the average benefit derived from the previous use of the Defective HVE/FD/SPECT in percent of the replacement price, in accordance with the tables shown below.

Under the percentage in the respective column of the below table, the maximum period and intensity of use (prerequisite) is indicated, within this range the respective percentage is applicable. The period of use shall begin on the day of the initial start-up of the Defective HVE/FD/SPECT, however, at the latest with expiry of the 3rd month from the transfer of risk to Customer. If several (measurable) prerequisites are stated in a field of the table shown below, all of these have to be fulfilled. If the prerequisites of any field are not fulfilled, a credit shall not be provided.

- 1.6. Any liability of Siemens Healthineers arising out of these Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT) shall cease for each component at the lapse of the longest period indicated for such component in the tables below calculated from delivery of the original Hardware. Siemens Healthineers may at its discretion decide to start such period anew calculated as of delivery of the relevant replacement component. Siemens Healthineers will in such case inform Customer accordingly.

Table 1

Credit according to the Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)

Type	Credit based on Replacement Price		
	100 %	70 %	40 %
DURA -181, -202, -303, -352	up to max. 6 months up to max. 40.000 scan sec	up to max. 9 months up to max. 80.000 scan sec	up to max. 12 months up to max. 130.000 scan sec
DURA AKRON B tubes	up to max. 6 months up to max. 40.000 scan sec	up to max. 9 months up to max. 80.000 scan sec	up to max. 12 months up to max. 150.000 scan sec
DURA AKRON Q tubes	up to max. 6 months up to max. 30.000 scan sec	up to max. 9 months up to max. 60.000 scan sec	up to max. 12 months up to max. 120.000 scan sec
Chronon tubes	up to max. 6 months up to max. 55.000 scan sec	up to max. 9 months up to max. 110.000 scan sec	up to max. 12 months up to max. 200.000 scan sec
Athlon tubes	up to max. 6 months up to max. 55.000 scan sec	up to max. 9 months up to max. 110.000 scan sec	up to max. 12 months up to max. 200.000 scan sec
DURA 422 tubes	up to max. 6 months up to max. 55.000 scan sec	up to max. 9 months up to max. 110.000 scan sec	up to max. 12 months up to max. 200.000 scan sec
DURA 688 tubes	up to max. 6 months up to max. 55.000 scan sec	up to max. 9 months up to max. 110.000 scan sec	up to max. 12 months up to max. 200.000 scan sec
STRATON tubes	up to max. 12 months	not applicable	not applicable
VECTRON tubes	up to max. 12 months	not applicable	not applicable
MEGALIX CM tubes	up to max. 6 months up to max. 40.000 LU*	up to max. 9 months up to max. 60.000 LU*	up to max. 12 months up to max. 80.000 LU*
MEGALIX Cat tubes	up to max. 12 months up to max. 80.000 LU*	up to max. 18 months up to max. 120.000 LU*	up to max. 24 months up to max. 160.000 LU*
MEGALIX Cat Plus tubes	up to max. 12 months up to max. 80.000 LU*	up to max. 18 months up to max. 120.000 LU*	up to max. 24 months up to max. 160.000 LU*
Gigalix tubes	up to max. 12 months up to max. 100.000 LU**	up to max. 18 months up to max. 150.000 LU**	up to max. 24 months up to max. 200.000 LU**
OPTITOP tubes	up to max. 12 months up to max. 40.000 LU**	up to max. 18 months up to max. 60.000 LU**	up to max. 24 months up to max. 80.000 LU**
OPTILIX, BIANGULIX, mammography and single-tank tubes	up to max. 12 months up to max. 20.000 LU**	up to max. 18 months up to max. 30.000 LU**	up to max. 24 months up to max. 40.000 LU**
OPTIPHOS single-tank	up to max. 12 months up to max. 20.000 LU**	up to max. 18 months up to max. 30.000 LU**	up to max. 24 months up to max. 40.000 LU**
POWERPHOS MONOBLOCK	up to max. 6 months up to max. 40.000 LU***	up to max. 9 months up to max. 60.000 LU***	up to max. 12 months up to max. 80.000 LU***
Image intensifier tubes	up to max. 12 months	up to max. 18 months	up to max. 24 months
Monitor and TV camera tubes *1)	up to max. 6 months	up to max. 9 months	up to max. 12 months
Control triodes for generators	up to max. 6 months	up to max. 9 months	up to max. 12 months

According to mode of operation corresponds to 1 Load Unit (LU)	*	**	***
	1 Exposure	1 Exposure	1 Exposure =1 kW
	2 sec cine, DSA, DR, DCM	1 sec cine, DSA, DR, DCM	0.5 sec DR-EB, DCM
	15 sec DPF (pulsed fluoroscopy)	7 sec DPF (pulsed fluoroscopy)	2 sec DPF (pulsed fluoroscopy > 2p/s) 5 sec DL, SUB DR, Roadmap, DPF (pulsed fluoroscopy ≤ 2p/s)

Table 2

Credit according to the Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)

Type	Credit based on replacement price			
	100 %	70 %	40 %	20 %
All mobile and fixed C-Arms Detectors	up to max. 12 months	up to max. 18 months	up to max. 24 months	up to max. 36 months
CSX-20	up to max. 12 months	up to max. 18 months	up to max. 24 months	up to max. 36 months
XP Detectors for Radiography, Fluoroscopy, Mammography, Robotic X-Ray, Urology	up to max. 12 months	up to max. 18 months	up to max. 24 months	up to max. 36 months

Table 3

Credit according to the Special Warranty Terms for High-Vacuum Elements (HVE), Flat Detectors (FD) and SPECT Detectors (SPECT)

Type	Credit based on replacement price	
	100%	80%
3/8 High Resolution	Up to max 15 months	Up to max 84 Months
5/8 Ultra High Efficiency	Up to max 15 months	Up to max 84 Months
1" High Performance	Up to max 15 months	Up to max 84 Months
3/8 PAD 2 Hi Res	Up to max 15 months	Up to max 84 Months
5/8 PAD 2 Ultra High Eff	Up to max 15 months	Up to max 84 Months
3/8 PAD 1 e.cam	Up to max 15 months	Up to max 84 Months
5/8 Ultra High Efficiency	Up to max 15 months	Up to max 84 Months
1" High Performance	Up to max 15 months	Up to max 84 Months
3/8 PAD 2 Symbia Hi Res	Up to max 15 months	Up to max 84 Months
5/8 PAD 2 Symbia High Res	Up to max 15 months	Up to max 84 Months
3/8 Foresight e.cam	Up to max 15 months	Up to max 84 Months
5/8 Foresight e.cam	Up to max 15 months	Up to max 84 Months
3/8 Foresight Symbia	Up to max 15 months	Up to max 84 Months