

VETOES

(I) A RIGHT TO REIMBURSEMENT OF ANY PORTION OF THE AGGREGATE CONTRACT FEE IDENTIFIED BY THE LICENSOR IN THE INITIAL TRANSACTION AS CHARGED TO THE LICENSEE FOR ALL BUNDLED INFORMATION PRODUCTS WHICH WAS ACTUALLY PAID, ON:

1. REJECTION OF THE RECORD BEFORE OR DURING THE INITIAL USE OF THE BUNDLED PRODUCT;

2. PROPER REDELIVERY OF ALL COMPUTER INFORMATION PRODUCTS IN THE BUNDLED WHOLE AND ALL COPIES OF THEM WITHIN A REASONABLE TIME AFTER INITIAL DELIVERY OF THE INFORMATION TO THE LICENSEE; AND

3. SUBMISSION OF PROOF OF PURCHASE; OR

(II) A RIGHT TO REIMBURSEMENT OF ANY SEPARATE CONTRACT FEE IDENTIFIED BY THE LICENSOR IN THE INITIAL TRANSACTION AS CHARGED TO THE LICENSEE FOR THE SEPARATE INFORMATION PRODUCT TO WHICH THE REJECTED RECORD APPLIES, ON:

1. SUBMISSION OF PROOF OF PURCHASE; AND

2. PROPER REDELIVERY OF THAT COMPUTER INFORMATION PRODUCT AND ALL COPIES WITHIN A REASONABLE TIME AFTER INITIAL DELIVERY OF THE INFORMATION TO THE LICENSEE; OR

(C) IN THE CASE OF A LICENSOR THAT REJECTS A RECORD PROPOSED BY THE LICENSEE, A RIGHT TO PROPER REDELIVERY OF THE COMPUTER INFORMATION AND ALL COPIES FROM THE LICENSEE, TO STOP DELIVERY OR ACCESS TO THE INFORMATION BY THE LICENSEE, AND TO REIMBURSEMENT FROM THE LICENSEE OF AMOUNTS PAID BY THE LICENSOR WITH RESPECT TO THE REJECTED RECORD, ON REIMBURSEMENT TO THE LICENSEE OF CONTRACT FEES THAT IT PAID WITH RESPECT TO THE REJECTED RECORD, SUBJECT TO RECOUPMENT AND SETOFF.

~~(57)~~ (58) "SCOPE", WITH RESPECT TO TERMS OF A LICENSE, MEANS:

(A) THE LICENSED COPIES, INFORMATION, OR INFORMATIONAL RIGHTS INVOLVED;

(B) THE USE OR ACCESS AUTHORIZED, PROHIBITED, OR CONTROLLED;

(C) THE GEOGRAPHIC AREA, MARKET, OR LOCATION; OR

(D) THE DURATION OF THE LICENSE.

~~(58)~~ (59) "SEASONABLE", WITH RESPECT TO AN ACT, MEANS TAKEN WITHIN THE TIME AGREED OR, IF NO TIME IS AGREED, WITHIN A REASONABLE TIME.

~~(59)~~ (60) "SEND" MEANS, WITH ANY COSTS PROVIDED FOR AND PROPERLY ADDRESSED OR DIRECTED AS REASONABLE UNDER THE CIRCUMSTANCES OR AS OTHERWISE AGREED, TO DEPOSIT A RECORD IN THE MAIL OR WITH A COMMERCIALY REASONABLE CARRIER, TO DELIVER A RECORD FOR TRANSMISSION