## 5. PERMITTED USES

- a. Authorized Users may view, download, save, or print individual articles, individual book chapters, proceedings, Reagent Chemicals monographs or other individual items from the ACS Products for their personal scholarly, research, and educational use. Authorized Users may make a printed copy of individual articles, individual book chapters, proceedings, Reagent Chemical monographs, or other individual items from the ACS Products for the internal or personal use of others who are Authorized Users but who are unable to access the database personally. Authorized Users may include (and are encouraged to provide) links to the ACS Products as part of course pack offerings or within an e-mail communication.
- b. Except as set forth in Section Six (6) below, Licensee may use the Subscribed Content to fulfill requests for Interlibrary Loans ("ILL"). ILLs shall include requests to support non-commercial scholarly research by patrons of other libraries such as public, school, or college libraries. Licensee may obtain a copy of an individual article, individual book chapters, proceedings, Reagent Chemicals monographs, or other individual items from the ACS Products in PDF format (Portable Document Format) and transmit it to the ILL requesting Library by mail, fax, or electronic transmission. The borrower may make up to five (5) free article copies of individual journal articles, proceedings, individual book chapters, Reagent Chemicals monographs or other individual items from the ACS Products per year for ILL purposes. Additional requests may be fulfilled only if the applicable single copy fees are paid either to the Copyright Clearance Center or directly to ACS through its sales procedures for single articles, individual book chapters, proceedings, Reagent Chemicals monographs or other individual items from the ACS Products.
- c. Authorized Users may supply print or electronic copies of individual items taken from ACS Products to national or international pharmaceutical regulatory authorities for the purpose of regulatory approval of pharmaceutical products. Authorized Users may supply print or electronic copies of individual items taken from the ACS Products when required by law.
- d. Licensee is permitted to store electronic copies of individual items from the ACS Products within Licensee's internal electronic database for later retrieval to provide print or electronic copies of all or any part of the said individual items to national or international governmental regulatory or judicial authorities for the purposes of obtaining regulatory approval or as may be required by law from time to time.
- e. Authorized Users have the right to submit print or electronic articles and similar discrete material to the regulatory agencies in connection with applications for drug and product approval, provided that such submissions do not amount to commercial redistribution for direct profit. Regulatory purposes, in this context, means use of the subscribed content in connection with preparation or submission of filings for regulatory approval.
- f. Authorized Users may reactively supply single copies of articles (either digital or paper copies) taken from the ACS Products to healthcare professionals or other third parties in response to enquiries relating to Licensee's medical products. Such copies must carry, without modification, those copyright notices already incorporated in the ACS Products. This use of the ACS Products is restricted to responding to enquiries only. For the avoidance of doubt, this excludes the proactive or multiple supplies of articles for marketing, sales, or other purposes, including any activity that would replace a subscription or the purchase of reprints.

## 6. PROHIBITED USES

- a. Except as provided in Section Five (5) above, Licensee and its Authorized Users agree not to forward, transfer, sell, rent, or otherwise knowingly distribute or provide access to the ACS Products or any portions thereof, to any third party. Individual articles, individual book chapters, proceedings, Reagent Chemicals monographs or other individual items from the ACS Products and other information obtained under this License may not be used for fee-for-service purposes such as document delivery, except under a separately negotiated transactional license. The ACS Products may not be used to supply single articles, individual book chapters, proceedings, Reagent Chemicals monographs, or other individual items to ILL requesters that are employed by a commercial organization or by a library that belongs to a for-profit company without prior written approval of ACS.
- b. Authorized Users may not modify, alter, or create derivative works of the materials contained in the ACS Products without prior written permission from ACS. Indexing by human or machines means, aggregating, data mining, peer-to-peer (or similar) file-sharing are all prohibited uses unless an institution concludes a specific, separate license with ACS to do so. Users may not use illustrations or other graphic excerpts or abstracts without a complete citation and the inclusion of a persistent URL link to the appropriate material within ACS Products.
- c. Individual articles, book chapters, Reagent Chemicals monographs, and other individual items from the ACS Products that include information obtained as a result of access to the ACS Products are not to be systematically downloaded, re-published in any media, print or electronic form. Individual articles, book chapters, Reagent Chemicals monographs, or other individual items from the ACS Products may not be downloaded in aggregate quantities or centrally stored for later retrieval.
- d. Licensee acknowledges that ACS may prevent Licensee and its Authorized Users from using, implementing, or authorizing use of any computerized or automated tool or application to search, index, test, or otherwise obtain information from ACS Products (including without limitation any "spidering" or web crawler application) that has a detrimental impact on the use of the services under this License. Licensee agrees to assist ACS in correcting unauthorized use of such methods or applications and acknowledges that ACS may from time-to-time implement tools or other controls on the ACS Products to regulate or restrict use of computerized or automated applications that are used to search, index, test, or obtain information from the ACS Products. ACS acknowledges that Licensee may not be able to prevent its Authorized Users from using such methods or applications.
- e. Licensee is required to notify ACS of any infringements of copyrights or unauthorized use of which they become aware. Licensee will cooperate with the ACS in investigating any such unauthorized uses and taking reasonable steps to prevent a reoccurrence.