

## TENTH AMENDMENT TO ELSEVIER SUBSCRIPTION AGREEMENT



**WHEREAS**, the parties hereto have previously entered into an agreement dated 5 February 2009, as last amended on 18 November 2009 (the "Agreement"), and wish to amend the Agreement as set forth in this amendment ("Amendment").

**NOW, THEREFORE**, in consideration of the mutual promises and covenants set forth below, and for such other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree to amend the Agreement as of the execution date below as set forth below and on Schedule 1.

Except as specifically amended hereby, all of the existing terms and conditions of the Agreement are hereby ratified. Capitalized terms used herein that are not otherwise defined shall have the meanings ascribed to them in the Agreement. To the extent any terms or conditions of the Agreement conflict with or are inconsistent with this Amendment, the terms of this Amendment shall prevail.

**IN WITNESS WHEREOF**, the parties have executed this Amendment by their respective, duly authorized representatives as of 18 March 2010.

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA on behalf of THE CALIFORNIA DIGITAL LIBRARY (Subscriber)

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Name: [Text Deleted]

Title: Executive Directs

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Title: Managing Director, Academic & Government

Amendment No.: 1-1502693589 and 1-1507195743 Agreement No.: 1-312591452 Rev Nov 2009

# TENTH AMENDMENT TO ELSEVIER SUBSCRIPTION AGREEMENT Schedule 1 Subscribed Products/Access/Fees

The Subscribed Products and Fees identified below are in addition to those identified in the Agreement for 2010 through 2013.

#### UNIVERSITY OF CALIFORNIA, DAVIS

Nos. 1-1502693589 and 1-1507195743

Subscribed Products – publisher	Access	2010	2011	2012	2013
ScienceDirect® online – Elsevier B.V.	sciencedirect.com		[Text	[Text	[Text
Complete Collection					
Total Electronic Subscription		\$708.00	\$729.24	\$754.76	5787.78
- Total Subscription Transover		\$708.00	\$729.24	8754.76	5787.78
Electronic Subscription Fee [Text discounted)		Text	[Text	[Text	[Text
Elsevier Book Series (2006 - ) - Methods in Cell Biology		Deleted]	Deleted	Deleted	Deleted]
Elsevier Book Series Backfiles (pre- 2000) - Methods in Cell Biology Backfile					
TOTAL FEES			4	•	

#### Elsevier Book Series/Handbook Series Additional Terms and Conditions

Upon termination of all of the Subscriber's annual subscriptions on ScienceDirect online, the Subscriber may, at its option, (1) acquire, load and technically format on a server that enables access and use by Authorized Users an electronic copy of the above book series/handbook series for cost and/or (2) continue to access such books online for an annual access fee based on the number of chapters downloaded from such books during the prior twelve (12) months at a rate of \$0.081 per download (adjusted annually for inflation and cost increases), in accordance with the usage provisions of the Agreement, which provisions shall survive the termination of the Agreement. Elsevier shall make available for inspection by a duly authorized auditor of the Subscriber, at the Subscriber's sole expense, the records concerning the calculation of the annual access fee one time per year during regular business hours upon thirty (30) days written notice to Elsevier. The electronic copy may not contain links and other features and functionality associated with the online version. If a particular book is withdrawn by Elsevier or not renewed by the Subscriber, but the Subscriber remains a ScienceDirect online subscriber, the Subscriber may continue to access online, at no additional charge, such formerly subscribed book for the publication years paid, provided that Elsevier continues to hold the electronic rights thereto.

### Annex A to Schedule 1 Additional Subscribed Titles

Jnl No.	ISSN	Subscribed Title (online only)	Qty	List Price 2010	E-only Fee 2010	Content Fee 2010
13453	0022-0302	Journal of Dairy Science	1	\$708.00	Text De	eleted1