ANNEX 2

MATERIAL TRANSFER AGREEMENT

1. The Tomato Genetics Resource Center, University of California-Davis (hereinafter referred to as TGRC) will supply to _______ (Name and address of the Individual or Institution) _______ (hereinafter referred to as the Recipient) material transferred by the Instituto de Investigaciones Agropecuarias of Chile to TGRC under a Germplasm Access Agreement.

2. The material to be supplied by TGRC under this Material Transfer Agreement include seed material of _______________ (Scientific Name and Accession No) _______.

3. The supply of the material described above by TGRC to Recipient, will be subject to the following conditions:

   a) Recipient should not claim ownership or seek intellectual property rights over the supplied materials;
   b) Recipient should not supply the material received from TGRC to any other party;
   c) Recipient should consider sharing fairly and equitably with INIA any benefits that arise from the commercial utilization of the supplied material, its progeny or derivatives.

4. TGRC makes no representation or warranty of any kind, either express or implied:
   a) as to the identity, safety, merchantability or fitness for any particular purpose of the Material or its progeny or derivatives; or,
   b) that the Material provided to Recipient under this Agreement is or will remain free from any further obligation to obtain prior informed consent from, to share benefits with or to comply with restrictions on use imposed by the source country of the Material or any other country or regional economic integration organization.

I understand that any Material supplied to me by TGRC pursuant to this Agreement will be subject to, and I agree to comply with, the conditions above.

SIGNED BY:

For and on behalf of Recipient

Name: ........................................................................................................
Title: ..............................................................................................
Institution: ....................................................................................
Date: .........................................................................................