



## Educational Institution Amendment

The Agreement consists of this Educational Institution Amendment (“Amendment”) (which may be updated), the General Terms that Customer accepted and any additional terms GitHub or its Affiliates present when an order is placed.

- 1. Publicity.** Customer allows GitHub to use its organization's name or logo to identify Customer as a GitHub customer in promotional materials. Customer will reasonably cooperate with GitHub to market and promote GitHub and the Products to Qualified Users.
- 2. GitHub Product Support.** Customer agrees that GitHub will only provide support to the appointed administrator. GitHub is not obligated to provide any support to Qualified Users and Customer agrees that GitHub is not liable to Qualified Users for any loss or damages arising from or relating to their use and access of the Products.
- 3. Applicable law and venue.** The law and venue of the General Terms apply, unless you are a public institution in which case the Agreement will be governed by and construed in accordance with the laws of the state where Customer has its primary base of operations and any legal action or proceeding will be brought exclusively in the federal or state courts located therein. The parties consent to personal jurisdiction and venue there. The above choices of venue do not prevent either party from seeking injunctive relief in any jurisdiction with respect to a violation of intellectual property rights or confidentiality obligations. The 1980 United Nations Convention on Contracts for the International Sale of Goods and its related instruments will not apply to this Agreement.
- 4. Definitions.**

“General Terms” means Customer’s accepted GitHub General Terms or Microsoft equivalent, such as the Microsoft Enterprise Agreement.

"Qualified Users" means any of the following individuals who are affiliated with Customer’s educational institution: (i) currently enrolled students; (ii) student-facing faculty; (iii) non-faculty staff employees; and (iv) anyone performing academic, not-for-profit research on behalf of or in collaboration with Customer’s educational institution.