

PRODUCT DESCRIPTION

MICROSOFT 365



By using the Microsoft 365 service you agree to the terms set out below, which are specific to the CloudX Microsoft 365 service and apply in addition to the Master Services Agreement located: [here](#). If there is any inconsistency between these Product Terms and our Master Services Agreement, then these specific terms shall prevail.

1) Microsoft Customer Agreement

- a. The [Microsoft Customer Agreement](#) is applicable to your use of this service and you acknowledge that you have read and understood the agreement and accept the terms of use.

2) Acceptable Use

- a. You must not use the services in any way that:
 - i. Break any laws; or
 - ii. Infringe anyone's rights; or
 - iii. Is malicious, obscene, or offensive.

3) Charges

- a. Microsoft 365 pricing is subject to annual review by Microsoft and your charges during a Fixed Term Contract may change. We will notify you of any changes to these Charges and provide no less than 30 days' notice.

4) Termination of this Agreement

- a. Upgrades or downgrades to your Microsoft 365 Subscription are permitted where the overall monthly spend is the same or greater than the original contracted amount. Changes resulting in a lower overall monthly spend may incur an Early Termination Fee.
- b. We require no less than 30 days' written notice for the

termination of your Microsoft 365 service. If the Service is being provided to you for a Fixed Term and you cancel within that term it is considered as Early Termination and the appropriate fees may apply.

- c. If you have agreed to use a Service for a Fixed Term or your pricing is based on a Fixed Term then that contract term applies. If you cancel within the Fixed Term period, you will be liable for any applicable Early Termination Fees. Your contract starts from the date we deliver all services listed on the Sales Agreement to you. If you decide to purchase other CloudX services your contract terms will be aligned and treated as a single contract based on what end date would result in the longest contract term.

5) Termination

- a. A full refund is allowed for cancellations made during the first day.
- b. The refund will be prorated for cancellations made during the next 6 days.
- c. Cancellations are not allowed during the rest of the subscription period.