

# Site Crafters Terms of Service

Effective 5/1/2021

Site Crafters, located in Sunnyvale, CA, USA, provides website design, development, and hosting services under the terms and conditions stated herein and hereafter referred to as "Terms". By checking the "I Agree" box and clicking on the "Submit" button on the Website Services Order page of the Site Crafters website (<https://www.sitecrafters.net/order/>) you, the Client, agree that you have read and agree to these Terms.

If you are accepting on behalf of your employer or another entity, you represent and warrant that: (i) you have full legal authority to bind your employer or the applicable entity to these Terms; (ii) you have read and understand this document; and (iii) you agree on behalf of the party that you represent to these Terms. If you do not have the legal authority to bind your employer or the applicable entity then do not check the "I Accept" button.

## Services Provided

Site Crafters provides both one-time and subscription services as described on the Services page of the Site Crafters website, <https://www.sitecrafters.net/services>. The price and duration (term) of each subscription is listed on this webpage.

## Ownership

Site Crafters retains ownership of all items purchased and developed for Client in conjunction with a subscription service until the subscription term during which those items were purchased has expired. Ownership then transfers to Client. Items not purchased in conjunction with a subscription become the property of Client upon receipt of payment.

## Billing

Services are billed in advance and are due and payable 7 days prior to the first day of the month during which the services will be provided.

## Payment Methods

Services may be paid for by credit card or check. Checks must be received 7 days prior to the first day of the month during which the services will be provided. A 10% late fee will be charged for payments received after the due date.

## Price Changes

Site Crafters may change the prices of its services at any time. Price changes to active subscriptions shall not take effect until expiration of subscription term.

## Subscription Renewal

Subscriptions will automatically renew at the conclusion of their term at Site Crafters' then published rates.

## Subscription Changes and Cancellations

Subscription change and cancellation requests may be submitted at any time via email to [support@sitecrafters.net](mailto:support@sitecrafters.net). New services requested will be added at Site Crafters' then published rates.

Canceled services will be subject to an early termination fee (ETF) equal to 50% of the remaining payments of the term. This fee is to compensate Site Crafters for expenses incurred to provide Client's services that would normally have been recovered as a portion of the subscription fees collected over the full term. These expenses include design, development, and maintenance labor costs, software licensing costs, and external services costs.

## Refund Policy

Site Crafters will refund the subscription payment for any purchased service that it fails to provide or which fails to comply with these Terms. The amount of the refund will be pro-rated based on the percentage of time that the service was not provided or compliant during each month of the service subscription. Refunds will not be issued after services have been rendered in compliance with these Terms.

## Indemnification

You agree to indemnify and defend at your sole expense: Site Crafters, its employees, agents, representatives, directors, and shareholders, from and against any and all claims arising out of or based upon your use of Site Crafter services, including, but not limited to, claims based on software licensing violations, copyright infringement, trademark infringement, and patent infringement. In addition, you agree to pay any judgment and costs associated with any such claims.

## Revisions

Revisions to these Terms may be made by Site Crafters at any time. Upon revision, this document will be re-published on the Terms of Service page of the Site Crafters website, <https://sitecrafters.net/terms-of-service>. The revised Terms will become effective on "Effective" date shown below the title on the first page of this document. By using Site Crafters services you affirm your acceptance of the most recently published Terms.

## Governing Law

These terms of service shall be exclusively governed by the laws of the state of California, USA, and any dispute arising from this agreement shall be exclusively brought to the courts of California.