

DATE EFFECTIVE: 06/16/11

CAN-AM Cryoservices Terms of Use

FORM: DIS.10bb
REV: E

CAN-AM Cryoservices, Inc.

1057 Main Street West, Ste 102 1-888-245-3471

FAX: 1-877-772-6387 www.canamcryo.com info@canamcryo.com

Welcome to CAN-AM Cryoservices:

CAN-AM Cryobank is the exclusive Canadian distributor of semen products from Fairfax Cryobank, Fairfax, VA USA and Cryogenic Laboratories, Inc. (CLI) Roseville, MN USA collectively known as "Cryobank". We, the staff of Cryobank and CAN-AM Cryoservices, are pleased that you have selected our services to assist you on your pathway to create your family. We are here to help you with your family-building plans. Our objective is to provide premier donor sperm services, including: donor sperm, sperm storage, and sperm shipments that emphasize safety, security, and service. We work to provide safe, secure services using the latest cryopreservation technology, testing and screening that serves to protect your health and complies with state/province and federal (Food and Drug Administration, USA and Health Canada) requirements.

This letter explains what to expect from Cryobank's donor programs. It also explains what Cryobank and CAN-AM Cryoservices needs from you. More detailed description and terms for each program and service are described in our literature and websites (www.fairfaxcryobank.com, www.cryolab.com and www.canamcryo.com) and in the storage agreements, billing agreements and authorizations that you will be asked to sign during your involvement with us.

CAN-AM Cryoservices must receive a signed copy of this 'Terms of Use' letter via fax, email or mail at least one business day prior to shipment of any Specimens.

Cryobank's Donor Programs

The Cryobank donor program consists of two distinct options: Anonymous Sperm Donors and Identity Option-Donors. We provide anonymously donated semen that is tested and screened for certain genetic and infectious diseases. We provide information about the donor, including medical and personal profiles, donor audios, personality testing (Keirse), profile silhouettes, childhood and sometimes adult photos, and staff impressions to assist you in the selection of the donor best for you. Such information and images are offered for your personal use, and not for public dissemination. Cryobank also has a program (ID Option donors) where the donor's identity may be provided to the child when he or she reaches the age of 18. We are pleased to assist individuals, married couples and unmarried couples in our donor programs.

In the general population, every pregnancy has about a 3%-4% risk of producing a child with a birth defect or mental deficiency. Cryobank reviews each donor's personal and family medical history, has a physician examine each donor, and performs genetic and infectious disease screening to reduce this risk, *but it cannot eliminate the risk*. Cryobank performs the diagnostic tests listed in the Donor Sperm Section of our website (www.canamcryo.com.) Although it is not possible to completely eliminate the risk of infectious diseases or genetic disorders, the tests performed by Cryobank reduce the likelihood of a donor passing on an infectious disease or a genetic disorder. Please be aware that we do not test for *all* genetic disorders or infectious diseases because not all genetic disorders/diseases have tests, or it is impractical or otherwise not feasible to do such tests. Therefore, there is no guarantee that all donor specimens are completely free of genetic defects or diseases, that a pregnancy will result, or that a child born using our donor sperm will be free of disease or physical or mental defects.

What We Need from You

You agree that the Specimens are for your personal use only. You recognize that you have no right to learn the identity of an anonymous donor, and that CAN-AM Cryoservices and Cryobank will not disclose identifying donor information or assist you in any way to contact a donor. (ID Option donors can be known to offspring at age 18.) You do not have the right to seek a donor's identity by other means available to you, and should we discover that you have made these attempts to do so, we will pursue any and all appropriate action to protect the donor's interests. In turn, CAN-AM Cryoservices and Cryobank will not disclose your identifying information to the donor.

CAN-AM Cryoservices and Cryobank find pregnancy reporting and tracking very important. If you become pregnant by an anonymous donor, we ask that you or your physician notify CAN-AM Cryoservices, so we can monitor the number of children born from an individual donor. Pregnancy reporting can be completed on our website.

You are the legal parent of the children born to you with the use of donated sperm. You are solely responsible for their support and custody. The donor has given up all of his rights and is released from any obligations to children born using his sperm.

Completed agreements and other forms must be in our hands prior to shipment or collection of any Specimens.

Limits to Our Services

CAN-AM Cryoservices ships Specimens via Federal Express or Purolator in specially designed liquid nitrogen vapor tanks. Although uncommon, shipping delays may occur due to bad weather, airplane mechanical problems or other similar events outside of our control

CAN-AM Cryoservices and Cryobank do not, and are not able to guarantee or in any way represent, suggest, or promise that use of our Specimens will result in a pregnancy for you. We do, however, provide via our website information on donors whose semen samples have produced reported pregnancies. In addition, Cryobank offers a Quality Standard that provides for full or partial refunds if a Specimen does not meet their standards. The Quality Standard statement is posted on the CAN-AM website at www.canamcyo.com.

Even if donor testing shows normal results, the tests have limitations and may not always be reliable, even when properly administered. This means that Specimens may not be disease free even though the test results for such Specimens indicate otherwise. Cryobank quarantines all donor Specimens for a minimum of 180 days and then retests for a variety of infectious diseases prior to releasing the Specimens. Cryobank utilizes CLIA certified and FDA registered testing laboratories, licensed and accredited Canadian testing laboratories, utilizing FDA and Health Canada licensed, approved, or cleared donor screening tests for donor eligibility determination. These testing laboratories and CLIA certifications used to perform the testing are approved and accepted by Health Canada. The testing laboratories certifications can be viewed/downloaded at the Cryobank web sites (www.fairfaxcryobank.com or www.cryolab.com). Our commitment to quality means we test above and beyond the required infectious and genetic disease testing required by the FDA and Health Canada. (See our website for more information on our donor screening and testing.)

Cryobank relies totally upon the representations of the donor that (1) Specimens produced by the donor are the donor's own (all donations are made at our laboratories); and (2) donor has the genetic and hereditary characteristics and health profile claimed in the donor profile completed by the donor. Cryobank has protocols in place to assure the identity of each donor (e.g. verification of photo ID's) who provides specimens, as well as a tracking mechanism to track the Specimen during the processing stages. However, Cryobank makes no independent investigation of a donor's representations, nor is it obligated to do so. Due to the anonymity and confidentiality issues involved with semen donation, we must respect the privacy of our donors and rely on our screening methods to detect inconsistencies. Cryobank prides itself on its stringent screening process whereby a donor must complete a detailed medical and genetic family history, personal profile, and have an in-depth personal interview. Each step is carefully monitored for inconsistencies, and we take care to ensure accurate information is provided. We come to know our donors well and we respect their commitment to our program.

The Paper Process

We want you to read all agreements and documents that we provide. Ask questions and make sure you understand them. We will ask for signatures on the forms, and some will need to be notarized or co-signed by a representative of your infertility clinic. This is to ensure that we are following your choices and directions. You may want to consult with your attorney, physician or other advisor to review the documents before you sign them. *If you have any questions about this document, please contact us at 1-888-245-3471*, and you will be connected with the appropriate person to answer your questions.

Once again, thank you for your confidence and trust in our services. We are committed to the conception of healthy babies and are excited to make this journey with you.

Sincerely,
The Staff of CAN-AM Cryoservices and Cryobank.

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SIGNATORY OR SIGNATORIES:

We/I have read this document, as well as the 'Read Before You Buy' on our website to understand other important considerations when using donor sperm from CAN-AM Cryoservices and Cryobank. This includes discussions on limiting donor pregnancies, donor availability and the specimen warranty.

Date _____

Recipient's Signature

Recipient's Email Address

Date of Birth

Recipient's Printed Name

Recipient's Home Address Line 1

Spouse's or Partner's Signature (if applicable)

Recipient Home Address Line 2

Spouse's or Partner's Printed Name (if applicable)

Recipient's Phone Number

Physician's Name: _____ Clinic: _____

Physician's Complete Address: _____

Physician's City: _____ Physician's Province: _____ Physician's Postal Code: _____

Physician's phone number: _____ Clinic contact email: _____

CAN-AM Cryoservices must receive a signed copy of this 'Terms of Use' letter via fax, email or mail at least one business day prior to shipment of any Specimens. We only require Page 4 in order for this document to be considered valid.

CAN-AM Cryoservices
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Hamilton, ON.
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