

Amended Force Majeure clause, with changes noted in bold

For the purposes of this Agreement, “Force Majeure” shall mean Acts of God, labor disputes, acts of public enemies or terrorists, war, other military conflicts, blockades, insurrections, riots, epidemics, quarantine restrictions, landslides, lightning, earthquake, fires, conflagration, storms, floods, washouts, arrests, civil disturbances, restraints by or actions of any governmental body (including export or security restrictions on information, material, personnel, equipment or other changes in laws), **changes in federal, state or municipal regulation or policy that materially and adversely affect the business of SILEVO (collectively for this purpose with its parent corporation and affiliates) (including, without limitation, significant increases in tariffs or duties relating to components necessary for the operation of the Manufacturing Facility)**, industry-wide shortages, industry-wide unavailability, and any other acts or events whatsoever, whether or not similar to the foregoing, not within the control of the Party claiming excuse from performance, which by the exercise of the diligence and reasonable efforts that Party shall not have been able to overcome or avoid.