

GLOSSARY

“Agreement” means this PROJECT ECHO® TERMS OF USE AGREEMENT.

“AMC Specialist” means providers employed by or affiliated with AMC who are specialists in a medical field in which AMC conducts Project ECHO® Activities.

“Applicable Law” means (i) for an Academic Medical Center that is not a federal entity, all applicable state statutes and regulations, as well as all applicable Federal statutes, regulations, and policy requirements; and, (ii) for an AMC that is a federal entity, all applicable Federal statutes, regulations, and policy requirements.

“Derivative Works” means any collateral or materials, whether process-orientated, clinical, educational or technical, developed in the process of carrying out Project ECHO activities. Examples might include case presentation templates, evaluation resources or tools, clinical didactic presentations, grant-writing resources, community partner recruitment strategies or tools, etc.

“ECHO Institute” means the Project ECHO® Activities conducted at the University of New Mexico Health Sciences Center.

“Effective Date” means the date set out on the opening paragraph of this Agreement.

“Intellectual Property” means any inventions, discoveries, improvements, works of authorship or the like, including patents, patent applications, and certificates of invention; trade secrets, know how or similar rights; copyright materials; trademarks, service marks, logos, and trade dress; and similar property under any laws or international conventions throughout the world.

“Licensed Intellectual Property” means the Licensed Software Programs, the Licensed Brand Marks, the Licensed Materials, and the Licensed Know-How identified on attached Exhibit A and such intellectual property as UNMHSC develops after the date of this agreement that it makes available to MOLHSA.

“Permitted PCCs” means primary care clinicians that provide health care to significantly underserved or uninsured patient populations, including rural and frontier providers, and providers to prison populations.

“Project ECHO® Activities” means the design, structure, and process constituting the telementoring and distance learning program developed at UNMHSC Project ECHO® that utilizes teleconferencing, videoconferencing, internet-based assessment tools, online presentations, telephone, fax, and email communications to connect specialists with primary care providers in rural areas and prisons for the purpose of improving patient care.

“Software” means Zoom, Box, Teamwork and the Licensed Software Programs.