

Level 3 Telecom of New York, LP
 NY PSC No. 2 - Telephone
 Initial Effective Date: October 22, 2020

Leaf 24
Revision 1
Superseding Revision 0

LOCAL EXCHANGE SERVICES TARIFF

SECTION 2 - GENERAL RULES AND REGULATIONS, (CONT'D.)

2.2 Liabilities of the Company and the Customers, (Cont'd.)

2.2.1 Liabilities of the Company, (Cont'd.)

D. (Cont'd.)

4. All other claims (including, without limitation, claims for damage to any business or property, or injury to, or death of, any person) arising out of any act of omission of the Customer in connection with any service provided by the Company.

- E. The Company will make no refund of overpayments by a Customer unless the claim is submitted in accordance with Section 2.7.1 below.

- F. Customer will defend and indemnify the Company, its affiliates, agents and contractors from all third party claims, liabilities, fines, penalties, costs and expenses, including reasonable attorneys' fees, arising from or related to customer's, customer's end user's or customer's third-party provider(s) acts, omissions (including the failure to purchase or implement features that enable the receipt and transmission of direct-dial "911" calls or multi-line telephone system notifications), or failures of connectivity that impede, prevent or otherwise make inoperable the ability of the customer or its end users to directly dial "911" or to receive or transmit multi-line telephone system notifications, as required by law, in the United States.**

$$\begin{array}{c} (\mathbf{N}) \\ | \\ | \\ | \\ | \\ | \\ | \\ | \\ (\mathbf{N}) \end{array}$$

2.2.2 Liabilities of the Customer

- A. The Company shall be indemnified and held harmless by Customer against:

1. Claims for libel, slander, infringement of copyright or unauthorized use of any trade mark, trade name or service mark arising out of the material, data, information, or other content transmitted by the Customer of the Company's facilities;
2. Claims for patent infringement arising from combining or connecting the Company's facilities with apparatus and systems of the Customer;
3. All claims of any kind by the Customer's end users; and

(M)

(M) Material moved to Leaf 24.1, Revision 0
NY2020-06

By: General Counsel, Regulatory Policy
1025 Eldorado Boulevard

Cancelled by 2c Rev. Leaf No. 24 Effective 06/04/2021