

## Non-disclosure agreement

The following is agreed upon between

**teamtechnik  
Maschinen und Anlagen GmbH  
Planckstraße 40  
D-71691 Freiberg (Neckar)**

and

- hereinafter "teamtechnik"

- hereinafter "

- teamtechnik and  
hereinafter the "Contractual Parties" and individually the  
"Contractual Party" -

### 1. Confidential information

Both Contractual Parties have confidential business and specific know-how that are embodied in their respective specialist fields of expertise, for example, in drawings, sketches, specifications (also in electronic form), functional descriptions, descriptions of production processes, equipment, calculations, quotations and samples, as well as customer names and so on (hereinafter "CONFIDENTIAL INFORMATION").

#### teamtechnik Maschinen und Anlagen GmbH

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Stefan Roßkopf, Axel Riethmüller,  
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## 2. Secrecy

Both contractual parties undertake to maintain strict secrecy about any CONFIDENTIAL INFORMATION belonging to the other Contractual Party of which they become aware. This includes, but is not limited to making confidential information accessible to third parties.

Third parties as defined by this agreement are also the companies affiliated with the Contractual Parties as defined by Section 15 AktG [German Companies Act]. The CONFIDENTIAL INFORMATION may only be passed on to these companies after they have undertaken in writing to maintain confidentiality to the same extent towards the other Contractual Party, and only as long as these companies are affiliated with the Contractual Party. The Contractual Parties shall be responsible for ensuring that the companies affiliated with them only pass on and use the CONFIDENTIAL INFORMATION when they are authorized to do so.

## 3. Data protection

Each Contractual Party is obligated to ensure the observance of all obligations relating to data protection law. Each of the Contractual Parties shall give assurance that they are familiar with the data protection rules valid at any given time and that they are conversant with their application.

## 4. Exceptions

The aforementioned obligations do not apply to information which can be shown to be

- a) general knowledge when it is disclosed or subsequently becomes general knowledge without this being due to the conduct of the Contractual Party concerned;
- b) already known without a non-disclosure obligation at the time when the relevant Contractual Party was notified;

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- c) lawfully made known or made available to the relevant Contractual Party through a third party;
- d) developed by the relevant Contractual Party independent of the CONFIDENTIAL INFORMATION;
- e) having to be disclosed owing to mandatory statutory obligations or an enforceable judgment of a court of law. The Contractual Party concerned must inform the other Party immediately of any disclosure so that the other Party can take measures against the unwanted disclosure where necessary.

## 5. Use of the information

The CONFIDENTIAL INFORMATION received from one Contractual Party may only be used by the other for the purpose for which it has been made available. Continuing use is only permitted if the other Contractual Party has provided written permission in advance.

Each Contractual Party is obligated to ensure that transmitted data does not cause any damage or losses etc. in the receiver systems, for example, due to computer viruses. Incoming and outgoing data must be examined with up-to-date virus protection programs. If a Contractual Party detects faults or factors impairing operation such as computer viruses, or has a justified reason to suspect such an occurrence, then it must inform the other Party immediately. Irrespective of the notification obligation, each Contractual Party must in such a case take all measures available to it for minimizing damages, identifying and avoiding errors.

## 6. Storage of CONFIDENTIAL INFORMATION

CONFIDENTIAL INFORMATION, including but not limited to all and any documents and all data media, as well as parts thereof, if applicable, must be stored carefully and protected from access by third parties with appropriate and comprehensive security measures. The right of retention to this information and any records is expressly excluded.

The Contractual Parties agree that the provision of CONFIDENTIAL INFORMATION does not involve an assignment of property rights nor any rights of use.

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## 7. Liability

Each Contractual Party undertakes to reimburse the other party in accordance with legal provisions for all damages that it suffers due to the breach of the obligations to maintain confidentiality stipulated in this non-disclosure agreement.

## 8. Start and term

This agreement comes into effect on the date of signing by both Contractual Parties. It shall initially apply for 10 years with reference to any cooperation between the Contractual Parties. It can be terminated at any time with a period of notice of 6 months to the end of the year. This does not affect the possibility of termination without notice.

The accepted obligations to maintain confidentiality shall also remain in force following termination of the business relationship for a period of 10 years.

## 9. Written form requirement

No collateral agreements have been reached for this agreement. Amendments and addenda to this agreement and collateral agreements must be made in writing in order to be valid. This shall also apply to a change or revocation of the written form requirement.

## 10. Severability clause

Should individual provisions of this agreement be or become invalid or unenforceable either in whole or in part, this shall have no effect on the validity of the other provisions. In place of an invalid or unenforceable provision, the regulation is considered as having been agreed upon that comes closest to it in terms of content.

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## 11. Choice of law / arbitration

This agreement is subject to the law of the Federal Republic of Germany under the exclusion of the regulations of international private law.

All disputes arising in connection with this contract or concerning its validity shall be finally decided upon in accordance with the arbitration court regulations of the German Institution for Arbitration (DIS) under the exclusion of recourse to ordinary courts of law. The location of the arbitration proceedings is Ludwigsburg.

Freiberg, dated

dated

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Maschinen und Anlagen GmbH

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