

General Terms and Conditions for the 'Aktionärsforum' *[Shareholder Forum] in the Bundesanzeiger [German Federal Gazette]*

Details about the form and content of posts are addressed in the Directive Concerning the Aktionärsforum under Section 127a, Para. 5 of the Stock Corporation Act (*Verordnung über das Aktionärsforum nach § 127a Abs. 5 des Aktiengesetzes, AktFoV*)

Description

For the purposes of comparability of information and rational work processes, all posts (invitations to act and notices) are published solely in the fonts and designs customary and uniform at the Bundesanzeiger for the individual areas and sections on the Internet.

Fees

Disclosures in the Aktionärsforum are fee-bearing. Details can be found in the relevant valid price list on the website "<https://www.bundesanzeiger.de>". Invoices are generally sent electronically to the e-mail address given in the order.

Links to other websites

If use is made of active links that direct to target files, such as PDF documents, such files must be scanned for viruses.

Exclusion/limitation of liability to posters and users

Liability of the Bundesanzeiger and the Federal Ministry of Justice

a) Liability for posts published in the Shareholder Forum

- (1) The Aktionärsforum is intended for private communication and for this purpose offers merely the platform. Neither Bundesanzeiger Verlag GmbH as operator of the Aktionärsforum nor the Federal Ministry of Justice as publisher of the Bundesanzeiger identifies with the content. Normally, in connection with the posting process, the operator carries out merely a formal review of the post for completeness of the necessary information. This review is performed largely automatically. Bundesanzeiger Verlag GmbH does not edit the content of provided data.
- (2) Bundesanzeiger Verlag GmbH is liable for posts published in the Aktionärsforum only under the conditions set forth in sections 8, para. 1, and 11 of the Teleservices Act (*Teledienstegesetz, TDG*).
- (3) Even if Bundesanzeiger Verlag GmbH is liable, its liability to compensate damages is limited to wilful misconduct and gross negligence, including wilful misconduct and gross negligence on the part of the representatives of Bundesanzeiger Verlag GmbH and persons it uses to perform an obligation (*Erfüllungsgehilfen*). Other than in cases of wilful misconduct, the liability to compensate damages is moreover limited to foreseeable damages that are typically incurred. Sentence 1 does not apply to the breach of cardinal duties. The aforementioned limitations of liability apply without respect to the legal nature of the asserted claim. They also cover the personal liability to compensate damage on the part of employees and representatives of Bundesanzeiger Verlag GmbH and persons it uses to perform an obligation. Liability for culpable injury to life, body, or health remains unaffected.
- (4) Liability of the Federal Ministry of Justice as publisher of the Bundesanzeiger for posts published in the Aktionärsforum is precluded, regardless of legal basis.

b) Liability for links and linked-to sites

- (1) The Aktionärsforum contains links to third-party websites. Bundesanzeiger Verlag GmbH as operator of the Aktionärsforum is obligated to do so under section 5, para. 2 AktFoV. These links thus also have to do with information that is stored for a user. Bundesanzeiger Verlag GmbH has no influence on the content of outside websites. Rather, the offeror or operator of the sites is responsible for this. Control of the content of linked-to sites is not possible.
- (2) Since Bundesanzeiger Verlag GmbH does not evaluate and select the links, the parties are in agreement that Bundesanzeiger Verlag GmbH is not liable for these links and the content of linked-to sites absent liability under corresponding application of sections 8, para. 2, and 11 TDG. In all other respects – provided there is liability under the statutory provisions – the limitations of liability under letter a) (3) apply mutatis mutandis.
- (3) Liability of the Federal Ministry of Justice as publisher of the Bundesanzeiger for links in the Aktionärsforum and the content of linked-to sites is precluded, regardless of legal basis.

c) Other liability

- (1) In all other cases, Bundesanzeiger Verlag GmbH is liable only to the extent that claims for compensation of damage are asserted that are based on wilful misconduct or gross negligence, including wilful misconduct or gross negligence on the part of representatives and persons used to perform an obligation. This does not apply to the breach of cardinal duties. Other than in cases of wilful misconduct, liability is moreover limited to foreseeable damages that are typically incurred. Farther-reaching liability to compensate damage is precluded, irrespective of the legal nature of the asserted claim. This also applies to the personal liability to compensate damage on the part of employees and representatives of Bundesanzeiger Verlag GmbH and persons it uses to perform an obligation. Liability for culpable injury to life, body, or health remains unaffected.
- (2) For technical and operational reasons, temporary restrictions and interruptions of access to this online service cannot be completely ruled out. If the liability of Bundesanzeiger Verlag GmbH comes into consideration for insufficient availability of the Internet platform, same is limited to cases of interruption of access or limitation of availability attributable to wilful misconduct or gross negligence.

Indemnification agreement vis-à-vis shareholders invited to act/shareholder associations and companies (posters)

The respective poster (shareholder/shareholder association or company) is solely liable for the content of invitations to act pursuant to section 127a of the Stock Corporation Act (*Aktiengesetz, AktG*), as well as for the notice (link) to a statement of reasons and comments relating to an invitation to act found on its website in accordance with section 127a, para. 3 and 4 AktG. Should third parties seek recourse against Bundesanzeiger Verlag GmbH and/or the Federal Ministry of Justice for publication of such content or notices, the poster is obligated to indemnify Bundesanzeiger Verlag GmbH and the Federal Ministry of Justice against all claims and damages arising therefrom.

Severability clause/General Terms and Conditions

The General Terms and Conditions of Bundesanzeiger Verlag are solely applicable. Inclusion of other general terms and conditions is expressly rejected. They are also not acknowledged even if we do not again expressly reject them after we receive them. All provisions contained in these General Terms and Conditions are to be evaluated separately from other provisions, insofar as one or more provisions are ineffective. If one or more provisions of these General Terms and Conditions should be or become ineffective, all other provisions remain in full force and effect. The ineffective provisions are to be replaced by such provisions corresponding to or at least approximating the purpose of the terms and conditions that the parties would have agreed upon had they been aware of the ineffectiveness.

Controlling language version

Insofar as general terms and conditions and information on the publisher's websites are made available in a variety of languages, the German version is in each case solely applicable, particularly with respect to the interpretation of the wording used. Other language versions (translations) are to be understood as a mere service of the publisher.

German Law / Publisher / Place of Fulfillment / Jurisdiction

Only the German law applies.

The "Bundesanzeiger" is a publication of the Federal Ministry of Justice, headquartered in Berlin.

In the event that the contractual partner of the publishing house is a business person, a legal entity under public law or special fund under public law, the place of fulfillment and jurisdiction shall be Berlin for both parties.

Publication days

The Bundesanzeiger is published Monday through Friday, other than on statutory holidays. Posts to be published are placed in the Aktionärsforum on an ongoing basis from 8:00 a.m. to 3:00 p.m. on publication days. Publication times in deviation from the foregoing, e.g. on Christmas Eve and New Year's Eve, are announced on the Internet in a timely manner.

