



## Source-Code Deposit with Escrow

STACKFORCE GmbH

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STACKFORCE offers the option to deposit a source code copy of a previously purchased Protocol Stack at an escrow account administrated by TÜV SÜD Product Service GmbH.

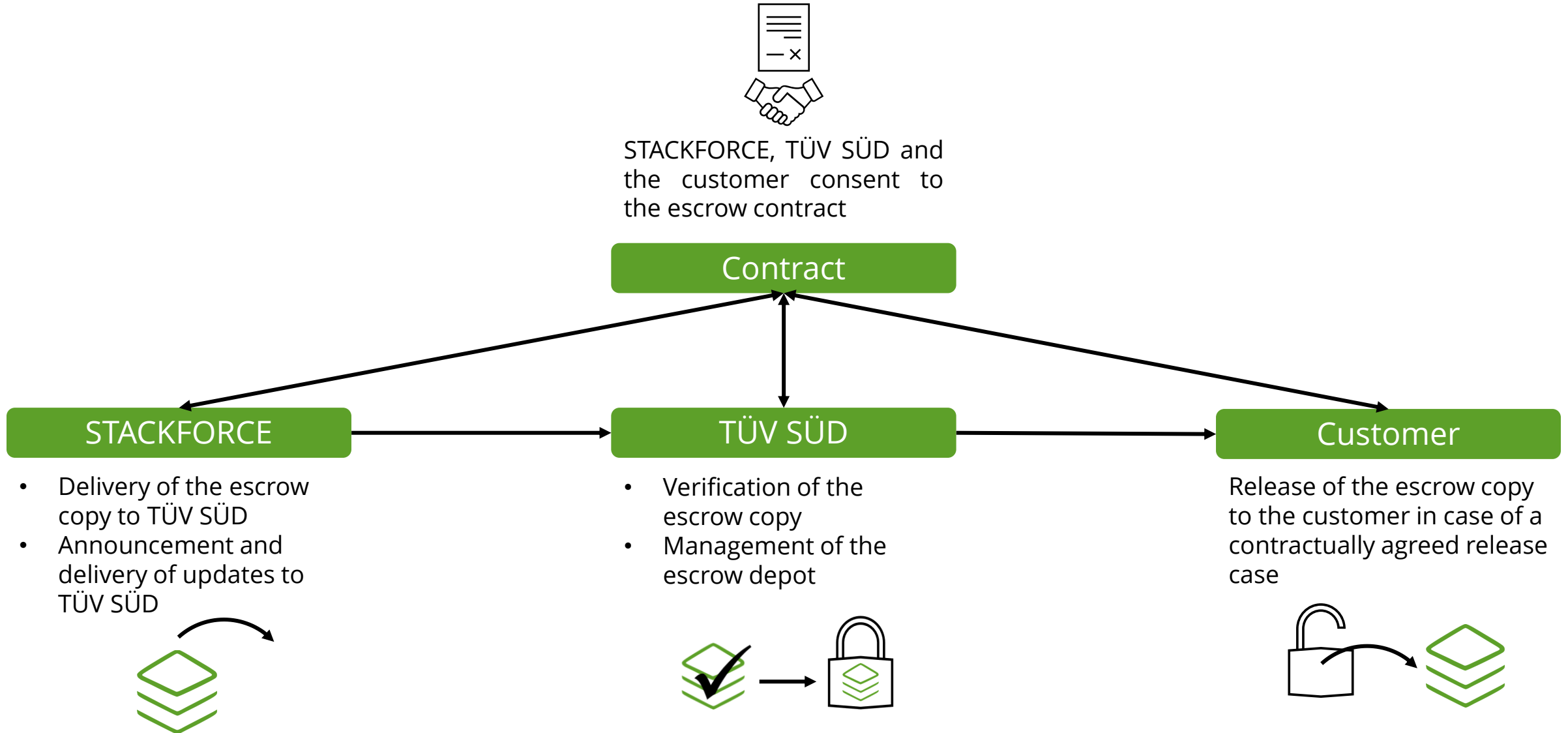
## Features:

- Deposit of a source code copy and related documents
- Choice between four TÜV SÜD verification level
- Exchange of or addition to the deposited versions in the case of update versions
- Deposit in technical and climatic suitable premises and containers by TÜV SÜD
- Limited or indefinite term
- Right of termination of all three parties up to six months to the end of the respective calendar year
- Automatic termination at release of the escrow copy

## Customer benefits:

- Securing the continued possibility for the use and maintenance of the stack
- Minimizing business risks
- Protection of the IT-investment







## LEVEL 1 <sup>1</sup>

Standard entry check

- Completeness
- Consistency with the information of the deposit agreement
- Conformity with the description of the object of deposit
- Readability of the data carriers
- Virus check
- Plausibility

<sup>1</sup> prerequisite for deposit

## LEVEL 2

Advanced static testing

- Level 1 testing features
- Application of software analysis methods (e.g. inspection, review, walkthrough)
- Possible and desired presence and involvement of
  - the specialized department, which uses the software
  - the licensor
 in the sense of an open, trusting cooperation

## Level 3

Dynamic testing

- Level 1 and level 2 testing features
- Execution of test compilations
- Generation of executable versions from the deposit material for test purposes

## Level 4

Specialized testing

- Verification according to individual specifications resulting from the situation and specifics of cooperation with the licensor
- E.g. methods of software testing and comparison and individual combinations of the first three level
- Consideration of material of the licensee and the licensor
- Possible and desired but not necessary presence and participation of the licensee and the licensor



### Our standard cases for releasing<sup>1</sup> the escrow copy:

#### To the customer:

1. STACKFORCE's consent to release the escrow copy
2. Request for the opening of insolvency proceedings by STACKFORCE or its creditors; opening of insolvency proceedings or dismissal of the opening of insolvency proceedings for the lack of assets
3. Institution of proceedings for the issuing of an affidavit against STACKFORCE
4. Final discontinuation of maintenance of the Software by STACKFORCE or a legal successor

#### To authorized third parties:

1. STACKFORCE and the customer consent to the release of the escrow copy.
2. The authorized third party is verifiably the universal legal successor and one of the left standing cases applies.
3. The customer has assigned the claim for delivery to an authorized third party.

<sup>1</sup> Please note: With release of the escrow copy, all warranty, support and maintenance claims regarding the purchased protocol stack expire.

### STACKFORCE handling fees

All handling fees are to be paid to STACKFORCE by the customer.

Type	Description	Fee
Annual flat rate	Per contract year, including one update	420,00 €
Update	Per and from the second update in the contract year	95,00 €
Release	Upon release	110,00 €

### TÜV SÜD escrow account administration fees

All fees regarding the escrow account are to be paid to TÜV SÜD by the customer.

STACKFORCE has no influence on the escrow account administration fees raised by TÜV SÜD. **The following information is not guaranteed, not subject to the change service of STACKFORCE and only intended for orientation.** The legally binding fees for the escrow account administration by TÜV SÜD can be found in the respective escrow contract.

Type	Description	Fee
Annual flat rate	Including standard entry check and one update (incl. standard entry check) per contract year	2.200,00 €
Update	Per and from the second update in the contract year (incl. standard entry check)	460,00 €
Release	Upon release	530,00 €