



## **Regulation about the rights of PACTware members after having left PACTware Consortium e.V.**

- 1 Retirement from PACTware Consortium e.V. is only possible after a notice period of three months and will become effective at the end of the financial year (actually equal to calendar year). A written notice of termination has to be sent to the board of directors via registered mail.
- 2 Membership to PACTware Consortium e.V. also is terminated by exclusion (as stated in the articles of PACTware Consortium e.V.).
- 3 As a basic principle, retired or excluded members do not have any pretensions concerning the asset of PACTware Consortium e.V. or parts of it.
- 4 Together with the retirement or exclusion from PACTware Consortium e.V., the existing License agreement will become void.  
Exceptions have to be decided by the board of directors.

In particular, it leads to the following consequences:

- a) The source code of the software package “PACTware” must no longer be modified, compiled and/or used by the retired/ excluded full member. (§5 OSL is no longer valid.)
- b) Also, single parts of the source code of the software package “PACTware” must no longer modified, compiled and/or used otherwise.
- c) Manufacturers which have been a full member at least for three years and in case of leaving the PACTware Consortium e.V., retain the following rights:
  - i) The compiled version/revision of the source code of the software package “PACTware”, as it has been developed by the time of retirement/exclusion, may be used further on, using the name “PACTware” together with an explicit and mandatory indication of the software version (according to the EULA).
  - ii) The source code of the software package “PACTware”, as it has been developed by the time of retirement, may be modified/enhanced. After modification or enhancement, the name “PACTware” must not be used for the software.  
The retired/excluded member is obliged to hand out the modified or enhanced source code to PACTware Consortium e.V. on demand.
  - iii) The source code of the software package “PACTware”, as it has been developed by the time of retirement/exclusion, as well as the source code of any modifications or enhancements applied to this software, must not be made available to third parties.

PACTware Consortium e.V. hereby excludes any liability which may result from using or enhancing the source code of the software package “PACTware”, as it has been developed up to the time of retirement.

- 5 After retirement/exclusion from PACTware Consortium e.V., a member does not have the following entitlements:
  - a) Immediate elimination of its company name from printed materials.
  - b) Participation or cooperation in panels of PACTware Consortium e.V. or gathering internal information about their results.
- 6 The brand name “PACTware” must no be used any longer.

Resolved by General Assembly of PACTware Consortium e.V., March 06, 2013

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