

Trademark usage code

Preamble

After being trained as a Systems Engineer pursuant to the SE-ZERT[®] programme of Gesellschaft für Systems Engineering e.V. (GfSE) and successfully passing the final examination conducted by SE-TREC GmbH with a corresponding certificate, every person succeeding in the examination can be granted the approval to use the title "Certified Systems Engineer (GfSE)" that is protected as a trademark for GfSE upon application [*"Application to use the title "Certified Systems Engineer (GfSE)"*] and subject to the adherence to the rules of this trademark usage code and the INCOSE Code of Ethics. The person passing the examination shall thus receive a personal, temporally limited and non-exclusive authorisation (license) to use the title, which is protected for GfSE under the trademark law¹ ("word mark"):

"Certified Systems Engineer (GfSE)"

with the addendum Level A / B / C / D

as a trademark title supplementing the professional title for the provision of the following services:

Services of engineers; designing and development of computer hardware and computer software; scientific and technological services and research work.

Upon application, the person passing the examination successfully shall also receive a personal, temporally limited and non-exclusive license to use the following graphical symbol, which is also protected for GfSE under the trademark law² ("logo"):



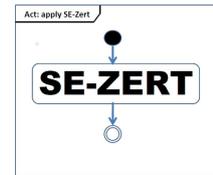
to use this logo as a trademark in view of the services listed below:

Services of engineers; designing and development of computer hardware and computer software; scientific and technological services and research work

The granting of the rights of use and the use of the aforementioned trademarks shall take place according to the rules of this trademark usage code and of the INCOSE Code of Ethics, which

¹DE trademark 30 2011 003 963

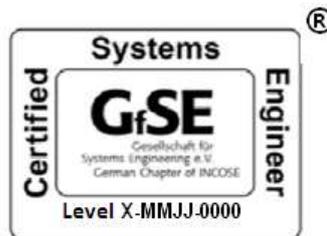
²DE trademark 30 2010 031 505 and IR trademark 1 065 145



shall be binding for GfSE and for the person passing the examination ["holder of rights of use"]. This authorisation to use the trademark shall also be bound to the existence of the certificate obtained by the person passing the examination. If the certificate lapses, if it expires temporarily or if it is disproved, the authorisation to use the aforementioned trademarks of GfSE (word mark and logo) shall also expire immediately.

§ 1 Use of the logo

- (1) The holder of rights of use shall be obligated to always use the logo only with reference to its trademark registration by adding a "®" and by adding the level ("X") obtained by her/him as well as the term ("MMYY") and the relevant examination number ("0000") in the following form:



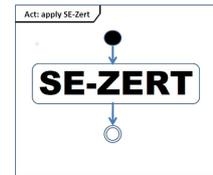
- (2) The awarded usage authorisation shall be bound to the person of the holder of rights of use and may not be forwarded by her/him to third parties.

§ 2 Acknowledgement of the trademark rights

- (1) The holder of rights of use shall acknowledge the trademark rights of GfSE with regard to the word mark and the logo and shall not question these trademark rights. She/he shall particularly not attack these trademarks of GfSE and also not support third parties in such an attack or persuade third parties for the same.
- (2) The holder of rights of use may not use any symbols or not enrol symbols for trademark protection, which are similar to the word mark or the logo. Also, she/he shall neither support third parties in such acts nor persuade them for such acts.
- (3) The holder of rights of use shall acknowledge that solely GfSE is authorised, but not obligated to take action against trademark infringers and to defend the trademarks against attacks from third parties.

§ 3 Term of this trademark usage authorisation

- (1) The term of this trademark usage authorisation and the rights of use awarded herewith (licenses) shall end with the expiry of the certificate obtained by the holder of rights of use. The term of a "Certified Systems Engineer (GfSE)" Level "C" or Level "D" certificate

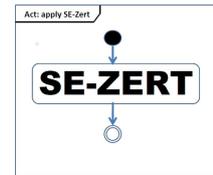


shall, in each case, be 5 (five) years from the date of examination and the term of a "Certified Systems Engineer (GfSE)" Level "A" or Level "B" certificate shall, in each case, be 3 (three) years from the date of examination. If the holder of rights of use acquires a higher level of this certificate during the term of the trademark usage authorisation, the term of this trademark usage authorisation shall automatically be adjusted to the term of the newly acquired certificate.

- (2) Moreover, the trademark usage authorisation pursuant to paragraph (1) can be ended by every party through extraordinary termination with immediate effect. In case of violation of this trademark usage code, both parties shall be entitled to a right to extraordinary termination. This right must be exercised within 4 (four) weeks after obtaining knowledge of the violation.
- (3) The right of the then holder of rights of use to use the word mark and the logo shall end with the end of this trademark usage authorisation. A use-by period shall not be granted for business documents bearing the word mark and/or the logo that are still available at the time of end of the usage agreement.

§ 4 Other regulations

- (1) The holder of rights of use shall be obligated to use the word mark and the logo only in a legally permissible manner and as a reference to her/his acquired qualification and not as an indication of origin referring to GfSE for the service provided by her/him. GfSE shall not assume any liability for a legally impermissible trademark usage and for the services provided by the holder of rights of use. In this regard, the holder of rights of use shall release GfSE from all claims of third parties in the internal relationship.
- (2) If third parties take action against GfSE or the holder of rights of use with the claim that the use of the word mark and/or the logo violates rights of the third parties from an older mark, the parties shall inform each other. The parties shall be obligated to support each other in a suitable manner in defending claims of violation if this is appropriate in the individual case.
- (3) The holder of rights of use shall immediately inform GfSE about all violations of the word mark and/or the logo, which she/he becomes aware of.
- (4) The holder of rights of use shall be obligated to acknowledge and adhere to the "INCOSE Code of Ethics" handed over to her/him, the latest version of which is available on the website of the International Council on Systems Engineering under www.incose.org. A violation of the INCOSE Code of Ethics by the holder of rights of use shall authorise GfSE for extraordinary termination of the trademark usage authorisation with immediate effect (termination without notice).



§ 5 Severability clause

If a regulation of this trademark usage code is or becomes ineffective or if this trademark usage code has a loophole, the legal validity of the remaining regulations shall remain unaffected. An effective regulation that comes closest to the economic objective of the parties shall be deemed agreed upon in place of the ineffective regulation; the same shall be applicable in case of a loophole.

§ 6 Applicable law

This trademark usage code and the usage authorisations shall be subject to the German Law.