



Addendum to Software Maintenance and Update Agreement

THIS ADDENDUM, dated **February 24, 2020**, between GAUSSIAN, INC., having its principal place of business at 340 Quinpiac Street, Building 40, Wallingford, CT 06492 ("GAUSSIAN") and

VŠB – Technical University of Ostrava
("LICENSEE")

having a Company Registration No. 61989100,
having a Tax Identification No. CZ61989100,
and having a place of business at

17. listopadu 2172/15
708 00 Ostrava, CZECH REPUBLIC

amends and supplements that certain Software Maintenance and Update Agreement between the parties hereto dated **February 24, 2020** (the "MAINTENANCE AGREEMENT").

1. Subject to the terms and conditions hereof, the MAINTENANCE AGREEMENT is hereby amended as follows:
 - (a) The definition of the term "Licensed Program" is expanded to include the Fortran Linda **x86-64 Linux** software system of REvolution Computing delivered by GAUSSIAN to LICENSEE under the terms of an Addendum to the existing License to Use Agreement between GAUSSIAN and LICENSEE, dated January 21, 2020, and any new or updated versions of Fortran Linda delivered by GAUSSIAN, in its sole discretion, at any time during the effective period of this Addendum.
 - (b) During the current Agreement Term as defined in the MAINTENANCE AGREEMENT, the service fees set forth in Section 5 of the MAINTENANCE AGREEMENT shall be increased by the sum of **Five Thousand Dollars (\$5,000.00 US)**.
 - (c) Notwithstanding anything contained herein to the contrary, this Addendum will terminate and have no further legal force or effect whatsoever simultaneously with the termination of GAUSSIAN'S right to distribute and sublicense Fortran Linda.
2. This Addendum is binding upon and will inure to the benefit of the parties hereto and their respective successors and assigns and is deemed a part of the MAINTENANCE AGREEMENT and, except and to the extent modified hereby, the MAINTENANCE AGREEMENT will remain in full legal force and effect.
3. Once executed, this ADDENDUM shall automatically become a part of the MAINTENANCE AGREEMENT, which constitutes the complete and exclusive statement of the agreement between the parties and supersedes all proposals, oral or written and all other prior or contemporaneous communications between the parties relating to the subject matter of this Agreement. Only the terms and conditions of the MAINTENANCE AGREEMENT shall apply to the subject matter hereof. All terms and conditions of any purchase order or other document issued by LICENSEE in connection with the subject matter hereof, or any that might be issued in the future, shall not apply. This Agreement may be modified only by written amendment executed by duly authorized officers or representatives of both parties.

IN WITNESS WHEREOF, the parties have duly executed this Addendum as of the day and year first above written.

VŠB – Technical University of Ostrava

Signature

Type or Print Name

Title

Date

GAUSSIAN, INC.

By: James S. Hess, Operations Manager

Date



MAR 05 2020

