Dodatek č. 1 ke Smlouvě o dílo

číslo UKRUK/412243/2020

Univerzita Karlova, Ústřední knihovna

se sídlem: Ovocný trh 560/5, 116 36, Praha 1

zastoupená: JUDr. Tomášem Horáčkem, Ph.D., kvestorem UK

IČO: 00216208

DIČ: CZ00216208

bankovní spojení: Česká spořitelna, a. s.

číslo účtu: 909909339/0800

ID datové schránky: piyj9b4

(dále jen „**Objednatel**")

a

INOVATIKA, s.r.o.,

se sídlem: Netlucká 635, 107 00 Praha 10 - Dubeč

zastoupená: Ing. Tomášem Dočkalem, jednatelem

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DIČ: CZ07698160

bankovní spojení: Fio banka,a.s.

číslo účtu: 2501542675/2010

zapsaná v obchodním rejstříku vedeném Městským soudem v Praze, oddíl C, vložka 305352

ID datové schránky: gf2qpza

(dále jen **„Autor")**

(Objednatel a Autor společně dále jen „**Smluvní strany**" nebo jednotlivě též jen „**Smluvní strana**").

Dodatek č. 1 k Smlouvě o dílo ze dne 11. 11. 2021, č.j. UKRUK/412243/2020 (dále „Dodatek č. 1")

1. Úvodní ujednání

1.1 Smluvní strany se v souladu s ustanovením čl. 10, odst. 10.1 Smlouvy o dílo ze dne 11. 11. 2021 ze dne 11. 11. 2021, č.j. UKRUK/412243/2020 (dále *Smlouva*) dohodly na doplnění *Smlouvy*.

2. Předmět Dodatku č. 1

2.1. Předmětem tohoto Dodatku č. 1 je doplnění čl. 2, odst. 2.1 a čl. 10, odst. 10.13 o nové ustanovení smlouvy a doplnění nové Přílohy č. 2 smlouvy.

3. Změny

3.1 Čl. 2 Předmět smlouvy odst. 2. 1, se na konci doplňuje o novou větu ve znění: „Celé dílo bude vytvořeno a zpřístupněno třetím stranám v souladu s licencí GNU General Public License v 3.0.".

3.2 Čl. 10 Závěrečné ujednání se doplňuje o nový odst. 10.12 ve znění: „Nedílnou součástí této Smlouvy je Příloha č. 2 – Licence GNU General Public License v 3.0 pro open source ProArc ve verzi dostupné ke dni uzavření dodatku č. 1 ke Smlouvě na webové stránce https://github.com/proarc/proarc/blob/master/LICENSE.txt". Dosavadní odstavec 10.12 se přečíslovává na odstavec 10.13.".

3.3 Smlouva se doplňuje o Přílohu č. 2 Licence GNU General Public License v 3.0 pro open source ProArc ve verzi dostupné ke dni uzavření Dodatku č. 1 ke Smlouvě na webové stránce https://github.com/proarc/proarc/blob/master/LICENSE.txt

4. Závěrečná ustanovení

4.1 Dodatek č. 1 je uzavírán elektronicky připojením uznávaných elektronických podpisů obou smluvních stran, ve smyslu § 6 odst. 2 zákona č. 297/2016 Sb., ve znění pozdějších předpisů, pokud se smluvní strany nedohodnou jinak.

4.2 Tento Dodatek č. 1 nabývá platnosti dnem jejího podpisu Smluvními stranami, přičemž platí datum pozdějšího podpisu a účinnosti dnem jejího uveřejnění v registru smluv.

4.3 Smluvní strany berou na vědomí, že tento Dodatek č. 1 vyžaduje ke své účinnosti uveřejnění v registru smluv podle zákona č. 340/2015 Sb., ve znění pozdějších předpisů. Zaslání Dodatku č. 1 do registru smluv zajistí Objednatel neprodleně po podpisu Dodatku č. 1. Objednatel se současně zavazuje v průvodním formuláři vyplnit příslušnou kolonku s ID datové schránky Autora, takže potvrzení od správce registru smluv o provedení registrace Dodatku obdrží obě Smluvní strany zároveň).

4.4 Smluvní strany prohlašují, že si tento Dodatek č. 1 přečetly, že s jejím obsahem souhlasí a na důkaz toho k ní připojují své podpisy.

V Praze   V Praze

za Objednatele   Za Autora

Podpis: Podpis:

JUDr. Tomáš Horáček, Ph.D.   Ing. Tomáš Dočkal

kvestor UK   jednatel

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master

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👥 1 contributor

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674 lines (553 sloc) │ 34.3 KB

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2                           Version 3, 29 June 2007
3
4    Copyright (C) 2007 Free Software Foundation, Inc. <http://fsf.org/>
5    Everyone is permitted to copy and distribute verbatim copies
6    of this license document, but changing it is not allowed.
7
8                                 Preamble
9
10     The GNU General Public License is a free, copyleft license for
11   software and other kinds of works.
12
13     The licenses for most software and other practical works are designed
14   to take away your freedom to share and change the works.  By contrast,
15   the GNU General Public License is intended to guarantee your freedom to
16   share and change all versions of a program--to make sure it remains free
17   software for all its users.  We, the Free Software Foundation, use the
18   GNU General Public License for most of our software; it applies also to
19   any other work released this way by its authors.  You can apply it to
20   your programs, too.
21
22     When we speak of free software, we are referring to freedom, not
23   price.  Our General Public Licenses are designed to make sure that you
24   have the freedom to distribute copies of free software (and charge for
25   them if you wish), that you receive source code or can get it if you
26   want it, that you can change the software or use pieces of it in new
27   free programs, and that you know you can do these things.
28
29     To protect your rights, we need to prevent others from denying you
30   these rights or asking you to surrender the rights.  Therefore, you have
31   certain responsibilities if you distribute copies of the software, or if
32   you modify it: responsibilities to respect the freedom of others.
33
34     For example, if you distribute copies of such a program, whether
35   gratis or for a fee, you must pass on to the recipients the same
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36    freedoms that you received.  You must make sure that they, too, receive
37    or can get the source code.  And you must show them these terms so they
38    know their rights.
39
40      Developers that use the GNU GPL protect your rights with two steps:
41    (1) assert copyright on the software, and (2) offer you this License
42    giving you legal permission to copy, distribute and/or modify it.
43
44      For the developers' and authors' protection, the GPL clearly explains
45    that there is no warranty for this free software.  For both users' and
46    authors' sake, the GPL requires that modified versions be marked as
47    changed, so that their problems will not be attributed erroneously to
48    authors of previous versions.
49
50      Some devices are designed to deny users access to install or run
51    modified versions of the software inside them, although the manufacturer
52    can do so.  This is fundamentally incompatible with the aim of
53    protecting users' freedom to change the software.  The systematic
54    pattern of such abuse occurs in the area of products for individuals to
55    use, which is precisely where it is most unacceptable.  Therefore, we
56    have designed this version of the GPL to prohibit the practice for those
57    products.  If such problems arise substantially in other domains, we
58    stand ready to extend this provision to those domains in future versions
59    of the GPL, as needed to protect the freedom of users.
60
61      Finally, every program is threatened constantly by software patents.
62    States should not allow patents to restrict development and use of
63    software on general-purpose computers, but in those that do, we wish to
64    avoid the special danger that patents applied to a free program could
65    make it effectively proprietary.  To prevent this, the GPL assures that
66    patents cannot be used to render the program non-free.
67
68      The precise terms and conditions for copying, distribution and
69    modification follow.
70
71                           TERMS AND CONDITIONS
```

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72
73      0. Definitions.
74
75      "This License" refers to version 3 of the GNU General Public License.
76
77      "Copyright" also means copyright-like laws that apply to other kinds of
78    works, such as semiconductor masks.
79
80      "The Program" refers to any copyrightable work licensed under this
81    License.  Each licensee is addressed as "you".  "Licensees" and
82    "recipients" may be individuals or organizations.
83
84      To "modify" a work means to copy from or adapt all or part of the work
85    in a fashion requiring copyright permission, other than the making of an
86    exact copy.  The resulting work is called a "modified version" of the
87    earlier work or a work "based on" the earlier work.
88
89      A "covered work" means either the unmodified Program or a work based
90    on the Program.
91
92      To "propagate" a work means to do anything with it that, without
93    permission, would make you directly or secondarily liable for
94    infringement under applicable copyright law, except executing it on a
95    computer or modifying a private copy.  Propagation includes copying,
96    distribution (with or without modification), making available to the
97    public, and in some countries other activities as well.
98
99      To "convey" a work means any kind of propagation that enables other
100   parties to make or receive copies.  Mere interaction with a user through
101   a computer network, with no transfer of a copy, is not conveying.
102
103     An interactive user interface displays "Appropriate Legal Notices"
104   to the extent that it includes a convenient and prominently visible
105   feature that (1) displays an appropriate copyright notice, and (2)
106   tells the user that there is no warranty for the work (except to the
107   extent that warranties are provided), that licensees may convey the
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108   work under this License, and how to view a copy of this License. If
109   the interface presents a list of user commands or options, such as a
110   menu, a prominent item in the list meets this criterion.
111
112   1. Source Code.
113
114   The "source code" for a work means the preferred form of the work
115   for making modifications to it. "Object code" means any non-source
116   form of a work.
117
118   A "Standard Interface" means an interface that either is an official
119   standard defined by a recognized standards body, or, in the case of
120   interfaces specified for a particular programming language, one that
121   is widely used among developers working in that language.
122
123   The "System Libraries" of an executable work include anything, other
124   than the work as a whole, that (a) is included in the normal form of
125   packaging a Major Component, but which is not part of that Major
126   Component, and (b) serves only to enable use of the work with that
127   Major Component, or to implement a Standard Interface for which an
128   implementation is available to the public in source code form. A
129   "Major Component", in this context, means a major essential component
130   (kernel, window system, and so on) of the specific operating system
131   (if any) on which the executable work runs, or a compiler used to
132   produce the work, or an object code interpreter used to run it.
133
134   The "Corresponding Source" for a work in object code form means all
135   the source code needed to generate, install, and (for an executable
136   work) run the object code and to modify the work, including scripts to
137   control those activities. However, it does not include the work's
138   System Libraries, or general-purpose tools or generally available free
139   programs which are used unmodified in performing those activities but
140   which are not part of the work. For example, Corresponding Source
141   includes interface definition files associated with source files for
142   the work, and the source code for shared libraries and dynamically
143   linked subprograms that the work is specifically designed to require,

144   such as by intimate data communication or control flow between those
145   subprograms and other parts of the work.

146

147   The Corresponding Source need not include anything that users
148   can regenerate automatically from other parts of the Corresponding
149   Source.

150

151   The Corresponding Source for a work in source code form is that
152   same work.

153

154   2. Basic Permissions.

155

156   All rights granted under this License are granted for the term of
157   copyright on the Program, and are irrevocable provided the stated
158   conditions are met. This License explicitly affirms your unlimited
159   permission to run the unmodified Program. The output from running a
160   covered work is covered by this License only if the output, given its
161   content, constitutes a covered work. This License acknowledges your
162   rights of fair use or other equivalent, as provided by copyright law.

163

164   You may make, run and propagate covered works that you do not
165   convey, without conditions so long as your license otherwise remains
166   in force. You may convey covered works to others for the sole purpose
167   of having them make modifications exclusively for you, or provide you
168   with facilities for running those works, provided that you comply with
169   the terms of this License in conveying all material for which you do
170   not control copyright. Those thus making or running the covered works
171   for you must do so exclusively on your behalf, under your direction
172   and control, on terms that prohibit them from making any copies of
173   your copyrighted material outside their relationship with you.

174

175   Conveying under any other circumstances is permitted solely under
176   the conditions stated below. Sublicensing is not allowed; section 10
177   makes it unnecessary.

178

179   3. Protecting Users' Legal Rights From Anti-Circumvention Law.

180
181   No covered work shall be deemed part of an effective technological
182   measure under any applicable law fulfilling obligations under article
183   11 of the WIPO copyright treaty adopted on 20 December 1996, or
184   similar laws prohibiting or restricting circumvention of such
185   measures.
186
187   When you convey a covered work, you waive any legal power to forbid
188   circumvention of technological measures to the extent such circumvention
189   is effected by exercising rights under this License with respect to
190   the covered work, and you disclaim any intention to limit operation or
191   modification of the work as a means of enforcing, against the work's
192   users, your or third parties' legal rights to forbid circumvention of
193   technological measures.
194
195   4. Conveying Verbatim Copies.
196
197   You may convey verbatim copies of the Program's source code as you
198   receive it, in any medium, provided that you conspicuously and
199   appropriately publish on each copy an appropriate copyright notice;
200   keep intact all notices stating that this License and any
201   non-permissive terms added in accord with section 7 apply to the code;
202   keep intact all notices of the absence of any warranty; and give all
203   recipients a copy of this License along with the Program.
204
205   You may charge any price or no price for each copy that you convey,
206   and you may offer support or warranty protection for a fee.
207
208   5. Conveying Modified Source Versions.
209
210   You may convey a work based on the Program, or the modifications to
211   produce it from the Program, in the form of source code under the
212   terms of section 4, provided that you also meet all of these conditions:
213
214   a) The work must carry prominent notices stating that you modified
215   it, and giving a relevant date.

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216
217        b) The work must carry prominent notices stating that it is
218        released under this License and any conditions added under section
219        7.  This requirement modifies the requirement in section 4 to
220        "keep intact all notices".
221
222        c) You must license the entire work, as a whole, under this
223        License to anyone who comes into possession of a copy.  This
224        License will therefore apply, along with any applicable section 7
225        additional terms, to the whole of the work, and all its parts,
226        regardless of how they are packaged.  This License gives no
227        permission to license the work in any other way, but it does not
228        invalidate such permission if you have separately received it.
229
230        d) If the work has interactive user interfaces, each must display
231        Appropriate Legal Notices; however, if the Program has interactive
232        interfaces that do not display Appropriate Legal Notices, your
233        work need not make them do so.
234
235      A compilation of a covered work with other separate and independent
236    works, which are not by their nature extensions of the covered work,
237    and which are not combined with it such as to form a larger program,
238    in or on a volume of a storage or distribution medium, is called an
239    "aggregate" if the compilation and its resulting copyright are not
240    used to limit the access or legal rights of the compilation's users
241    beyond what the individual works permit.  Inclusion of a covered work
242    in an aggregate does not cause this License to apply to the other
243    parts of the aggregate.
244
245      6. Conveying Non-Source Forms.
246
247      You may convey a covered work in object code form under the terms
248    of sections 4 and 5, provided that you also convey the
249    machine-readable Corresponding Source under the terms of this License,
250    in one of these ways:
251
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252        a) Convey the object code in, or embodied in, a physical product
253        (including a physical distribution medium), accompanied by the
254        Corresponding Source fixed on a durable physical medium
255        customarily used for software interchange.
256
257        b) Convey the object code in, or embodied in, a physical product
258        (including a physical distribution medium), accompanied by a
259        written offer, valid for at least three years and valid for as
260        long as you offer spare parts or customer support for that product
261        model, to give anyone who possesses the object code either (1) a
262        copy of the Corresponding Source for all the software in the
263        product that is covered by this License, on a durable physical
264        medium customarily used for software interchange, for a price no
265        more than your reasonable cost of physically performing this
266        conveying of source, or (2) access to copy the
267        Corresponding Source from a network server at no charge.
268
269        c) Convey individual copies of the object code with a copy of the
270        written offer to provide the Corresponding Source.  This
271        alternative is allowed only occasionally and noncommercially, and
272        only if you received the object code with such an offer, in accord
273        with subsection 6b.
274
275        d) Convey the object code by offering access from a designated
276        place (gratis or for a charge), and offer equivalent access to the
277        Corresponding Source in the same way through the same place at no
278        further charge.  You need not require recipients to copy the
279        Corresponding Source along with the object code.  If the place to
280        copy the object code is a network server, the Corresponding Source
281        may be on a different server (operated by you or a third party)
282        that supports equivalent copying facilities, provided you maintain
283        clear directions next to the object code saying where to find the
284        Corresponding Source.  Regardless of what server hosts the
285        Corresponding Source, you remain obligated to ensure that it is
286        available for as long as needed to satisfy these requirements.
287
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288        e) Convey the object code using peer-to-peer transmission, provided
289        you inform other peers where the object code and Corresponding
290        Source of the work are being offered to the general public at no
291        charge under subsection 6d.
292
293     A separable portion of the object code, whose source code is excluded
294   from the Corresponding Source as a System Library, need not be
295   included in conveying the object code work.
296
297     A "User Product" is either (1) a "consumer product", which means any
298   tangible personal property which is normally used for personal, family,
299   or household purposes, or (2) anything designed or sold for incorporation
300   into a dwelling.  In determining whether a product is a consumer product,
301   doubtful cases shall be resolved in favor of coverage.  For a particular
302   product received by a particular user, "normally used" refers to a
303   typical or common use of that class of product, regardless of the status
304   of the particular user or of the way in which the particular user
305   actually uses, or expects or is expected to use, the product.  A product
306   is a consumer product regardless of whether the product has substantial
307   commercial, industrial or non-consumer uses, unless such uses represent
308   the only significant mode of use of the product.
309
310     "Installation Information" for a User Product means any methods,
311   procedures, authorization keys, or other information required to install
312   and execute modified versions of a covered work in that User Product from
313   a modified version of its Corresponding Source.  The information must
314   suffice to ensure that the continued functioning of the modified object
315   code is in no case prevented or interfered with solely because
316   modification has been made.
317
318     If you convey an object code work under this section in, or with, or
319   specifically for use in, a User Product, and the conveying occurs as
320   part of a transaction in which the right of possession and use of the
321   User Product is transferred to the recipient in perpetuity or for a
322   fixed term (regardless of how the transaction is characterized), the
323   Corresponding Source conveyed under this section must be accompanied
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324   by the Installation Information.  But this requirement does not apply
325   if neither you nor any third party retains the ability to install
326   modified object code on the User Product (for example, the work has
327   been installed in ROM).
328
329     The requirement to provide Installation Information does not include a
330   requirement to continue to provide support service, warranty, or updates
331   for a work that has been modified or installed by the recipient, or for
332   the User Product in which it has been modified or installed.  Access to a
333   network may be denied when the modification itself materially and
334   adversely affects the operation of the network or violates the rules and
335   protocols for communication across the network.
336
337     Corresponding Source conveyed, and Installation Information provided,
338   in accord with this section must be in a format that is publicly
339   documented (and with an implementation available to the public in
340   source code form), and must require no special password or key for
341   unpacking, reading or copying.
342
343     7. Additional Terms.
344
345     "Additional permissions" are terms that supplement the terms of this
346   License by making exceptions from one or more of its conditions.
347   Additional permissions that are applicable to the entire Program shall
348   be treated as though they were included in this License, to the extent
349   that they are valid under applicable law.  If additional permissions
350   apply only to part of the Program, that part may be used separately
351   under those permissions, but the entire Program remains governed by
352   this License without regard to the additional permissions.
353
354     When you convey a copy of a covered work, you may at your option
355   remove any additional permissions from that copy, or from any part of
356   it.  (Additional permissions may be written to require their own
357   removal in certain cases when you modify the work.)  You may place
358   additional permissions on material, added by you to a covered work,
359   for which you have or can give appropriate copyright permission.
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360
361      Notwithstanding any other provision of this License, for material you
362    add to a covered work, you may (if authorized by the copyright holders of
363    that material) supplement the terms of this License with terms:
364
365        a) Disclaiming warranty or limiting liability differently from the
366        terms of sections 15 and 16 of this License; or
367
368        b) Requiring preservation of specified reasonable legal notices or
369        author attributions in that material or in the Appropriate Legal
370        Notices displayed by works containing it; or
371
372        c) Prohibiting misrepresentation of the origin of that material, or
373        requiring that modified versions of such material be marked in
374        reasonable ways as different from the original version; or
375
376        d) Limiting the use for publicity purposes of names of licensors or
377        authors of the material; or
378
379        e) Declining to grant rights under trademark law for use of some
380        trade names, trademarks, or service marks; or
381
382        f) Requiring indemnification of licensors and authors of that
383        material by anyone who conveys the material (or modified versions of
384        it) with contractual assumptions of liability to the recipient, for
385        any liability that these contractual assumptions directly impose on
386        those licensors and authors.
387
388      All other non-permissive additional terms are considered "further
389    restrictions" within the meaning of section 10.  If the Program as you
390    received it, or any part of it, contains a notice stating that it is
391    governed by this License along with a term that is a further
392    restriction, you may remove that term.  If a license document contains
393    a further restriction but permits relicensing or conveying under this
394    License, you may add to a covered work material governed by the terms
395    of that license document, provided that the further restriction does
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396    not survive such relicensing or conveying.

397

398      If you add terms to a covered work in accord with this section, you

399    must place, in the relevant source files, a statement of the

400    additional terms that apply to those files, or a notice indicating

401    where to find the applicable terms.

402

403      Additional terms, permissive or non-permissive, may be stated in the

404    form of a separately written license, or stated as exceptions;

405    the above requirements apply either way.

406

407      8. Termination.

408

409      You may not propagate or modify a covered work except as expressly

410    provided under this License.  Any attempt otherwise to propagate or

411    modify it is void, and will automatically terminate your rights under

412    this License (including any patent licenses granted under the third

413    paragraph of section 11).

414

415      However, if you cease all violation of this License, then your

416    license from a particular copyright holder is reinstated (a)

417    provisionally, unless and until the copyright holder explicitly and

418    finally terminates your license, and (b) permanently, if the copyright

419    holder fails to notify you of the violation by some reasonable means

420    prior to 60 days after the cessation.

421

422      Moreover, your license from a particular copyright holder is

423    reinstated permanently if the copyright holder notifies you of the

424    violation by some reasonable means, this is the first time you have

425    received notice of violation of this License (for any work) from that

426    copyright holder, and you cure the violation prior to 30 days after

427    your receipt of the notice.

428

429      Termination of your rights under this section does not terminate the

430    licenses of parties who have received copies or rights from you under

431    this License.  If your rights have been terminated and not permanently
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432    reinstated, you do not qualify to receive new licenses for the same
433    material under section 10.
434
435      9. Acceptance Not Required for Having Copies.
436
437      You are not required to accept this License in order to receive or
438    run a copy of the Program.  Ancillary propagation of a covered work
439    occurring solely as a consequence of using peer-to-peer transmission
440    to receive a copy likewise does not require acceptance.  However,
441    nothing other than this License grants you permission to propagate or
442    modify any covered work.  These actions infringe copyright if you do
443    not accept this License.  Therefore, by modifying or propagating a
444    covered work, you indicate your acceptance of this License to do so.
445
446      10. Automatic Licensing of Downstream Recipients.
447
448      Each time you convey a covered work, the recipient automatically
449    receives a license from the original licensors, to run, modify and
450    propagate that work, subject to this License.  You are not responsible
451    for enforcing compliance by third parties with this License.
452
453      An "entity transaction" is a transaction transferring control of an
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459    give under the previous paragraph, plus a right to possession of the
460    Corresponding Source of the work from the predecessor in interest, if
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613

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618    Program, unless a warranty or assumption of liability accompanies a

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620

621                    END OF TERMS AND CONDITIONS

622

623            How to Apply These Terms to Your New Programs

624

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626    possible use to the public, the best way to achieve this is to make it

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628

629      To do so, attach the following notices to the program.  It is safest

630    to attach them to the start of each source file to most effectively

631    state the exclusion of warranty; and each file should have at least

632    the "copyright" line and a pointer to where the full notice is found.

633

634        <one line to give the program's name and a brief idea of what it does.>

635        Copyright (C) <year>  <name of author>

636

637        This program is free software: you can redistribute it and/or modify

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```
648          along with this program.  If not, see <http://www.gnu.org/licenses/>.

649

650    Also add information on how to contact you by electronic and paper mail.

651

652      If the program does terminal interaction, make it output a short

653    notice like this when it starts in an interactive mode:

654

655          <program>  Copyright (C) <year>  <name of author>

656          This program comes with ABSOLUTELY NO WARRANTY; for details type `show w'.

657          This is free software, and you are welcome to redistribute it

658          under certain conditions; type `show c' for details.

659

660    The hypothetical commands `show w' and `show c' should show the appropriate

661    parts of the General Public License.  Of course, your program's commands

662    might be different; for a GUI interface, you would use an "about box".

663

664      You should also get your employer (if you work as a programmer) or school,

665    if any, to sign a "copyright disclaimer" for the program, if necessary.

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