

Settlement Agreement

is based upon Section 1746, subsection 2 of Act No. 89/2012 Coll., Czech Civil Code,
and is concluded between:

Institute of Analytical Chemistry of the Czech Academy of Sciences, v. v. i., located at Veverří 967/97,
602 00 Brno, Czech Republic;

- „Institution “–

Roche Sequencing Solution. Inc., located at 4300 Hacienda Drive, Pleasanton, CA 94588

- „Sponsor “–

(hereinafter, jointly or individually, referred to as “Parties” or “Party”)

relating to the Sponsored Research Agreement effective as of November 14, 2016

(hereinafter the “Agreement”)

I.

Background

1. On 14st November 2016, the Parties concluded the Sponsored Research Agreement defining that the Sponsor and Institution are interested in collaborating to perform certain research related to enhanced nucleic acid sample preparation protocols (the Project). The Sponsored Research Agreement has 4 Amendments to the Sponsored Research Agreement effective as of February 19, 2018, of February 13, 2019, of December 31, 2019, and December 11, 2020.
2. The Institution is the obliged entity for publication in the Register of Contracts according to the Sponsored Research Agreement and is obliged to publish the concluded Sponsored Research Agreement and the Amendments in accordance with the procedure set out in Act No. 340/2015 Coll., the Act on the Register of Contracts, as amended.
3. The Parties are aware that the Sponsored Research Agreement and Amendments were not published in the Register of Contracts at the time of its conclusion.
4. In order to regulate the mutual rights and obligations arising from the originally negotiated Sponsored Research Agreement and Amendments; in view of the fact that the Parties have acted with the knowledge that the concluded Sponsored Research Agreement and Amendments are binding and have fulfilled what they have mutually agreed in accordance with its content, and in an effort to remedy the situation resulting from the non-publication of the Sponsored Research Agreement and Amendments in the Register of Contracts, the Parties negotiate this Sponsored Research Agreement and Amendments in the wording as set out below.

II.

Rights and Obligations of the Parties

1. The Parties hereby mutually confirm that the content of the mutual rights and obligations, which they hereby renegotiate, is fully and completely expressed in the text of the originally negotiated contract, which forms an annex to this Agreement for these purposes. The time limits shall also be governed by the original contract.
2. The Parties declare that they consider all mutual performance under the originally agreed contract have been finished under this contract and that they shall not make claims against each other for unjust enrichment in respect of the mutual performance.
3. The Institution which is the obliged entity for publication in the Register of Contracts pursuant to the Sponsored Research Agreement hereby undertakes to the other Parties to publish this Agreement and its complete Annexes in the Register of Contracts without delay in accordance with the provisions of Section 5 of the Act on the Register of Contracts.

III.

Final Provisions

1. This Agreement on the Settlement of Obligations and Unjust Enrichment shall enter into force on the date of its publication in the Register of Contracts.
2. This Agreement shall be drawn up in two copies, each with the value of an original, each of the Parties receiving one copy.

Annex

- No. 1 – The Sponsored Research Agreement concluded on 5st December 2016
- No. 2 - Amendment 1 to The Sponsored Research Agreement concluded on 19st February 2018
- No. 3 - Amendment 2 to The Sponsored Research Agreement concluded on 13st February 2019
- No. 4 - Amendment 3 to The Sponsored Research Agreement concluded on 31st December 2019
- No. 5 - Amendment 4 to The Sponsored Research Agreement concluded on 11st December 2020

IV.

Signatures

AS WITNESS:

The Parties signed the Settlement Agreement by the authorized representatives on the below-indicated days and year.

1. Institute of Analytical Chemistry of the Czech Academy of Sciences, v.v.i.

Signature: 
Name: Ing. Frantisek Foret, DSc.
Title: Director
Date: 27 December 2022

2. ROCHE SQUENCING SOLUTIONS, INC.

Signature:
Name:
Title:
Date:

 DS
JR