

AMENDMENT N. 1 TO THE CONSORTIUM AGREEMENT

THIS AMENDMENT TO THE CONSORTIUM AGREEMENT OF 29 SEPTEMBER 2022 is concluded pursuant to Section 1746(2) of Act No. 89/2012 Coll., the Civil Code, as amended (this Amendment is hereinafter referred to as the "Amendment") and is entered into by and between:

INTEMAC SOLUTIONS, s.r.o. (INTEMAC), IČO 02277387, PIC 934182460, established in Blanenská 1288/27, Kuřim 664 34, Czechia, the Coordinator

JIC, ZÁJMOVÉ SDRUŽENÍ PRÁVNICKÝH OSOB (JIC), IČO 71180478, PIC 999780262, Purkyňova 649/127, Brno - Medlánky 61200, Czechia

VYSOKÉ UČENÍ TECHNICKÉ V BRNĚ (BUT), IČO 00216305, PIC 999873091, established in Antonínská 548/1, Brno-střed 601 90, Czechia,

EFFECTIVITY s.r.o. (Effectivity), IČO 09110151, PIC 887659611, established in Hlubočany 160, Vyškov 682 01, Czechia

hereinafter, jointly or individually, referred to as "Parties" or "Party"

relating to the Action entitled

EDIH-DIGIMAT: Flexible Manufacturing Systems Using Artificial Intelligence

in short

EDIH-DIGIMAT

hereinafter referred to as "Project"

WHEREAS:

The Parties received a grant under the Digital Europe Programme presented by the European Commission for the Project. Following successful participation in the Digital Europe Programme, the Parties were granted a subsidy for the Project by the Czech Ministry of Industry and Trade by its Decision of 2 August 2023 (hereinafter as the "Decision") under the National open calls for projects supported by the European Commission under the Digital Europe Programme.

Within the framework of the Project execution, the Parties provide subsidies to small and medium-sized enterprises. In such cases, the Parties are in the position of a small-scale subsidy provider within the meaning of Section 2(d) of Act No. 215/2004 Coll. on the regulation of certain relations in the field of public aid and on the amendment of the Act on support for research and development, as amended.

Since all the small-scaled subsidies are to be recorded in the Central Register of Small-Scale Subsidy maintained by the Czech competition authority (hereinafter referred to as the "Central Register"), according to the Decision the Coordinator, who is the beneficiary of the subsidy from Czech Ministry of Industry and Trade, is obliged to record information on the small-scale subsidy granted and its recipient to the Central Register within 5 working days upon providing a small-scale subsidy.

The Parties wish to set out and clarify their obligations in relation to the data entry to the Central Register so that each Party is responsible for the entries of the small-scale subsidies provided by themselves, and that one Party can enter the Central Register on behalf of others regarding the small-scale subsidies provided by more Parties together.

NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:

The following text, indicated in italics, is newly inserted into Chapter 4. Responsibilities of Parties of the CONSORTIUM AGREEMENT as a clause 4.5:

4.5. Responsibilities concerning Entry to Central Register of Small-Scale Subsidies

Within the execution of the Project, each Party is obliged to enter into the Central Register of Small-Scale Subsidies data on subsidies granted by itself to the extent and under the conditions set out in Section 3a(4) of Act No. 215/2004 Coll., on the regulation of certain relations in the field of public aid and on amending the Act on Support for Research and Development, as amended. In particular, the Parties are obliged to record in the Central Register of Small-Scale Subsidies the data on the subsidy granted by them and its beneficiary, within 5 working days of granting the subsidy. This obligation is explicitly transferred to the Parties by the Coordinator.

The Parties shall record the data in the Central Register of Small-Scale Subsidies in a proper and timely manner, failing which the Parties shall be obliged to pay any penalties related to the incorrect entry in the Central Register of Small-Scale Subsidies.

If more than one Party provides a subsidy together, or Parties otherwise cooperate in the provision of services within the framework of the Project, they may delegate one of the Parties to enter the Central Register of Small-Scale Subsidies on their behalf. Each Party is authorized by the other Parties for this purpose.

This clause 4.5 is effective as of 3 August 2023.

The following text, indicated in italics, is newly changed, and inserted into Chapter 11. Miscellaneous of the CONSORTIUM AGREEMENT:

11.6 Language

This Consortium Agreement is drawn up in English, which language shall govern all documents, notices, meetings, arbitral proceedings, and processes relative to that. For all the mentioned documents and activities Czech language can be used too. Hereby English and Czech are established as the official languages of the Consortium.

This clause 11.6. is effective as of 1 January 2023.

All other provisions of the CONSORTIUM AGREEMENT remain in force. In the event of any conflict between the terms of this Amendment and the terms of the CONSORTIUM AGREEMENT, the terms of this Amendment shall prevail.

This Amendment has been drawn up in 5 counterparts with the force of an original. Each Party shall receive one counterpart, one counterpart is for the purpose of entry in the Register of Contracts.

SIGNATURE PAGE:

In Kuřim, on _____

In _____, on _____

Intemac Solutions, s.r.o.
Ing. Jiří Tomíček, Chief Executive Officer

Effectivity s.r.o.
Ing. Gabriela Kopřivová, Chief Executive Officer

In _____, on _____

In _____, on _____

Vysoké učení technické v Brně
doc. Ing. Ladislav Janíček, Ph.D., MBA, LL.M., rector

JIC, zájmové sdružení právnických osob
Mgr. Petr Chládek, Chief Executive Officer