

DASSAULT SYSTEMES OFFERING SPECIFIC TERMS (OST) FOR SIMULIA Simpack Release 2022 LICENSED PROGRAMS ADDITIONAL TERMS #1

These additional terms #1 supplement the Offering Specific Terms for SIMULIA Simpack Release 2022 Licensed Programs and are an integral part of such Offering Specific Terms. Except as expressly supplemented by these additional terms #1, all terms and conditions of the Offering Specific Terms for SIMULIA Simpack Release 2022 Licensed Programs shall remain in full force and effect.

The Offering Specific Terms for SIMULIA Simpack Release 2022 Licensed Programs together with these additional terms #1 (OST) and the terms incorporated herein by reference (including terms referenced on a website) are an integral part of the license and online services agreement between DS and Customer ("Agreement"), which refers to this OST. In the event of a discrepancy, inconsistency or contradiction between this OST and the other terms of the Agreement, the provisions of this OST shall prevail, but only with respect to the Licensed Programs to which this OST applies. Customer acknowledges that it has full knowledge of all the terms of this OST and those incorporated herein by reference.

5. DEFINITIONS

5.1 GENERAL DEFINITIONS

The following provisions supersede those of the corresponding section of the Offering Specific Terms for SIMULIA Simpack Release 2022 Licensed Programs:

Machine means a device on which a DS Offering is executed and which is either (1) (i) (a) belonging to Customer or under its sole control or supervision and (b) located on Customer's premises or according to Teleworking conditions, or (ii) authorized by Customer according to its own information technology charter or equivalent whereby third party devices (such as Users own devices) are specifically authorized, or (2) operated by a third party service provider as specifically authorized in the Agreement solely for and on behalf of Customer.