

DASSAULT SYSTEMES THIRD PARTY TERMS (TPT) FOR SIMULIA PowerFLOW Suite Release PowerFLOW 5.5 LICENSED PROGRAMS

1. OPEN SOURCE COMPONENTS

The Licensed Programs may include open source components. Whenever notices (such as acknowledgment, copies of licenses or attribution notice) are required by the original licensor, such notices are included in the Documentation or Program Directory (PDir) or Help or About of the Licensed Programs.

Moreover, some open source components may not be distributed and licensed under the terms of the Agreement but under the terms of their original licenses as set forth in the Documentation or Program Directory (PDir) or Help or About of the Licensed Programs themselves.

Source code for open source software components is available upon request. Except for components mentioned in the section EXCLUSIONS below, the warranty and indemnification provided by DS under the Agreement apply to all open source software components and shall be provided by DS and not by the original licensor, but only for the use of the Licensed Programs that is in compliance with the terms of the Agreement, and in conjunction with the Licensed Programs. The original licensors of said open source software components provide them on an "as is" basis and without any liability whatsoever to Customer (or Licensee).

2. ADDITIONAL THIRD PARTY TERMS

The following terms apply in addition to the Agreement:

IBM MPI – IBM Platform MPI Community Edition is licensed to end users under the terms and conditions of the International License Agreement Non-Warranted Programs and associated License Information documents that accompany the program and located at www.ibm.com/software/sla.

Oracle JavaSE and JavaFX - Use of the Commercial Features for any commercial or production purpose requires a separate license from Oracle. "Commercial Features" means those features that are identified as such in the Licensing Information User Manual – Oracle Java SE and Oracle Java Embedded Products Document, accessible at <http://www.oracle.com/technetwork/java/javase/documentation/index.html>, under the "Description of Product Editions and Permitted Features" section.

3. EXCLUSIONS

The warranty and indemnification provided by DS under the Agreement are not applicable to open source software components listed hereunder:

NONE