

DASSAULT SYSTEMES THIRD PARTY TERMS (TPT) FOR Proxem™ Studio Release 2021 ONLINE SERVICES

1. OPEN SOURCE COMPONENTS

The Online Services 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 of the Online Services.

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 of the Online Services 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 Online Services that is in compliance with the terms of the Agreement, and in conjunction with the Online Services. The original licensors of said open source software components provide them on an “as is” basis and without any liability whatsoever to Customer.

2. ADDITIONAL THIRD PARTY TERMS

The following terms apply in addition to the Agreement:

Azure services (including Translator):

- Microsoft and DS disclaim any and all warranties in connection with Azure services.
- Microsoft and DS disclaim liability and exclude damages in a way that is consistent with the provisions of any applicable agreement between Customer and Microsoft.
- Azure Services are not designed or intended to support any use in which a service interruption, defect, error, or other failure of one of the Azure Services could result in the death or serious bodily injury of any person or in physical or environmental damage (collectively, “High-Risk Use”). Customer shall not use Azure Services for High-Risk Use.

3. EXCLUSIONS

The warranty and indemnification provided by DS under the Agreement are not applicable to services listed hereunder:

- Azure services (including Translator)