

DASSAULT SYSTEMES THIRD PARTY SOFTWARE TERMS (TPST) FOR Quintiq Release 5.5 LICENSED PROGRAMS

1. OPEN SOURCE SOFTWARE

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

Moreover, some 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 About Box of the Licensed Programs themselves. Source code for these components is available upon request

Except for components mentioned in the section "EXCLUSIONS" below, the warranty, indemnification and Support Services provided by DS under the Agreement apply to all such 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 SOFTWARE TERMS

The following terms apply in addition to the Agreement:

NONE

3. EXCLUSIONS

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

NONE

Notwithstanding the paragraph immediately above, the Support Services provided by DS under the Agreement are not applicable to the DS Offerings which contain the word "Maps" in their name. However, periodic updates of such DS Offerings may be provided by DS if available.