

ORGANISATION EUROPEENNE POUR LA RECHERCHE NUCLEAIRE EUROPEAN ORGANIZATION FOR NUCLEAR RESEARCH

Laboratoire Européen pour la Physique des Particules European Laboratory for Particle Physics

> Telephone: +41 (22) 76 78104 Fax: +41 (22) 76 73540 E-mail: Giovanni.Anelli@cern.ch

R&D License

Dear User,

With respect to your purchase order for GEM foils from CERN, please find below the conditions which apply to the use of such foils. These conditions are defined on the basis of two existing patents covering the use of GEM foils as radiation detectors, namely: Compteurs A Trou (CAT) (US 5 742 061) owned by the Centre National de la Recherche Scientifique (CNRS, Paris, FR), for which CERN has been granted a sub-licensable license by CNRS, and Gas Electron Multiplier (GEM) (WO1998EP06569) owned by the European Organization for Nuclear Research (CERN, Geneva, CH).

- CERN herewith grants you a non-exclusive non-sublicensable royalty-free license to the two abovereferenced patents, subject to the conditions stated hereunder;
- The scope of the license is limited to the use of the GEM foils, by you for your internal R&D purposes in the field of detection only. This specifically excludes any use outside this domain, or any exploitation, including commercialisation, of the GEM foils or product containing or derived from the GEM foils;
- If you wish to extend this license to other activities, such extension may be provided by CERN under such conditions as may be agreed. Such conditions may include payment of royalties, as the case may be;
- You shall use the GEM foils in accordance with best practice and professional standards and only
 within the scope as defined above. This excludes the use of the GEM foils for military applications;
- The GEM foils are licensed on an "as-is" basis, and CERN and CNRS do not provide any express or implied warranties of any kind concerning the same and the above license, including but not limited to non-infringement of rights of third parties, merchantability or fitness for a particular purpose. CERN and CNRS do not accept any liability whatsoever with regard thereto and you shall hold CERN and CNRS free and harmless from any liability arising in connection with your use of the GEM foils;
- In the event of a breach of the license conditions, the license shall terminate automatically and your right to use the GEM foils in the field of the patents under this license shall lapse, without any liability to CERN or to CNRS and without prejudice to such other actions as CERN or CNRS may wish to pursue.

Through your purchase order, you are deemed to have accepted these license conditions (which have been made available on the website - http://cern.ch/gem) in full, and nothing to the contrary in your purchase order prevails over such license conditions. Should you require a more extensive use of the GEM foils, please send me an email stating your envisaged use for the GEM foils.

Sincerely yours,

Giovanni Anelli Head of Knowledge Transfer

yin Oll.

Save Date: 07.08.12 v6