SIEMENS

SIMATIC NET

Lizenzbedingungen / License Conditions

Produkte / Products:

    SCALANCE S602, S612, S623 V3.1

    CP 1628

    CP 343-1 Advanced

    CP 443-1 Advanced

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Allgemeine Bedingungen zur Überlassung von Software für Automatisierungs- und Antriebstechnik

1. Überlassung der Software an Lizenznehmer und Einräumung von Nutzungsrechten an der Software

1.1 Für die Überlassung von Software für Automatisierungs- und Antriebstechnik durch uns an den Lizenznehmer gelten ausschließlich diese Allgemeinen Bedingungen. Allgemeine Geschäftsbedingungen des Lizenznehmers gelten nur insoweit, als wir ihnen ausdrücklich schriftlich zugestimmt haben. Für den Umfang der Überlassung der Software sind die beiderseitigen übereinstimmenden schriftlichen Erklärungen maßgebend. Wir räumen dem Lizenznehmer Nutzungsrechte an der in der Auftragsbestätigung oder - falls der Lizenznehmer keine Auftragsbestätigung erhält - an der im Certificate of License oder - falls der Lizenznehmer anstelle des Certificate of License einen Softwareproduktschein erhält - an der im Softwareproduktschein genannten Software (nachfolgend "SW" genannt) ein. Das Certificate of License und der Softwareproduktschein werden nachfolgend zusammenfassend "CoL" genannt. Der Lizenznehmer erhält das CoL mit der Überlassung der SW bzw. des Lieferscheins. Die Form der Überlassung der SW ergibt sich ebenfalls direkt aus der Auftragsbestätigung oder aus der in der Auftragsbestätigung enthaltenen Bestellnummer der SW in Verbindung mit den dazugehörigen Bestelldaten unseres zum Zeitpunkt der Auftragsbestätigung gültigen Katalogs (nachfolgend zusammenfassend "Auftragsdaten" genannt) bzw. aus dem CoL. Erhält der Lizenznehmer keinen Datenträger, ist er berechtigt, die bei ihm bereits vorhandene SW in dem zur Ausübung der ihm eingeräumten Nutzungsrechte erforderlichen Umfang zu vervielfältigen. Dies gilt entsprechend bei elektronischer Überlassung der SW (downloading). Soweit in diesen Allgemeinen Bedingungen auf die Auftragsdaten bzw. das CoL verwiesen wird, ist der Verweis auf das CoL dann von Bedeutung, wenn der Lizenznehmer keine Auftragsbestätigung erhält. In jedem Fall sind die in den Auftragsdaten enthaltenen Daten auch im CoL enthalten.

1.2 Die zu der SW gehörende Dokumentation (nachfolgend "Dokumentation" genannt) ist getrennt zu erwerben, es sei denn, es ergibt sich aus den Auftragsdaten bzw. dem CoL, dass diese zum Lieferumfang gehört. Ist der Lizenznehmer nach Ziffer 1.1 zum Vervielfältigen der SW berechtigt, so gilt dies entsprechend für die Dokumentation, soweit diese zum Lieferumfang gehört.

1.3 Erhält der Lizenznehmer von uns für die SW einen License Key, der zur technischen Freischaltung der SW dient (nachfolgend "License Key" genannt), so ist dieser mit zu installieren.

1.4 Die dem Lizenznehmer an der SW eingeräumten Rechte ergeben sich aus dem Lizenz-Typ (siehe Abschnitt 2) und dem Software-Typ (siehe Abschnitt 3). Lizenz-Typ und Software-Typ ergeben sich aus den Auftragsdaten bzw. aus dem CoL. Erfolgt die Überlassung der SW elektronisch oder durch die Einräumung von Vervielfältigungsrechten, beziehen sich die in diesen Allgemeinen Bedingungen genannten Rechte und Pflichten auf die rechtmäßig erstellten Kopien.

1.5 Ist der Lizenznehmer berechtigt im Besitz einer früheren Version/Release der SW (nachfolgend "Frühere Version" genannt), hat der Lizenznehmer das Recht, die an der SW eingeräumten Nutzungsrechte nach seiner Wahl entweder an der SW oder - soweit dies technisch vorgesehen ist - an der Früheren Version auszüben (downgrading). Wenn die SW ein Upgrade oder PowerPack gemäß Abschnitt 4 ist, gilt ergänzend Abschnitt 4.

1.6 Ergibt sich aus den Auftragsdaten bzw. dem CoL, dass der Lizenznehmer nur den Datenträger aber keine Lizenz erhält, so ist der Lizenznehmer zur Nutzung der SW erst berechtigt, wenn er eine Lizenz entsprechend Abschnitt 2 erwirbt. Bis zum Erwerb der Lizenz ist der Lizenznehmer auch nicht zur Weitergabe der SW an Dritte berechtigt.

1.7 Soweit die SW Open Source Software (nachfolgend "OSS" genannt) enthält, ist diese in der Readme_OSS-Datei der SW aufgeführt. Der Lizenznehmer ist berechtigt, die OSS gemäß den jeweils einschlägigen, für die OSS geltenden Lizenzbedingungen zu nutzen. Diese sind auf dem Datenträger, mit dem der Lizenznehmer die SW erhält, enthalten. Für OSS gelten vorrangig vor den vorliegenden Allgemeinen Bedingungen die Lizenzbedingungen, denen die jeweilige OSS unterliegt. Soweit die Lizenzbedingungen für die OSS eine Herausgabe des Quellcodes vorsehen, werden wir diesen auf Verlangen des Lizenznehmers gegen entsprechenden Aufwendungsersatz zur Verfügung stellen.

1.8 Die SW kann Lizenzsoftware sein, d. h. Software, die nicht von uns selbst entwickelt wurde, sondern die wir von Dritten (nachfolgend "Lizenzgeber" genannt), z. B. Microsoft Licensing Inc., lizenziert bekommen haben. Erhält der Lizenznehmer in diesem Fall mit der SW Bedingungen des jeweiligen Lizenzgebers, so gelten diese im Hinblick auf die Haftung des Lizenzgebers dem Lizenznehmer gegenüber. Für die Haftung von uns dem Lizenznehmer gegenüber gelten diese Allgemeinen Bedingungen.

2. Lizenz-Typ

Je nach Lizenz-Typ werden dem Lizenznehmer an der SW die folgenden Rechte eingeräumt:

2.1 Single License (One Off License, Copy License)

Der etwaig im Softwareproduktschein verwendete Begriff One Off License oder Copy License entspricht der Single License. Die folgende Regelung gilt für die One Off License/Copy License voll umfänglich. Der Lizenznehmer erhält das nicht-ausschließliche, zeitlich unbegrenzte, gemäß Ziffer 5.3 übertragbare Recht, die SW auf einem (1) Gerät zu installieren und die so installierte SW auf die in den Auftragsdaten bzw. im CoL genannte Art (s. "Art der Nutzung") zu nutzen.

2.2 Floating License

Der Lizenznehmer erhält das nicht-ausschließliche, zeitlich unbegrenzte, gemäß Ziffer 5.3 übertragbare Recht, die SW auf beliebig vielen Geräten des Lizenznehmers zu installieren. Die Anzahl der Personen, die die SW zeitgleich benutzen dürfen ("User") ergibt sich aus den Auftragsdaten bzw. dem CoL (s. "Art der Nutzung").

2.3 Rental License

Der Lizenznehmer erhält das nicht-ausschließliche, zeitlich gemäß den Auftragsdaten bzw. dem CoL (s. "Art der Nutzung") begrenzte, gemäß Ziffer 5.3 übertragbare Recht, die SW auf einem (1) Gerät zu installieren und zu nutzen. Ist die Nutzungsdauer in Stunden angegeben, beginnt die für die Berechnung der zeitlichen Begrenzung maßgebliche Nutzung jeweils mit dem Starten und endet mit dem Schließen der SW. Ist die Nutzungsdauer in Tagen, Wochen oder Monaten angegeben, so gilt der angegebene Zeitraum - beginnend mit dem erstmaligen Starten der SW - unabhängig von der tatsächlichen Nutzung.

2.4 Trial License

Der Lizenznehmer erhält das nicht-ausschließliche, nicht-übertragbare Recht, die SW auf einem (1) Gerät zu installieren und zu Validierungszwecken auf die in den Auftragsdaten bzw. im CoL genannte Art (s. "Art der

Nutzung") zu nutzen. Die Nutzungsdauer ist auf 14 Tage - beginnend mit dem erstmaligen Starten der SW - begrenzt, es sei denn, aus den Auftragsdaten bzw. dem CoL ergibt sich eine andere Nutzungsdauer.

2.5 Factory License

Der Lizenznehmer erhält das nicht-ausschließliche, zeitlich unbegrenzte, gemäß Ziffer 5.3 übertragbare Recht, die SW in einer (1) Betriebsstätte des Lizenznehmers zu installieren und zu nutzen. Die Anzahl der Geräte, auf denen die SW gleichzeitig in dieser Betriebsstätte installiert und genutzt werden darf, ergibt sich aus den Auftragsdaten bzw. dem CoL (s. "Art der Nutzung"). Eine Betriebsstätte wird durch ihre Adresse definiert. Betriebsstätten mit unterschiedlichen Adressen sind unterschiedliche Betriebsstätten im Sinne dieser Allgemeinen Bedingungen, sofern nicht in den Auftragsdaten bzw. dem CoL etwas Anderes vereinbart ist. Der Lizenznehmer ist berechtigt, die SW zur dauerhaften Nutzung in einer anderen Betriebsstätte zu installieren, vorausgesetzt er deinstalliert die SW von allen Geräten der bisherigen Betriebsstätte und gibt die Nutzung der SW an der bisherigen Betriebsstätte komplett auf.

3. Software-Typ

Ist der Software-Typ weder in den Auftragsdaten, noch im CoL angegeben, so gelten für die SW die Rechte nach Ziffer 3.2 (Runtime Software).

3.1 Engineering Software (nachfolgend "E-SW" genannt)

Erzeugt der Lizenznehmer mit E-SW eigene Programme oder Daten, die Teile der E-SW enthalten, so hat der Lizenznehmer das lizenzgebührenfreie Recht, diese Teile der E-SW als Bestandteil seiner eigenen Programme oder Daten zu vervielfältigen, zu nutzen oder Dritten zur Nutzung zu überlassen. Bei der Überlassung an Dritte sind diesen hinsichtlich der o.g. Teile der E-SW den Ziffern 5.1. und 5.2. entsprechende Bestimmungen schriftlich aufzuerlegen.

3.2 Runtime Software (nachfolgend "R-SW" genannt)

Bindet der Lizenznehmer R-SW oder Teile davon in eigene Programme oder Daten ein, so muss der Lizenznehmer vor jeder Installation oder Vervielfältigung - je nachdem, was früher erfolgt - der eigenen Programme oder Daten, die R-SW oder Teile davon enthalten, eine Lizenz an der R-SW entsprechend der beabsichtigten Nutzungsart gemäß dem dann gültigen Siemens-Katalog erwerben. Überlässt der Lizenznehmer die genannten Programme oder Daten Dritten zur Nutzung, so sind diesen hinsichtlich der darin enthaltenen Teile der R-SW dem Abschnitt 5 entsprechende Bestimmungen schriftlich aufzuerlegen. Davon unberührt bleibt die Verpflichtung des Lizenznehmers, eine Lizenz an der R-SW zu erwerben, wenn diese im Original vervielfältigt wird. Sofern in der R-SW Tools zur Parametrierung/Konfiguration enthalten und für diese erweiterte Rechte eingeräumt sind, ergibt sich dies aus der Readme-Datei der R-SW.

4. Upgrade und PowerPack

Ergibt sich aus den Auftragsdaten bzw. dem CoL, z.B. durch den Zusatz "PowerPack" oder "Upgrade" beim Produktnamen der SW, dass die SW der Hochrüstung einer anderen Software dient (nachfolgend "Ursprungslizenz" genannt), hat der Lizenznehmer die ihm an der SW eingeräumten Rechte auch an der Ursprungslizenz, sobald diese mit dem Upgrade/ PowerPack hochgerüstet ist. Mit der Hochrüstung enden die dem Lizenznehmer an der Ursprungslizenz ursprünglich eingeräumten Nutzungsrechte. Der Lizenznehmer ist jedoch berechtigt, jederzeit die Hochrüstung - soweit dies technisch vorgesehen ist - rückgängig zu machen (downgrading) und die ihm eingeräumten Nutzungsrechte an der SW an der Ursprungslizenz in entsprechender Anwendung von Ziffer 1.5 auszuüben.

5. Weitere Rechte und Pflichten des Lizenznehmers

5.1 Wenn auf dem Datenträger oder der Readme-Datei der SW kein gegenteiliger Vermerk über eine bestimmte Anzahl von Kopien enthalten ist, darf der Lizenznehmer von jedem Exemplar der SW, zu dessen Nutzung er nach diesen Allgemeinen Bedingungen berechtigt ist, eine angemessene Anzahl von Kopien anfertigen, die ausschließlich für Datensicherungszwecke verwendet werden dürfen. Im Übrigen darf der Lizenznehmer die SW nur vervielfältigen, wenn und soweit ihm von uns schriftlich Vervielfältigungsrechte eingeräumt sind.

5.2 Der Lizenznehmer darf die SW nicht ändern, nicht zurückentwickeln oder übersetzen und er darf keine Teile herauslösen, soweit dies nicht nach den Bestimmungen des Urheberrechtsgesetzes zwingend erlaubt ist. Der Lizenznehmer darf ferner alpha-numerische Kennungen, Marken und Urheberrechtsvermerke von der SW oder dem Datenträger nicht entfernen und wird sie, soweit er zur Vervielfältigung berechtigt ist, bei dieser unverändert mit vervielfältigen. Die vorstehende Regelung gilt entsprechend für die gemäß Abschnitt 1 überlassene Dokumentation.

5.3 Der Lizenznehmer ist berechtigt, das ihm eingeräumte Nutzungsrecht auf einen Dritten zu übertragen, vorausgesetzt er trifft mit dem Dritten eine schriftliche Vereinbarung, die allen Bestimmungen dieses Abschnitts 5 entspricht und er keine Kopien der SW behält. Hat der Lizenznehmer für die SW einen License Key erhalten, so ist dieser dem Dritten zusammen mit der SW zu überlassen. Ferner ist dem Dritten das CoL zusammen mit diesen Allgemeinen Bedingungen zu übergeben. Der Lizenznehmer wird uns auf unseren Wunsch jederzeit das für die SW erhaltene CoL vorlegen.

5.4 Ist die SW ein PowerPack oder ein Upgrade, wird der Lizenznehmer das Certificate of License bzw. den Software-Produktschein der Ursprungslizenz aufbewahren und auf Wunsch von uns jederzeit zusammen mit dem CoL der SW vorlegen. Überträgt der Lizenznehmer sein Nutzungsrecht an der PowerPack SW bzw. Upgrade SW gemäß Ziffer 5.3, wird er dem Dritten auch das Certificate of License bzw. den Software-Produktschein der Ursprungslizenz übergeben.

5.5 Erhält der Lizenznehmer einen Datenträger, der neben der SW weitere Software-Produkte enthält, die zur Nutzung freigeschaltet sind, so hat er an diesen freigeschalteten Software-Produkten ein zeitlich begrenztes, unentgeltliches Recht, sie ausschließlich für Validierungszwecke zu nutzen. Die zeitliche Begrenzung beträgt 14 Tage, beginnend mit dem erstmaligen Starten des jeweiligen Software-Programms, soweit nicht, z.B. in der Readme-Datei des jeweiligen Software-Produkts, ein anderer Zeitraum genannt ist. Für diese ausschließlich zu Validierungszwecken überlassenen Software- Produkte gelten die Bestimmungen dieser Allgemeinen Bedingungen entsprechend. Der Lizenznehmer ist nicht berechtigt, diese Software-Produkte getrennt, d.h. ohne die SW an einen Dritten weiterzugeben.

Im Übrigen gelten die Bedingungen des Kaufvertrags, soweit nachfolgend für die Open Source Software nicht ausdrücklich anders geregelt.

Siemens License Conditions (english)

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General License Conditions for Software Products for Automation and Drives

1. Supply of Software to Licensee and Granting of Rights to use the Software

1.1 These General License Conditions shall exclusively apply to the delivery of Software for Automation and Drives to the Licensee. General terms and conditions of the Licensee shall apply only where expressly accepted in writing by us. The scope of delivery of the Software shall be determined by the congruent mutual written declarations of both parties. We shall grant the Licensee rights to use the software specified in the Confirmation of Order or, if the Licensee does not receive a Confirmation of Order, the software specified in the Certificate of License or that specified in the Software Product Sheet, if the Licensee is instead submitted a Software Product Sheet (hereinafter referred to as "SW"). The Certificate of License and the Software Product Sheet shall be collectively referred to as "CoL" hereinafter. The Licensee shall be submitted the CoL when the SW is supplied or in conjunction with the delivery bill. The way in which the SW is supplied is also derived directly from the Confirmation of Order or from the SW purchase order number contained in the Confirmation of Order, in conjunction with the associated order data of our catalog valid at the time of the Confirmation of Order (hereinafter collectively referred to as "Order Data"), or from the CoL. If the Licensee does not receive a data medium, it shall be authorized to copy the SW already available to it to the extent necessary to exercise the rights to use the SW granted to it. The aforesaid shall apply, mutatis mutandis, to electronic supply of the software (downloading). Where reference is made to the Order Data or the CoL in these General License Conditions, the reference to the CoL is of significance if the Licensee has not received a Confirmation of Order. In any case, the data contained in the Order Data is also contained in the CoL.

1.2 The Documentation relating to the SW (hereinafter referred to as "Documentation") shall be purchased separately, unless either the Order Data or CoL contain a stipulation stating that it belongs to the scope of delivery. If the Licensee is authorized to copy the SW in accordance with Clause 1.1, this shall also apply to the Documentation provided that it is included in the scope of delivery.

1.3 In the event that we submit a License Key to the Licensee, which unlocks the SW (hereinafter referred to as "License Key"), this License Key must also be installed.

1.4 The rights granted to the Licensee with respect to the SW are based on the License Type (see Section 2) and the Software Type (see Section 3). The license and Software Types are detailed in the Order Data or CoL. If the SW is supplied electronically or if copying rights are granted for it, the rights and duties specified in these General License Conditions shall apply to the legitimately generated copies.

1.5 If the Licensee is legitimately in possession of a previous SW version/release (hereinafter referred to as "Previous Version"), the Licensee shall be authorized to exercise the rights to use the SW granted to it either

with respect to the SW or - if this is intended from a technical point of view - to the Previous Version, at its own discretion (downgrading). If the SW is an Upgrade or PowerPack in accordance with Section 4, Section 4 shall apply additionally.

1.6 In case the Licensee obtains only the data media but no license as per the Order Data or the CoL, any use of the SW by the Licensee is subject to the acquisition of a license according to Section 2. Up to the acquisition of the license, the Licensee is not entitled to supply the SW to third parties.

1.7 Insofar as the SW contains Open Source Software (hereinafter referred to as "OSS") the OSS is listed in the Readme_OSS-file of the SW. The Licensee is entitled to use the OSS in accordance with the respective license conditions of the OSS. The license conditions are provided on the same data carrier as the SW. The license conditions of the respective OSS shall prevail these General License Conditions with respect to the OSS. If the license conditions of the OSS require the distribution of the source code of such OSS we shall provide such source code on request against payment of the shipping and handling charges.

1.8 The SW may be licensed software, i.e. software which has not been developed by us itself but which has been licensed to us by a third party (hereinafter referred to as the "Licensor"), e.g. Microsoft Licensing Inc. In the event that the Licensee is then forwarded the terms and conditions stipulated by the relevant Licensor together with the SW, such terms and conditions shall apply with respect to the Licensor's liability vis-à-vis the Licensee. Our own liability vis-à-vis the Licensee shall be governed by these General License Conditions.

2. License Type

Depending on the License Type, the Licensee shall be granted the following rights to the SW:

2.1 Single License (One Off License, Copy License)

The term "One Off License" or "Copy License" which may be used in the Software Product Sheet corresponds to the term "Single License". The following regulation shall apply to the full scope of the One Off License / Copy License. The Licensee shall be granted the non-exclusive right, transferable in accordance with Clause 5.3 and valid for an unlimited period of time, to install the SW on one (1) hardware device and to utilize the SW thus installed in the manner specified in the Order Data or CoL (see "Type of Use").

2.2 Floating License

The Licensee shall be granted the non-exclusive right, transferable in accordance with Clause 5.3 and valid for an unlimited period of time, to install the SW on any desired number of the Licensee's hardware devices. The number of persons permitted to utilize the SW at the same time ("Users") can be derived from the Order Data or CoL (see "Type of Use).

2.3 Rental License

The Licensee shall be granted the non-exclusive right, transferable in accordance with Clause 5.3 and limited in time as stipulated in the Order Data or CoL (see "Type of Use"), to install the SW on one (1) hardware device and to use it. If the period of use is specified in hours, the usage decisive for the calculation of the time limit commences with the software start-up and finishes with its shut-down. If the period of usage is specified in days, weeks or months, the specified period, which commences in conjunction with the first SW start-up, shall apply independently of the actual time of usage.

2.4 Trial License

The Licensee shall be granted the non-exclusive and non-transferable right to install the SW on one (1) hardware device and to use it for validation purposes in the manner specified in the Order Data or CoL (see "Type of Use"). The period of usage is limited to 14 days and commences with the SW start-up, unless a different period of usage is specified in the Order Data or CoL.

2.5 Factory License

The Licensee shall be granted the non-exclusive right, transferable in accordance with Clause 5.3 and valid for an unlimited period of time, to install the SW at one (1) permanent establishment and to use it. The number of hardware devices on which it is permitted to install and utilize the SW at this permanent establishment at the same time can be derived from the Order Data or CoL (see "Type of Use"). A permanent establishment is defined by its address. Permanent establishments with different addresses are different permanent establishments in the context of these General License Conditions, except when otherwise stipulated in the Order Data or CoL. The Licensee shall be entitled to install the SW at a different permanent establishment for permanent use, provided that it uninstalls the SW from all hardware devices of the previous permanent establishment and discontinues the use of the SW at the previous permanent establishment in total.

3. Software Type

If the Software Type is not specified in the Order Data or CoL, the rights specified in Clause 3.2 (Runtime Software) shall apply to the SW.

3.1 Engineering Software (hereinafter referred to as "E-SW")

In the event that the Licensee uses E-SW to generate its own programs or data containing parts of the E-SW, the Licensee shall have the right, without having to pay any license fee, to copy and to use these parts of the E-SW as a part of its own programs or data, or to supply them to third parties for use. In the event that such parts are supplied to third parties for use, these parties shall be bound in writing to comply with stipulations corresponding to those in Clauses 5.1 and 5.2 with respect to the above parts of the E-SW.

3.2 Runtime Software (hereinafter referred to as "R-SW")

If the Licensee incorporates R-SW or any parts thereof into its own programs or data, it shall purchase a license with respect to the R-SW each time it installs or copies - depending on what is done first - its own programs or data containing R-SW or parts thereof, in accordance with the relevant intended Type of Use and on the basis of the Siemens catalog valid at that time. In the event that the Licensee supplies the specified programs or data to third parties for their use, these parties shall be bound in writing to adhere to stipulations corresponding to those in Section 5, with respect to the R-SW parts contained therein. The aforesaid shall not affect the Licensee's obligation to purchase a license for the R-SW if the R-SW original is copied. If the R-SW contains tools for parameterization/configuration and extended rights have been granted in this regard, this will be detailed in the readme file of the R-SW.

4. Upgrade and PowerPack

If it is apparent from the Order Data or CoL, e.g. by the addition "PowerPack" or "Upgrade" after the SW product name, that the SW is an upgrade for another software item (hereinafter referred to as "Source License"), the Licensee shall also have the rights to use the SW granted to it with respect to the Source License as soon as this has been upgraded with the Upgrade/PowerPack. The rights originally granted to the Licensee to use the Source License end in conjunction with the upgrade measure. However, the Licensee is entitled to undo the upgrading (downgrading) - if this is intended from a technical point of view - and to exercise the rights to use the SW granted to it with respect to the Source Version in accordance with Clause 1.5.

5. Further Rights and Duties of the Licensee

5.1 Unless a stipulation to the contrary relating to a specific number of copies is contained on the data medium or in the readme file of the SW, the Licensee may generate an appropriate number of copies of every item of SW which it is authorized to use in accordance with these General License Conditions, where such copies shall be used exclusively for data backup purposes. Furthermore the Licensee may only copy the SW if and insofar

as it has been granted copying rights by us in writing.

5.2 The Licensee shall not be entitled to modify, decompile or reverse engineer the SW. Nor may it extract any individual parts unless this is permitted by mandatory copyright law. Furthermore, the Licensee shall not be entitled to remove any alphanumeric identifiers, trademarks or copyright notices from the SW or the data medium and, insofar as it is entitled to make copies of the SW, shall copy them without alteration. The aforementioned regulation shall apply accordingly to the Documentation supplied in accordance with Section 1.

5.3 The Licensee shall be entitled to transfer the right to use the SW granted to it to a third party, provided that it concludes a written agreement with the third party in conformance with all of the conditions contained in this Section 5 and on the proviso that it does not retain any copies of the SW. If the Licensee has received a License Key for the SW, this key shall be supplied to the third party together with the SW. Furthermore, the third party shall be submitted the CoL together with these General License Conditions. The Licensee shall submit the CoL received for the SW to us at any time, if requested.

5.4 If the SW is a PowerPack or an Upgrade, the Licensee shall keep the Certificate of License or Software Product Sheet of the Source License and submit it to us at any time, if requested, together with the CoL for the SW. In the event that the Licensee transfers its right to use the PowerPack SW or Upgrade SW in accordance with Clause 5.3, it shall also submit the Certificate of License or Software Product Sheet of the Source License to the third party.

5.5 If the Licensee receives a data medium which, in addition to the SW, contains further software products which are released for use, then it shall have the right to use these released software products exclusively for validation purposes, for a limited period of time and free of charge. The period of use shall be limited to 14 days, commencing with the first start-up of the relevant software program unless a different period is specified e.g. in the readme file of the relevant software product. These software products supplied exclusively for validation purposes shall be governed, mutatis mutandis, by the stipulations contained in these General License Conditions. The Licensee shall not be authorized to pass on these software products separately, i.e. without the SW, to a third party.

In other respects, the terms of the purchase contract shall apply, unless below explicitly stated otherwise for Open Source Software.

Bestimmungen zu Open Source Software (deutsch) 3

An Wiederverkäufer

An Wiederverkäufer: Diese Hinweise und Lizenzbedingungen müssen an die Käufer weitergegeben werden, um Lizenzverstöße durch den Wiederverkäufer und den Käufer zu vermeiden.

Lizenzbedingungen und Haftungsausschlüsse für Open Source Software in diesem Produkt

In den Produkten

– SCALANCE S 602, S 612, S 623 V3.0
  Bestelllnummer 6GK5602-0BA10-2AA3, 6GK5612-0BA10-2AA3, 6GK5623-0BA10-2AA3

– SCALANCE S 612 V3.0
  Bestelllnummer 6GK5612-0BA10-2AA3

– SCALANCE S 623 V3.0
  Bestelllnummer 6GK5623-0BA10-2AA3

– CP 1628
  Bestelllnummer 6GK1162-8AA00

– CP 343-1 Advanced
  Bestelllnummer 6GK7343-1GX31-0XE0

– CP 443-1 Advanced
  Bestelllnummer 6GK7443-1GX30-0XE0
  Bestelllnummer 6GK7443-1GX30-0XE1

(nachfolgend "Produkt" genannt) kommt die nachfolgend aufgelistete Open Source Software (nachfolgend "Open Source Software" genannt) in unveränderter oder von uns geänderter Form zum Einsatz:

Name (OSS)
Net-Snmp - 5.5
ntp - 4.2.6p2
OpenBSD - V3.3
OpenBSD - 4.8
OpenSSL - 1.0.0
VxWorks V5.5.1
VxWorks V6.8

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 *
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  * Revision 1.3  2003/01/15 14:04:5
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 *
 * Introduction:
 *
 * gcc produces a very nice and correct list of dependencies which
 * tells make when to remake a file.
 *
 * To use this list as-is however has the drawback that virtually
 * every file in the kernel includes <linux/config.h> which then again
 * includes <linux/autoconf.h>
 *
 * If the user re-runs make *config, linux/aut ...
```

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... _SAFESTACK must also be set.
   [Ben Laurie]

 *) Change ./Configure so that certain algorithms can be disabled by default.
   The new counterpiece to "no-xxx" is "enable-xxx".

   The patented RC5 and MDC2 algorithms will now be disabled unless
   "enable-rc5" and "enable-mdc2", respectively, are specified.

   (IDEA remains enabled despite being patented. This is because IDEA
   is frequently required for interoperability, and there is no license
   fee for non-commercial use. As before, "no-idea" can be used to
   avoid this algorithm.)

   [Bodo Moeller]

 *) Add processing of proxy certificates (see RFC 3820). This work was
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