

Příloha č. 12 ZD

Condition of use of source code released for a benchmark

The Czech Hydrometeorological Institute (CHMI) releases to the firmcertain numerical codes for benchmarking of these codes on their platform. These codes are the ALADIN application with its auxiliary libraries.

This operation is related to the public procurement call Dodávka a instalace vysoce výkonného výpočetního systému pro modelování atmosféry No M1605 open by CHMI and it shall finish at the same time as the procurement procedure is closed.

Although every care has been taken in preparing and testing the software, CHMI cannot guarantee correct work of its software in all circumstances, neither accepts any liability whatsoever for any error or omission in its software or for any loss or damage arising from its use.

These numerical codes, together with the documentation provided, shall fully remain in the ownership of CHMI.

The firm agrees to make use of these codes exclusively for the tasks requested in the benchmark documentation of the public procurement.

Any original benchmark media received shall be returned exclusively and directly to CHMI (Mrs. Radmila Brožková) at the end of the operation and any partial or full copy shall be completely destroyed.

The firm shall not disclose any part of the code or any scientific, commercial or institutional information it receives on this occasion, except to their own staff involved in the procurement procedure and their staff who needs these information for the best achievement of it. The staff involved will be bound by the same requirements of confidentiality.

The obligation of confidentiality from the firm does not apply for any information, document or item already known by that firm, which was legally obtained and without any clause of confidentiality, or which was independently developed by that firm, or which will become public by the party that has been developing the software.

The firm agrees to inform CHMI on any breach of its obligation of confidentiality specified by this document.

If the firm chooses to submit to CHMI any modifications of the software developed as part of using the software for the permitted purpose, proprietary rights and copyright in any



modifications to the software proposed by the firm shall be with CHMI. CHMI remains free to accept or refuse modifications of the software proposed by the firm

Results of this operation are intended for the use within the public procurement only and are confidential. No publication, oral or written communication showing results from this operation should be done without the written consent of both parties.

Prague, 30 September 2016

Mr/Mrs

Position in firm

On behalf of the firm

