

This document shall govern the prerequisites and the course of goods receiving and delivery in the logistics site Buedelsdorf within the scope of rendering supplier performances for freenet AG, Hollerstrasse 126, D-24782 Buedelsdorf, Germany-registered at the District Court of Kiel, HRB 7306 KI-and for companies affiliated with freenet AG („freenet“) pursuant to § 15 et seqq. of the Aktiengesetz (the Stock Corporation Act, the „AktG“).

Any terms and conditions of the supplier deviating from or supplementa to these Terms and Conditions shall not be binding upon freenet, even if freenet

(i) does not object thereto, (ii) accepts the delivery without reservation with knowledge of divergent terms and conditions of the supplier, or (iii) the supplier declares that it wishes to deliver only under its own terms and conditions. Apart therefrom, all agreements concerning the delivery shall require the written-form (Schriftform). Please take note that freenet incurs considerable expense in the event of non-compliance with these Terms and Conditions of Delivery. Therefore freenet shall reserve the right in the event of noncompliance with these Terms and Conditions of Delivery the right to refuse acceptance or to invoice you for the additional costs incurred by us.

1. Site

Buedelsdorf

1.1 Address for delivery of goods

**freenet Logistik GmbH
Fehmarnstr. 2
D-24782 Buedelsdorf
Germany**

1.2 Business hours for receipt of goods

**Monday through Friday:
8:30 a.m. to 5:00 p.m.**

1.3 Contact information

**freenet Logistik GmbH
Wareneingang
Fehmarnstr. 2
Germany
Fax.: (0) 4331 344-135
E-mail: wareneingang-bdf@freenet.ag**

2. Shipping notification

Notification of each shipment shall have to be made via e-mail on the business day prior to the planned delivery by no later than 5:00 p.m., and shall have to contain the minimum following specifications:

- supplier
- assignment/order number
- freight forwarder
- number of packaged items/pallets
- enclosed delivery slip for the shipment (PDF or similar)
- for articles having serial numbers, an enclosed list of the serial numbers

Please send the shipment notification by e-mail to: wareneingang-bdf@freenet.ag for Buedelsdorf.

3. Delivery

3.1 Bill of lading

The bill of lading or the freight-forwarder transfer slip describes the delivery externally and must contain at least the following specifications:

- freight carrier
- goods recipient
- client
- total weight
- number of packaged or unitized items
- quantity and type of loading equipment used

3.2 Delivery slip

A delivery slip is to be enclosed with each delivery. The delivery slip shall describe the contents of the delivery and shall have to contain at least the following specifications:

- supplier with address and contact person
- delivery date
- delivery address
- goods recipient
- delivery slip number
- SAP order number per delivery slip position
- SAP article number
- SAP article designation
- manufacturer/supplier article number
- actually delivered quantity in shipment
- unit number per delivery unit and delivery subunit
- package/pallet count

The following information is to be specified whenever relevant:

- deviations from quantities ordered
- version of material
- print/issue dated
- expiration date
- serial numbers or intervals with error/interruption protocols

Delivery slips shall have to be affixed so as to be clearly visible externally. In the case of a summary of several order numbers, it shall be mandatory that these have to be externally recognizable on the packaged item.

3.3 Delivery unit details

Each delivered unit is to be externally furnished with at least the following visible specifications:

- goods recipient
- SAP article number
- SAP article description
- unit number per delivered unit and delivery sub-unit
- version of the material
- print/issue date
- expiration date
- serial numbers or intervals

In the event barcodes are used with the SAP article number, these are to be affixed on the face side of the delivered unit.

3.4 Loading equipment and packaging

All pallets and packaged items are to be sufficiently protected against damages during transportation. All packages have to be clearly labeled externally with the exact weight. Packages with a weight above 15 kg have to be marked as "Schwer/Heavy" additionally. Packaged items being shipped by package services shall not be permitted to exceed a weight of 30 kg.

If the shipment consists of several packaged items, then the individual packaged items are to be continuously numbered (e.g., 1/5, 2/5, 3/5, etc.). Packaging is to be sized such that a loss of loading space on the euro-pallet is avoided.

If the number of packaged items exceeds the volume of half a euro-pallet (i.e., 1,200 x 800 x 700 mm), then these are to be delivered using a freight forwarder. Hazardous materials shall have to be label-led and transported in accordance with legal regulations.

3.5 Euro-pallet UIC standard

Euro-pallets that are made of untreated wood in accordance with UIC standards are in principle permitted as loading equipment. The Euro-pallets shall have to be in an undamaged and flawless condition, i.e., above all, the wood may not be broken and all skids shall have to be undamaged and continuous. For this purpose, the following pallet dimensions are to be complied with and are not to be exceeded:

- maximum length: 1,200 mm**
- maximum width: 800 mm**
- maximum height: 1,400 mm**
- maximum weight: 1,000 kg**

The abovementioned dimensions may be exceeded only if the basic dimensions of the article exceed the basic dimension of the europallet or the height of the article exceeds the aforementioned maximum height.

Pallet deliveries are (with the exception of SIM cards) in principle to be stored homogeneously. Sufficiently thick cardboard is to be inserted between each load in a pallet. Pallets not delivered homogeneously are to be labeled as „mixed pallets.“

Single variety pallets and individual packaging units must be labeled with the respective delivery bill and order number. There must be a separate delivery bill for each delivery process and order. Mixed packaging is not permitted. freenet Logistik GmbH reserves the right to charge for any additional expenses incurred.

Pallets may not be overloaded at any place. Any bulges or lopsided loads due to shifting and any damage during transportation are to be precluded by means of effective securing during transportation, e.g., with the aid of outer packaging cartons, of shrink-wrap or a package band. Band iron is not permissible for securing pallets.

The materials used for securing loads may not exceed the above-mentioned maximum dimensions and may not flap or flutter. They must be secured or lashed so that no disruptions can be set off in an automated storage operation (e.g. by automated contour controls, which test the above-mentioned maximum dimensions of the pallets). Bottom clearance of the pallets is to be guaranteed.

Pallet deliveries may be effected only using truck platforms and lifting platforms.

3.6 Impermissible loading equipment

For reasons of warehouse organization, lattice boxes and disposable pallets shall not be permissible.

3.7 Packaging

The following shall be permissible packaging materials:

- **cardboard packaging** corrugated cardboard/cardboard packaging with guaranteed re-use, lettering only with environmentally friendly coloring
- **foils** PET, PP labeled
- **strapping** PE, PP labeled
- **cover boards** natural wood
- **adhesive labels** adhesive labels may neither cover up shipping adhesive labels nor interfere with the recycling of materials
- **filling materia** exclusively recyclable materials, e.g., corrugated cardboard

All packaging materials used shall have to be recyclable. All rules and regulations from the Kreislaufwirtschaftsgesetz (the Recycling Act), from the Verpackungsordnung (the Packaging Ordinance) as well as the Gefahrstoff und Gefahrgutverordnung (the Hazardous Materials and Hazardous Goods Ordinance) as currently amended shall be applicable. All materials used for packaging shall be labeled pursuant to statutory provisions. All materials used for packaging are to be labeled with the following recycled-material symbols pursuant to statutory provisions with the „green point“ („grüner Punkt“) or with the recycling and reuse symbol of the Duale System Deutschland AG, and/or with the following recyclable material symbols:



In the examples:

- PET** for Polyethylene terephthalate
- PE-LD** for low-density polyethylene
- PP** for polypropylene
- PS** or polystyrene
- O** (other) for multiple artificial substances, e.g., compound foils

3.8 Transfer of risk, acceptance of goods under reservation

The supplier shall bear the risk for damage and destruction of the goods until the acceptance of the goods by the freenet Group. The deliveries to the central goods receiving shall in no case be deemed as a transfer or acceptances. The goods acceptance shall be effected in principle under reservation of a goods receipt inspection to be performed at a later date. At the receipt of the goods, solely the number of the delivered packages (pallets, cartons, etc.) and the external intactness of the shipment packaging shall be confirmed. The delivered goods shall be deemed accepted when they undergo a goods receipt inspection by employees authorized for this purpose. Only then shall the goods pass into the responsibility and into the custody of the freenet Group.

To the extent that damage to the goods is already recognizable at delivery, such shall be confirmed to the freenet Group by the driver of the transportation on the bill of lading.

3.9 Physical specification of delivery

3.9.1 Homogenous, stockable deliveries

Unit articles (with the exception of SIM cards) are to be delivered homogeneously. That means that several articles may not be packaged mixed in a tangible unit (delivery unit). Each delivery unit shall have to be labeled externally as to be visible and scannable with the article number and quantity. Articles with serial numbers shall have to be scannable on the delivery sub-unit (1D and 2D Barcode+ plain text), easily readable and identical to the sales packaging contained therein. The sub-supplier unit shall have to be tangible and directly capable of being placed into



storage. A sub-supplier unit capable of being placed into storage must measure in its basic dimensions at least 20 cm x 10 cm (corresponds to As), have a margin being at least 5 cm high and offer thorough protection against dirt. The maximal weight of a sub-supplier unit shall be 10 kg for prospectuses, formulae, and comparable articles, up to a maximum height of 15 cm. In the event of discrepancies, compensation for damages shall have to be reckoned with.

3.9.2 Delivery unit/delivery sub-unit

Articles are to be delivered in fixed, reviewable quantities (delivery sub-unit). If the number of articles per delivery unit deviates discernibly from the expected disposal quantity, then reasonably constant partial quantities (delivery sub-units) are to be set up. The separation between the delivery sub-units can be effected by, for example, bundling, insert sheets, interlacing or plastic binding tape and is to be complied with for the entire delivery. Subsequent deliveries of an article are to be carried out in the same delivery units and delivery sub-units as the first delivery. In the case of residual quantities, the delivery quantity of the corresponding packaging unit in particular is to be labeled. A commingling of various kinds of sales packaging in one delivery sub-unit shall not be permitted. In the case of placards, one packaging unit per 100 pieces is to be made visible throughout the application of plastic binding tape. Placards are to be stacked with the edges at least 2 cm apart. If a placard consists of several parts and these are not assembled into a set, then the individual parts are to be delivered on one pallet each.

3.9.3 Optical/ coding (barcode)

Sales articles shall have to be furnished with optical coding (barcodes) pursuant to ISO/IEC 15420 bar coding symbology specification EAN/UPC and ISO/IEC15417 b coding symbology specification code 128. Guidelines for the sales packaging shall be a minimal barcode size of 1 cm height, 3 cm width with white gaps of 3 mm, for delivery sub-units of 3 cm height and 5 cm width with white gaps of 6 mm. Minimum resolution shall be 300 dpi. EAN/UPC are to be shown in plain text using Arial font size 11 or a comparable font.

In the case of articles with serial numbers, the barcodes and serial numbers must be affixed to the same side and be externally easily visible and scannable. Such shall also apply to any possible protective packaging of the sales packaging. For this purpose, a barcode can alternatively also be affixed to the protective packing used for the sales article.

3.10 Addendum to the aforementioned terms and conditions of delivery

As an addendum to the aforementioned terms and conditions of delivery, the following provisions shall apply:

- Homogeneous deliveries are not always possible in the case of SIM cards, because SIM cards e.g., are allocated according to HLR in article groups. The allocation of these structure-conditioned mixed shipments shall not be set off.
- In the case of mixed deliveries of hardware and advertising material, the goods shall have to be separated because the pallets can be stocked only homogeneously.
- For safety reasons, the articles should be packaged in an opaque foil or in an outer packaging carton. They do not have to be transported in transparent foil.

Should one or several provisions be or become ineffective then the effectiveness of the Agreement apart from such shall not be affected thereby.