



Microsoft Customer Agreement

Professional Secrecy Amendment

This Professional Secrecy Amendment ("Amendment") is entered into between Customer and the Microsoft Affiliate who are parties to the Microsoft Customer Agreement (the "Agreement"), and the parties agree that this Amendment supplements the Agreement. All terms used but not defined will have the same meaning as provided in the Agreement.

The parties agree that the Agreement is amended as follows:

Microsoft is aware of Customer being subject to legal obligations with regards to allowing access to Customer's clients' information and that non-compliance with such obligations can entail criminal sanctions for the parties involved within the meaning of § 203 StGB (imprisonment or fines).

Microsoft shall be obliged to maintain confidentiality in accordance with the contractual provisions existing with the Customer.

Microsoft shall be obliged not to use the provided Customer Data in any other than the contractually described scope. In this context, for the purpose of processing to provide Customer the Online Services Microsoft shall in particular be obliged to obtain knowledge of foreign secrets only to the extent that this is necessary for the fulfillment of the contract. By "obtaining knowledge", the parties understand the process of cognitive, human and content-related perception (e.g., access to the contents of individual documents with the goal of cognitive, human and content-related perception).

Microsoft and its subcontractors may use further persons to provide the Online Services. Microsoft shall ensure that both the persons Microsoft uses, to the extent they could obtain knowledge of the provided Customer Data in the context of their activities, as well as subcontractors are obliged pursuant to the provisions of the contract with the customer, at least in text form, to maintain secrecy and that subcontractors are also obliged to obligate the persons employed by them accordingly.

Except for changes made by this Amendment, the Agreement remains unchanged and in full force and effect. If there is any conflict between any provision in this Amendment and any provision in the Agreement and any provision in the Online Services Terms, including the Microsoft Online Services Data Protection Addendum ("DPA"), this Amendment shall control.