

Agreement on the Technical Connection to the Clearing EDP of Eurex Clearing AG (Connection Agreement)

between

- (1) Eurex Clearing AG
Mergenthalerallee 61
65760 Eschborn
Postal address:
60485 Frankfurt

– hereinafter referred to as “**Eurex Clearing**” –

and

- (2) _____

– hereinafter referred to as “**Contractual Party**” –

§ 1 This Connection Agreement governs further details of the technical connection to the Clearing EDP as well as the rights and duties of Eurex Clearing and the Contractual Party.

§ 2 The General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG and the Price List to the Agreement on Technical Connection to the Clearing EDP of Eurex Clearing AG in their respective current version shall be components of this Connection Agreement. Both components are published on the Eurex Clearing Website.

Unless the context requires otherwise, terms used but not defined in this Connection Agreement shall have the meaning given to them in the General Terms and Conditions to the Agreement on Technical Connection to the Clearing EDP.

§ 3 Eurex Clearing shall be entitled to amend this Connection Agreement and/or individual components of it at any time, paying due consideration to the interests of the Contractual Party. § 15 of the General Terms and Conditions of the Connection Agreement shall govern such amendments.

- § 4 This Connection Agreement shall be governed by the law of the Federal Republic of Germany. Exclusive place of jurisdiction shall be Frankfurt am Main. Eurex Clearing shall be entitled to take legal action against a Contractual Party also at the Contractual Party's general place of jurisdiction. Only the English language version of this Connection Agreement, shall be binding. A German language version is no longer provided.
- § 5 This Connection Agreement shall govern the subject matter exclusively. No differing oral agreements or ancillary agreements between the parties other than those expressly set forth herein exist. Supplementary agreements, changes and amendments shall be made in writing. This also applies to the annulment of the requirement for written form.
- § 6 In the event that any individual terms of this Connection Agreement should be or become invalid, this shall not affect the validity of the remaining terms hereof. Any invalid contractual provision shall be replaced either by the statutory provision or, in the event of absence of such a rule, such provision as the parties would in good faith have admissibly adopted if they had been aware of the invalidity or nullity of the term which it replaces. The same shall apply in so far as it may be determined that the contractual provisions are incomplete.
- § 7 The parties agree that this Connection Agreement supersedes all earlier agreements between the parties in respect of the subject matter of the Agreement.

Eurex Clearing AG

(place)

(date)

(signature)

(signature)

(printed name)

(printed name)

(title)

(title)

[insert legal name] (as Contractual Party)

(place)

(date)

(signature)

(signature)

(printed name)

(printed name)

(title)

(title)