



Commercial production licensing of the eviCHO expression kit

Research license

The purchase of each eviCHO expression kit from Evonik or evitria is automatically accompanied by the research license described in the Limited Use Label License (LULL). The LULL describes the research rights and limitations granted to a customer with the purchase of a cell line, which include, but are not limited to, the following:

- The customer may use the purchased cell line and the resulting proteins produced by that cell line for internal research purposes only; internal research includes preclinical animal studies, but not human clinical trials.
- The customer may not transfer the cell line to an external service provider (e.g., contract manufacturing organization or contract research organization).

Commercial production license

If the customer plans to utilize the molecules or proteins produced by such cell lines beyond research use (including, but not limited to, resale, out licensing, or transfer for fee-for-service activity or any type of commercial purpose), a commercial production license from evitria is required. The commercial production license includes the following features:

- A simple fee structure of one upfront payment, with annual maintenance but no milestone payments, and no requirement for additional royalty payments on the resultant product.
- The upfront fee grants possession rights of the cell line for commercial purposes and the annual maintenance fee grants the unlimited exploitation of the cell line for commercial purposes during a calendar year. The upfront fee has only to be paid once, while the annual fee needs to be renewed for every year in which commercial use is intended. In any case the cell line or products generated by the cell line are not intended for human use.

Contact evitria for a commercial license:
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Limited Use Label License (LULL)

The purchase of this product conveys to the purchaser the limited, non-exclusive, non-transferable right to use the purchased product, its components, or materials made using this product or its components to perform internal research and development for the sole benefit of the purchaser. The purchase of this product does not grant the purchaser any additional rights, including, without limitation: (a) the right to use the product or its components in commercial applications of any kind, including bioproduction (e.g., use the kit to manufacture therapeutic agents or diagnostic test components, such as proteins, antibodies, viral particles or virus-like particles), quality control and commercial services, such as reporting the results of purchaser's activities for a fee or other form of consideration; (b) the right to use the product or its components as a therapeutic agent or diagnostic test component; (c) the right to use the product or its components to produce material for use in human clinical trials; or (d) the right to transfer or resell the product or its components in any form, progeny or derivative.

The purchaser may transfer this product and its components to contract research organizations for use by such organizations to perform research conducted for consideration solely for the benefit of the purchaser, provided that each such organization agrees in writing (a) not to transfer this product, its components, or materials or information made using this product or its components to any third party, (b) to use this product, its components, and any materials or information made using this product or its components solely for research and solely for the benefit of the purchaser, and (c) to return to the purchaser or destroy any and all remaining product, components, or materials made using this product or its components upon completion or termination of its services for the purchaser.

It is forbidden to perform genetic, enzymatic or proteome analysis of the kit components, to modify inheritable or non-inheritable information of the cell line; or to reverse engineer the components.