ENCLOSURE NO. 3 TO THE QUOTATION NO. 1/2019 of 09.07.2019

STATEMENT OF CONFIDENTIALITY

Acting as the undersigned bidder, I undertake to keep information provided by Ovopol Sp. z o. o. based in Nowa Sól, confidential, and I hereby declare that, in particular:

1. For the purposes of this statement, "confidential information" means any information or data that includes, but is not limited to, any kind of information and data regarding the confidentiality of Ovopol Sp. z o.o. as an enterprise, including, in particular, commercial or technical information or know-how disclosed to the bidder by Ovopol Sp. z o.o. in Nowa Sól, in connection with the preparation of the offer for delivery of .the spray dryer for the production of whole egg and yolk powder with the capacity of water evaporation of 1500 kg/h, regardless of the type of medium on which such data or information was provided
2. Confidential information shall include in particular:

a) all procedures, including contract contents, technical documentation, construction plans, forms, specifications, analyses, designs, reports, studies, commercial plans, technical knowledge, license documentation, business plans, modules, samples, prototypes or parts thereof,

b) software, documentation, all knowledge, techniques, ideas, principles and concepts that are contained in the software, documentation and data that may become available when used, tested or viewed,

c) commercial and financial, marketing, environmental and organizational information,

d) any other information developed or possible to be developed only on the basis of the information indicated in points a) -c) above.

1. Any confidential information exchanged between the Parties:

a) will be used only for the purpose of preparation of the offer and execution of the order,

b) shall not be disseminated, distributed or disclosed by the Bidder in any way, or in any form to a third party, excluding employees and associates, affiliates, legal and tax advisors, auditors and subcontractors to whom for fully justified reasons such confidential information must be disclosed to, and who are bound by professional secrecy on the basis of employment contracts or which have a duty of confidentiality regarding the scope of this statement, under other conditions. The person making the declaration undertakes to ensure the obligation of confidentiality by the above-mentioned entities. The entity making this statement is responsible for maintaining confidentiality by all co-workers and subcontractors if they are entrusted with any work under the agreement. An Affiliate, for the purposes of this Agreement, means a company that controls a receiving company, which is controlled by a Party receiving information or which is controlled by a controlling company of the receiving Party. A controlling company is understood as a company that holds more than 50% of votes at a general meeting / shareholders meeting or more than 50% of the share capital

c) shall be treated by the Bidder with the same diligence, aimed at preventing disclosure to third parties, with which the declarant refers to his own information of this nature

d) will remain the exclusive property of Ovopol Sp. z o.o. in Nowa Sól.

1. The person making the statement may not:

a) use the confidential information received for purposes other than the preparation of the offer;

b) dispose of confidential information or documentation containing such information;

c) copy confidential information or documentation containing such information for the purpose and to the extent other than necessary to achieve the purpose for which it was made available;

d) derive any benefits (including property, financial or personal) for the use of confidential information, except for the performance of the offer specified in this statement;

e) to authorize, allow, commission or cause to perform any of such prohibited activities by a third party.

1. The obligations referred to in point 4 shall not apply only to information:

a) which are commonly known or made available to the public, provided that this has not occurred as a result of breaking the provisions of this statement or the law,

b) which were in the lawful possession of the Declarant before they were obtained in accordance with the written documentation kept by the Issuer,

c) which have been independently and legally compiled by the declarant according to the written documentation kept by the declarant,

d) which have been approved for disclosure based on the written consent of Ovopol Sp. z o.o. in Nowa Sól,

e) the disclosure of which is required by mandatory legal regulations, as required by the competent administrative or judicial body, to the extent covered by the request.

1. It is declared that the transfer of confidential information for the preparation and implementation of the offer does not imply granting or transfer of a license or right to use of any patent or patent law, copyrights, trademark or other intellectual property right.
2. All obligations out of this statement will be valid for a period of 10 years from the date of its signing or within a longer period of time if confidential information does not completely lose its economic significance at that time.
3. Any confidential information exchanged between the parties in accordance with this statement will be, at the appropriate request of Ovopol Sp. z o.o. in Nowa Sól returned or destroyed by the party making the statement. In the event of information being destroyed, the declarant will be obliged to provide Ovopol Sp. z o.o. in Nowa Sól a written confirmation of the destruction of such information. The above does not apply to information that is related to the correct implementation of the offer or necessary to establish responsibility for the correct implementation of the offer.
4. All disputes related to this statement will be considered in accordance with Polish law by the court competent for the registered office of Ovopol Sp. z o.o.

*Bidder - Declarant:*

*Company name ……………………………………………….*

*KRS / NIP .......................................................*

*Address ......................................................*

*Place, date ………………………………………..……*

*Basis of representation / function: .............................. ..*

*Signature: .....................................................................*