

## COMPUTER AIDED KINETIC EVALUATION (“CAKE”) LICENCE AGREEMENT

This agreement defines permitted uses of the CAKE application and other components which may be included in or required as part of your installation.

### CAKE APPLICATION

This section applies to your use of the CAKE application. Please note in particular the terms of paragraph (4) and (5) which limit or exclude liability towards you.

CAKE is and will be distributed on a free to use basis subject to the following conditions:

- (1) The downloaded CAKE application may be distributed by you to a third party on the express condition that no charge is made for the distribution, and subject always to these conditions (1) to (5);
- (2) Neither the source code nor the object code may be amended by any party who uses or distributes the CAKE application. In particular (but without limitation) the source code and the object code may not be modified, edited or incorporated into any other application without the prior consent of Syngenta Limited;
- (3) Any data presented in a regulatory environment must be attributed as being calculated by CAKE along with the version number of the CAKE application used;
- (4) To the extent permitted by law, all express and implied warranties are hereby excluded by each of Syngenta (the Sponsor), Tessella (the Developer), Ian Hardy (Battelle) & Simon Ford (JSCi) (the Scientific Advisors), including (without limitation) any implied warranty of quality or fitness or purpose. Unless otherwise stated in writing, the Sponsor the Developer & the Scientific Advisors provide the CAKE application “as is” and the risk as to the quality and performance of the CAKE application is with you. If the CAKE application proves to be defective, you assume the cost of all necessary servicing, repair or correction; and
- (5) The Sponsor, the Developer & the Scientific Advisors each exclude liability towards you and any third party in relation to the use of CAKE or decisions made based on the outputs of CAKE calculations to the maximum extent permitted by law. In particular (but without limitation), neither the Sponsor nor the Developer nor the Scientific Advisors shall be liable to you or any third party for (i) any direct loss of profits or other economic loss; or (ii) any indirect, consequential, special or incidental damages, losses, expenses or claims arising out of the use or inability to use the CAKE application (in each case including damages arising as a result of loss of data or data being rendered inaccurate) even if the Sponsor, the Developer or the Scientific Advisors have been advised of the possibility of such damages.

By downloading, installing, distributing or using the CAKE application, you agree with these restrictions, including (without limitation) the restrictions on liability.

### R VERSION

The CAKE application has been designed to interface with R (<http://www.r-project.org/>) which is included in the installer and installed alongside the CAKE program files (independently of any installation of R you may have on your system). By downloading, installing, distributing or using the CAKE application, you acknowledge and accept that the CAKE application has not been tested with any version of R other than the one bundled with the installer.

By Installing CAKE you are implicitly agreeing to the R licensing terms  
<http://cran.r-project.org/web/licenses/GPL-2>

Source code of R available upon request or at the R site at  
<http://cran.r-project.org/src/base/R-3/R-3.0.0.tar.gz>

### ALGORITHMS

The CAKE application interfaces to and calls on algorithms implemented in R (“R Modules”). The source code files of these R Modules are derivative works of the R package 'mkin' (<http://cran.r-project.org/web/packages/mkin/>). These R Modules (but not the CAKE application itself, which is licensed on the terms above) are provided to you under a separate licence agreement (GNU General Public License (<http://www.gnu.org/licenses/gpl.html>), version 3). See the source files for the R Modules for more details.

### THIRD PARTY COMPONENTS

This installation includes the LumenWorks CSV library which is licensed under the MIT licence (<http://www.opensource.org/licenses/mit-license.php>).

This installation includes the EPPlus library which is licensed under the L-GPL licence (<http://opensource.org/licenses/LGPL-3.0>).

The R Modules require some R packages in order to function. These packages are separate from the CAKE application and the R Modules. The licence for each explicitly licensed R package can be found in the LICENSE file within the package folder. Before using these packages, you should review these license files.

In order to operate the CAKE application, you will need the Microsoft .NET Framework 4 Client Profile redistributable; this will be downloaded and installed automatically for you by the CAKE installer if you do not already have it. By installing CAKE, you agree to the installation of this third-party component if necessary.

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