

Bürki inno med AG
Gianni Müller
Industriestrasse 67
9443 Widnau
gianni.mueller@buerki.eu
+41 71 744 88 66
+41 79 358 25 27

Widnau July 2024

Bürki Terms and Conditions

0. Introduction

The terms and conditions of Bürki inno med AG, Switzerland, apply to all Business relations that Bürki has with buyers, distributors or suppliers. Diverging terms and conditions of partners that are different from those of Bürki, the ones of Bürki are valid unless the Parties have explicitly agreed something different. These terms and conditions also apply analogously to all Business relations with Bürki inno med GmbH, Heidelberg, Germany, insofar as they are applicable.

1. Terms of Delivery

- 1.01 Prices granted to Buyer / Distributor are defined as **ex works** to the respective agreed currency. Freight, packing and insurance are not included and will be separately invoiced to Buyer / Distributor.
- 1.02 Duties and taxes are to be paid by Buyer / Distributor.
- 1.03 Bürki is entitled to change, at his sole option, the prices respecting however a period of 60 days between his according written information to Buyer/Distributor and the date the changed prices are applied. E-mail notifications are deemed to be written announcements.
- 1.04 A deliver of Bürki to Buyer / Distributor shall be deemed to be correct /flawless and accepted if Buyer / Distributor is not notifying by writing a defect complaint within 10 working days after arrival of the delivery. Hidden product defects exempted.

2. Terms of Payments

- 2.01 Payments for licensed / ordered products shall be made within **20 days** - or according specific agreed payment term - after receipt of the respective invoice by Buyer / Distributor.
- 2.02 **New Buyer / Distributor: Payments shall be made as prepayment in the first 6 months.** Bürki reserves to prolong this period or apply prepayment to defaulting parties at any time.
- 2.03 Default of payment. Bürki will remain Buyer / Distributor immediately after the payment term and will change default charges of CHF 30.—(€ 30.-- / \$ 30.--), for every further reminder of CHF 150.—(€ 150.- - / \$ 150.--).
- 2.04 Bürki is entitled to ask, without any further action, for an interest-payment of 5 % p.a. on any delayed amounts.

3. Logistic effectiveness

Bürki is not a retail dealer and has no retail infrastructure or retail stock. Due to a substantial increase of small and very small order volumes, Bürki defines the following:

- 3.01 Minimal order value € 800.-- or CHF/US\$ 1'000.--,
- 3.02 In case of orders below minimal values, charge of a handling fee of € 120.—or CHF /US\$ 150.--,
- 3.03 In case of orders for single products out of a multipack, charge of the smallest multipack unit price,
- 3.04 In case of a small order placed by a Buyer / Distributor within a project to win a new customer relation, Bürki is open to individual solutions after previous contact (phone Gianni Müller mobile +41 79 358 25 27 or Bürki office +41 71 744 88 66).

4. E-mail documents

E-mail documents will be send as original in a binding pdf-format and where appropriate for supporting reasons in a Word/Excel format.

5. Offers

Offers' period of validity duration: 30 days.

6. Obligations for Buyer / Distributor

Bürki expects that the buyers / distributors comply with the all mandatory applicable laws and regulations at the place of his domicile, as well as the contractually agreed conditions. This applies in particular to all regulations for the approval of medical devices, the regulations of the professional associations (codes of conduct) in Switzerland / Europe and other countries to be considered, the anti-corruption laws and competition regulations and the laws for the protection of employees.

7. MDR Regulations

EU- Representative and (in case) **Importer** of Bürki inno med AG for the entire EU:

*Bürki inno med GmbH, Im Schaffner 47/1, DE-69123 Heidelberg-Pfaffengrund,
Tel: +49 (0)62216736310, email frank.rieger@buerki.eu,
VAT-ID.: DE334057680
EORI-Nr.: DE947006460086528*

If Bürki inno med GmbH is commissioned to act as an EU importer, a surcharge of 2.8% will be added to the final product price.

8. UK- Representative:

*Qserve Group UK, Ltd, 49 Greek Street, Soho, GB-London W1D 4EG
Tel: +31 207 882 630, globalreg@Qservegroup.com, www.qservegroup.com*

Bürki inno med AG



Gianni Müller, CEO