

Terms & Conditions of Participation in Xsens Indie Program

If you are accepting the terms of this Agreement for participation in the Xsens Indie Program, you represent and warrant that:

- if you are accepting the terms on behalf of a Legal Entity which is a Commercial Entity, both (a) its annual gross revenues do not exceed US\$750,000, or (b) raised funds (including but not limited to crowdfunding) do not exceed US\$750,000, in each case during the most recently completed fiscal year and in any equivalent currency;
- if you are accepting the terms on behalf of a Legal Entity which is a Non-Commercial Entity, the total annual budget does not exceed US\$750,000 (for the entire Non-Commercial Entity (not just a department)) for the most recently completed fiscal year (including in any equivalent currency); and
- if you are an individual (not acting within a role in a Legal Entity) or if you are accepting the term on behalf of a Legal Entity as a Sole Proprietor, the annual gross revenues from your or its use of the Licensed Technology do not exceed of US\$750,000 during the most recently completed fiscal year (including in any equivalent currency).
- During the term of this Agreement, you expressly acknowledge and agree that if you are an Xsens Indie Program user and the above thresholds are exceeded, then you may no longer renew your software license under Indie Program pricing, and you must either: (a) purchase an MVN Studio or MVN Studio Pro software subscription or lifetime license at retail cost or (b) opt not to renew, at which point your MVN Studio or MVN Studio Pro license will expire and no longer be accessible. Xsens will monitor your compliance with and enforce these restrictions and requirements including but not limited to monitoring the number of downloads of Your Project Content and any available revenue estimate data.
- Any commercial entities or sole proprietors who have previously purchased any product from Xsens may not participate.
- During the term of this Agreement, you expressly acknowledge and agree that only 1 seat (license) of software may be in use. Multiple seat purchases are not possible under the Xsens Indie Program.
- Technical support for Xsens Indie Program users is provided solely through the BASE knowledge base (<https://base.xsens.com/hc/en-us>), an online support platform that provides direct access to Xsens product specialists, engineers and other Xsens users.