

Approved by the resolution of
the Foundation Council of the Non-commercial
organization Foundation for Development of the
Center for Elaboration and Commercialization of
New Technologies

21 June 2012

Agreed with
the Board of Trustees of the Non-commercial
organization Foundation for Development of the
Center for Elaboration and Commercialization of
New Technologies

12 September 2012

REGULATION ON CONFERRING AND WITHDRAWAL OF STATUS OF THE PROJECT PARTICIPANT FOR CREATION AND PROVISION OF FUNCTIONING OF THE SKOLKOVO INNOVATION CENTER

Article 1. General Provisions

1. This Regulation shall govern procedure for conferring and withdrawal the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center (hereinafter - the Project Participant) and is elaborated according to Federal Law No. 244 Regarding Skolkovo Innovation center of September 28, 2010 (hereinafter the Law), the Articles of Association of the Non-commercial organization, the Fund for Development of the Center for Elaboration and Commercialization of New Technologies (hereinafter the Foundation).

2. The status of the Project Participant shall be conferred to a legal entity applied according to the procedure provided by this Regulation (hereinafter the Contestant) when the latter comply with the following terms and conditions:

1) the Contestant shall be a legal entity created pursuant to the laws of the Russian Federation;

2) constituent documents of the Contestant permit to perform solely research, development and commercialization of business results by areas defined in Part 8, Article 10 of the Law (hereinafter the Areas of Business), as well as other businesses necessary to implement researches, developments and commercialization of their results (hereinafter – the Research);

3) a trade name of the Contestant shall not consist of word “Skolkovo”, and also words derived from word “Skolkovo”;

4) the Contestant undertakes to implement Research according to the Law and the rules approved by the Foundation in accordance with Article 7 of the Law and to be placed in the Foundation website in the information and telecommunications network “Internet” in the section “Project Rules” (hereinafter the Project Rules) and place its permanent executive body (other bodies or persons entitled to operate on behalf of the Contestant without a power of attorney) in the territory of the Skolkovo Innovation Center until January 1, 2014.

3. Depending on the characteristics of research activities undertaken by the Project Participants, the following types of the Project participants are presented:

1) Startups - the Project Participants, conducting research and development which results are expected to be commercialized no later than five years after assigning them the status of the Project Participants;

2) Centers for Applied Research - the Project Participants, conducting research and development aimed at applying new knowledge to achieve practical goals and specific objectives, which results are expected to be commercialized no later than ten years after the filing by the Contestant an application for assignment of the Project Participant status (hereinafter - Applied Research).

Details of assigning the status of each of these types of the Project Participants are established in Articles 2 and 3 hereof.

4. Submission of the application for conferring the status of the Project Participant (hereinafter the Application) shall be made by Contestant's filling out the relevant electronic questionnaire for conferring the Project Participant status (hereinafter the Questionnaire) placed in the Foundation website, due to the details specified in Articles 2 and 3 hereof. The Questionnaire form is adopted by the order of the Foundation President.

The Contestant submitting the Application undertakes the obligation to implement the Research according to the Law and the Project Rules and place a permanent executive body (other bodies or persons entitled to operate on behalf of the Contestant without the power of attorney) in the territory of the Skolkovo Innovation Center until January 1, 2014.

The Foundation undertakes not to disclose information about the project provided by the Contestant. For the abovementioned purpose the Foundation shall conclude with the Contestant an Agreement for non-disclosure of project information provided in one of the forms specified in Annexes 1 and 2 hereto and placed in the Foundation website. At submission of the Application, the Contestant must select the form of the Agreement for non-disclosure of the Project information in the Foundation's website, the terms and conditions of which it is agreed to accept. Submission of the Application shall mean that Contestant accepts the terms and conditions of such Agreement for non-disclosure of the Project information.

5. The Application of the Contestant for the status of the Project Participant shall be subject to registration as of the date of submission.

The Contestant shall have the right to withdraw the Application at any time prior to receipt of the notice regarding conferring or refuse to confer the status of the Project Participant to the Contestant. The Application shall be considered as withdrawn since receipt by the Foundation of the relevant notice from the Contestant.

6. The Contestant shall have the right to submit several applications. At the same time the Contestant shall have no right to submit a new Application until receipt of the notice regarding conferring or refuse to confer the status of the Project Participant for Application under consideration of the same Contestant. If not, the Application submitted later shall not be considered. The Foundation shall notify the Contestant thereabout within 10 working days since receipt of such Application.

Article 2. Submission of the Application of Startups for conferring status of the Project Participant

1. When submitting an Application of Start-ups for conferring the status of the Project Participant, Application should include description of a project that plans to be implemented by the Contestant. The project submitted by the Contestant must meet the following requirements:

1) a project submitted by the Contestant shall comply with at least one innovation priorities within the Area of Business (hereinafter – the Innovation Priorities). List of Innovation Priorities should be adopted by the order of the Foundation President;

2) create product and/or technology shall have potential competitive advantages comparing to similar world products and/or technology;

3) create product and/or technology shall have sufficient potential for commercialization at least in the Russian market and in global market in perspective;

4) the project shall be theoretically practicable and shall not contradict to the fundamental scientific principles;

5) key researches, designers and managers of the project (hereinafter the Project Team) shall possess required knowledge and experience for successful implementation of the project;

6) a specialist or several specialists with international experience in the sphere of research, development and/or commercialization of their results shall be included into the Project Team.

2. When submitting the Application, the Contestant shall provide the following documents (scanned copies in .pdf format):

1) the Contestant's application certified by the seal regarding its intent to become the Project Participant signed by the permanent executive body of the Contestant or other person having the right to act without the power of attorney on behalf of the Contestant or representative of the Contestant under the power of attorney (with copy of such power of attorney);

2) extract from the Unified State Register of Legal Entities obtained no more than 3 months prior to the submission of the Application;

3) constituent documents of the Contestant (Articles of Association and/or other documents defined in the laws of the Russian Federation for legal form of the Contestant) with the note of the registration authority;

4) applications in writing (on the name of the Contestant) for the Project Team members confirming their participation (or intent to participate) in the project implementation presented by the Contestant (with obligatory specification of the precise name of the Contestant's project);

5) identity documents for the Project Team members.

3. If the Contestant's project passes preliminary assessment due to the point 6 of the present Article and is acknowledged as compliant with relevant criteria, the Contestant shall submit the Application by registration in the Foundation website and provision of documents specified in point 2 of the Article 2 hereof and the following documents (scanned copies in .pdf format):

1) records of the meeting of the Board of Experts established compliance of the Contestant's project with the Criteria signed no more than 6 months prior to submission of the Application;

2) consent of the Applicant for preliminary assessment in writing to submit the project by the Contestant to be conferred the status of the Project Participant.

4. The Foundation shall perform formal inspection of the Application in two stages.

1) the first stage of the formal inspection of the Application shall be made within 3 working days and include the following:

a) checkup of completeness and correctness of the Application, package contents of all attached documents.

If the Contestant submits incomplete package of documents, as well as documents execution of which does not meet the requirements hereof, the Foundation shall notify the Contestant with attached list of absent documents and/or documents execution of which does not comply with established requirements.

If the Contestant fails to provide documents specified in such notice to the Foundation within 30 days, the Application shall not be considered;

b) inspection of the compliance of the Contestant with the requirements of sub-clauses 1, 2 and 3 of the point 2 of the Article 1 hereof.

If the Application does not meet the requirements specified in sub-clauses 1, 2 and 3 of the point 2 of the Article 1 hereof, the Foundation shall notify the Contestant within 3 working days since submission of the application with description of revealed contradictions to mentioned requirements.

If such notice is sent, the status of the Contestant's Application shall be changed automatically to the status of Application for preliminary assessment. At the same time the Contestant shall become the Applicant for preliminary assessment, and its application shall be considered in order prescribed in the point 6 of the Article 2 hereof;

2) the second stage of formal inspection of the Application shall be performed within 2 working days after completion of the first stage of the formal inspection and shall include inspection by the Foundation of the project submitted by the Contestant for compliance with the requirements of sub-clause 1 of the point 1 of the Article 2 hereof and determination of the Innovation Priority, which the project corresponds to.

If the Application does not comply with the requirements specified in sub-clause 1 of the point 1 of the Article 2 hereof, such Application shall not be considered.

5. If the Application meets the requirements which are to be inspected in accordance with the point 4 of the Article 2 hereof, the Foundation within One (1) working day since the completion of its formal examination of such Application shall make a decision to send it for consideration to the Board of Experts for substantive assessment of the Application and notify the Contestant within 2 working days since such decision is made.

The substantive assessment of the Application shall not be performed if the Contestant submits the Application in order prescribed in the point 3 of the Article 2 hereof. In such case the Foundation shall inform the Contestant regarding necessity to provide the Foundation with documents specified in the point 1 of the Article 4 hereof.

6. Prior to submitting an Application of Start-ups for conferring the status of the Project Participant, any physical or legal entity (hereinafter the Applicant for preliminary assessment) shall have the right to submit a project for preliminary assessment to the Foundation. The project should be considered as follows:

1) the Foundation shall perform preliminary assessment of the project to establish compliance (non-compliance) with the criteria specified in the sub-clauses 2-6 of the point 1 of the Article 2 hereof;

2) submission of the application for preliminary assessment of projects (hereinafter the Application for preliminary assessment) shall be made by filling out the electronic form placed in the Foundation's website by the Applicant for preliminary assessment;

3) at submission of the Application for preliminary assessment the Applicant for preliminary assessment shall provide documents (scanned copies in .pdf) specified in sub-clauses 4 and 5 of the point 2 of the Article 2 hereof;

4) the Foundation shall perform formal inspection of the Application for preliminary assessment within 5 working days in order prescribed by sub-clauses 1a) and 2 of the point 4 of the Article 2 hereof;

5) the Applicant for preliminary assessment shall have the right to submit simultaneously several applications concerning different projects of this Applicant for preliminary assessment;

6) if the Application for preliminary assessment meets the requirements of sub-clauses 1a) and 2 of the point 4 of the Article 2 hereof, the Foundation within 1 working day since the completion of formal examination of such Application shall make a decision to send it for consideration to the Board of Experts specified in sub-clause 1 of the point 7 of the Article 2

hereof for substantive assessment and notify the Applicant for preliminary assessment within 5 working days since such decision.

7. Substantive assessment of the Applications shall be conducted as follows:

1) to perform substantive assessment of the applications the Boards of Experts shall be formed in order prescribed in the Regulation for the Boards of Experts of the Foundation;

The work of the Board of the Experts shall be governed by the Regulation for the Board of Experts of the Foundation;

2) the Contestant's Application (Application for preliminary assessment) shall be sent to the Board of Experts formed of the experts by Innovation Priority defined according to the sub-clause 2 of the point 4 of the Article 2 hereof.

The Questionnaire of the Contestant (Applicant for preliminary assessment) shall be sent to the Board of Experts.

The Foundation shall translate the Questionnaire into English using own resources. Moreover, the period for substantive assessment of the application shall be prolonged for a period necessary to make such translation but no more than 5 working days. The Contestant (Applicant for preliminary assessment) shall bear all risks related to possible incomplete or incorrect translation.

When the Contestant submits the Application (Application for preliminary assessment), the Contestant (the Applicant for preliminary assessment) shall have the right to filling the Questionnaire out in English. In such case, the translation of the Questionnaire shall not be performed;

3) the Board of Experts shall evaluate the compliance of the project of the Contestant (Applicant for preliminary assessment) with the criteria specified in sub-clauses 2-6 of the point 1 of the Article 2 hereof;

4) if the Board of Experts established in order prescribed by the Regulation for Board of Experts of the Foundation that the Contestant's project complies with all criteria specified in sub-clauses 2-6 of the point 1 of the Article 2 hereof, the Foundation shall notify the Contestant with respect to such decision of the Board of Experts within One (1) working day since signature of the records of the meeting of the Board of Experts;

5) if the Board of Experts establishes in order prescribed in the Regulation for Board of Experts of the Foundation that the project of the Applicant for preliminary assessment complies with all criteria specified in sub-clauses 2-6 of the point 1 of the Article 2 hereof, the Foundation shall send the copy of the records of the meeting of the Board of Experts (scanned copy in .pdf form) to the Applicant for preliminary assessment simultaneously with a notice specified in sub-clause 4 of the present point. The evaluation bulletin shall not be attached to such records of the meeting;

6) If the Board of Experts established in order prescribed in Regulation on Board of Expert of the Foundation, that the project does not comply with at least one of the criteria specified in sub-clauses 2-6 of the point 1 of the Article 2 hereof, the Foundation shall notify regarding non-compliance of the project to the specified criteria and regarding refuse to confer the status of the Project Participant to the Project Participant (notice regarding non-compliance of the project of the Applicant for preliminary assessment with the specified criteria). Such notice shall be sent to the Contestant (Applicant for preliminary assessment) within 2 days since signature of the records of the meeting of the Board of Experts;

7) if more than fifty percent of the members of the Board of Experts participated in the meeting, specified that the information provided by the Contestant (Applicant for preliminary assessment) was not sufficient for substantive assessment, such Application shall not be considered. The Foundation shall notify the Contestant (Applicant for preliminary assessment) within One (1) working day since signature of records of the meeting of the Board of Experts. The notice must specify which information was insufficient;

8) neither notices nor documents sent to the Contestants (Applicants for preliminary assessment) by the Foundation must not contain information about experts participated in the meeting of the Board of Experts.

Article 3. Submission of the Application of Centers for Applied Research for conferring status of the Project Participant

1. When submitting an Application of Centers for Applied Research for conferring the status of the Project Participant, Application should include description of a project that plans to be implemented by the Contestant which includes conducting Applied Research. The project submitted by the Contestant must meet the following requirements:

- 1) theme of the project shall comply with at least one Innovation Priority;
- 2) expected result of Applied Research shall have sufficient potential for commercialization at least in the Russian market and in global market in perspective;
- 3) key researches, designers and managers of the project (hereinafter the Project Team) shall possess required knowledge and experience for successful implementation of the project;
- 4) a specialist or several specialists with international experience in the sphere of research, development and/or commercialization of their results shall be included into the Project Team.
- 5) project plan is reasonable and includes commercialization of results of Applied Research;
- 6) the project involves getting outside financing (not from the Foundation) no later than two years from the date of submitting an Application for conferring the status of the Project Participant, and information about the possibility, amount and terms of attracting such financing is reasonable.

2. When submitting the Application, the Contestant shall provide the following documents (scanned copies in .pdf format):

- 1) the Contestant's application certified by the seal regarding its intent to become the Project Participant signed by the permanent executive body of the Contestant or other person having the right to act without the power of attorney on behalf of the Contestant or representative of the Contestant under the power of attorney (with copy of such power of attorney);
- 2) extract from the Unified State Register of Legal Entities obtained no more than 3 months prior to the submission of the Application;
- 3) constituent documents of the Contestant (Articles of Association and/or other documents defined in the laws of the Russian Federation for legal form of the Contestant) with the note of the registration authority;
- 4) applications in writing (on the name of the Contestant) for the Project Team members confirming their participation (or intent to participate) in the project implementation presented by the Contestant (with obligatory specification of the precise name of the Contestant's project). These applications should also include consent of the Project Team members to carry out in the Russian Federation not less than 30% of working time per year (in any case not less than 80 working days);
- 5) identity documents for the Project Team members.

3. The Foundation shall perform formal inspection of the Application during 3 working days and include the following:

- 1) checkup of completeness and correctness of the Application, package contents of all attached documents. If the Contestant submits incomplete package of documents, as well as documents execution of which does not meet the requirements hereof, the Foundation shall notify the Contestant with attached list of absent documents and/or documents execution of which does not comply with established requirements;

2) inspection of the compliance of the Contestant with the requirements of sub-clauses 1, 2 and 3 of the point 2 of the Article 1 hereof. If the Application does not meet the requirements specified in sub-clauses 1, 2 and 3 of the point 2 of the Article 1 hereof, the Foundation shall notify the Contestant within 3 working days since submission of the application with description of revealed contradictions to mentioned requirements.

If the Contestant fails to provide the relevant documents to the Foundation and (or) to eliminate defects within 30 days from the date of sending notices mentioned in the present point, the Application shall not be considered;

If the Application does not comply with the requirements specified in sub-clause 1 of the point 1 of the Article 2 hereof, such Application shall be left without consideration, and the Foundation, notifies the Contestant on this within 1 working day after the expiration of the 30-day period.

4. If the Application meets the requirements which are to be inspected in accordance with the point 3 of the Article 3 hereof, the Foundation within 1 working day since the completion of its formal examination of such Application shall make a decision to carry primary substantive assessment of the Application out and notify the Contestant within 2 working days since such decision is made.

5. Primary substantive assessment of the Applications shall be conducted as follows:

1) to perform primary substantive assessment of the applications, The Foundation carries out a preliminary check of conformity of the project of the Contestant with requirements specified in the point 1 of the Article 3 hereof, and the availability of the Foundation funds sufficient to grant to the Centre for Applied Research in the case of conferring status of the Project Participant;

2) primary substantive assessment is carried out by the Foundation within 10 working days from the date of making the decision referred to in the point 4 of the Article 3 hereof

3) if the Foundation after primary substantive assessment of the Application pre-stated that the project of the Contestant meets with requirements specified in the point 1 of the Article 3 hereof, and confirmed availability of the Foundation funds sufficient to grant to the Centre for Applied Research in the case of conferring status of the Project Participant, the Foundation within 1 working day after the carrying primary substantive assessment out shall make a decision to carry substantive assessment of the Application out and notify the Contestant within 2 working days since such decision is made;

4) if the Foundation after primary substantive assessment of the Application pre-stated that the project of the Contestant does not meets with requirements specified in the point 1 of the Article 3 hereof, and (or) confirmed absence of the Foundation funds sufficient to grant to the Centre for Applied Research in the case of conferring status of the Project Participant, the Application shall not be considered. The Foundation within 1 working day after the carrying primary substantive assessment out shall notify the Contestant within 2 working days after primary substantive assessment. The notice must indicate what information was not enough.

6. Substantive assessment of Applications conducts as follows:

1) substantive assessment of Applications conducts by the Advisory Scientific Board of the Foundation (hereinafter - ASB) at the first meeting of the ASB, provided that, it was not less than 10 calendar days since sending the Questionnaire to the members of ASB;

2) each member of ASB obtains the Questionnaire. The Questionnaire shall be sent by e-mail within 1 working day after the end of the primary substantive assessment.

The Foundation itself translates the Questionnaire into English. At the same time term of sending the Questionnaire to the members of ASB shall be extended for the time it takes to make a translation, but not more than 5 working days. Risk based on the possibility of incomplete or incorrect translation lies on the Applicant.

When submitting Application, the Contestant may additionally fill out the Questionnaire in English. In this case, the translation of the Questionnaire is not carried out;

3) ASB assesses the project of the Contestant from the point of compliance with the requirements specified in subclauses 1 and 3-6 of the point 1 of the Article 3 hereof;

4) Member of ASB, which is an interested party in relation to the Contestant, must abstain from voting on the project of the Contestant.

Member of ASB shall be recognized as interested in relation to the Contestant, if he (or) his affiliates (ie, parents (including adoptive parents), children (including adopted children), spouses, full and half brothers and sisters, grandchildren, grandparents, uncles, aunts, nephews and nieces, as well as legal entities in which member of ASB, or referred to in this paragraph persons are members of the government bodies or have the right to directly or indirectly control more than 20 percent of the total number of votes by the voting shares or of charter capital of the given legal entity), or may derive benefit in connection with the ASB decision making, in particular, on the following grounds:

a) member of ASB and (or) his affiliates are the Contestant, its shareholder, beneficiary, co-investor, a key team member, competitor, and (or) head;

b) member of ASB and (or) his affiliates are in employment (if number of employees of the organization is less than 3000 people) or other contractual relationship with the Contestant, its shareholder, beneficiary, co-investor, a key team member, competitor, and (or) head and (or) holds positions in the administration of the Contestant, its beneficiary, co-investor or co-investor;

c) member of ASB and (or) his affiliates hold (individually or in aggregate) more than 20 percent of the shares (stakes) of the co-investor of the Contestant, beneficiary of the Contestant, competitor of the Contestant or shareholder of the Contestant;

d) member of ASB and (or) his affiliates have the ability to give binding instructions to the Contestant, its co-investor, competitor or shareholder of the Contestant due to other grounds stipulated by the legislation of the Russian Federation.

Member of ASB is entitled to abstain from voting without giving any reasons for such denial;

5) decision of ASB shall be made separately for each requirement specified in sub-clauses 1 and 3-6 of the point 1 of the Article 3 hereof. Decisions of ASB shall be considered as made in case of affirmative vote of at least 60% of ASB members who took part in the meeting of ASB;

6) If ASB stated that the project of the Contestant complies with all requirements specified in sub-clauses 1 and 3-6 of the point 1 of the Article 3 hereof, the Foundation sends a notice on the ASB decision to the Contestant within 1 working day after signing of the minutes of ASB;

7) if ASB has stated that the project of the Contestant does not comply with at least one of the requirements specified in sub-clauses 1 and 3-6 of the point 1 of the Article 3 hereof, the Foundation sends a notice on non-compliance of the project with the relevant requirements, and on refusal to confer the Project Participant status. This notice shall be sent to the Contestant within 2 working days from the date of signing the minutes of ASB.

Article 4. Conferring status of the Project Participant

1. In cases specified in sub-clause 4 of the point 7 of the Article 2 and sub-clause 6 of the point 6 of the Article 3 hereof, the Contestant must provide the Foundation within 30 days since receipt of relevant notice the following:

1) the original Contestant's application certified by the seal regarding its intent to become the Project Participant signed by the head of the permanent executive body of the Contestant or other person having the right to act without the power of attorney on behalf of the Contestant or representative of the Contestant under the power of attorney;

2) the copy of document regarding registration of the Contestant with tax authorities (a notary public must certify the accuracy of the copy);

3) the copy of constituent documents (a notary public or tax authorities must certify the accuracy of the copy);

4) the copy of document confirming the entry of information about the Contestant into the Unified State Register of Legal Entities (a notary public must certify the accuracy of the copy).

The documents shall be subject to consideration by the Foundation within One (1) working day since submission. If constituent documents submitted by the Contestant meet the requirements of sub-clause 2 of the point 2 of the Article 1 hereof and the Contestant is not conferred the status of the Project Participant based on previously submitted applications, the Foundation shall make a decision on conferring the status of the Project Participant within 3 working days since provision of documents specified in the present point. Regarding the Center for Applied Research, the Foundation makes at the same time a decision on conferring the status of the Project Participant and on its granting.

If constituent documents submitted by the Contestant do not meet the requirements of sub-clause 2 of the point 2 of the Article 1 hereof or the Contestant did not submit documents, specified in the present point, the Foundation shall notify the Contestant with a description of revealed discrepancies or the list of non-submitted documents. If the Contestant fails to provide documents specified in such notice to the Foundation within 30 days, the Application shall not be considered.

2. The status of the Project Participant shall be conferred to the Contestant for the period of ten years.

3. Pursuant to the Foundation decision regarding conferring the status of the Project Participant to the Contestant, the Contestant shall be included into the register of the project participants by entry of the record on conferring the status of the Project Participant to the Contestant into such register. Such record shall be entered within One (1) working day after decision on conferring the status of the Project Participant.

The status of the Project Participant shall be deemed conferred to the Contestant since entry of a relevant record into the register of the project participants.

4. Entry of the record into the register of the project participants regarding conferring the status of the project participant to the Contestant shall be certified by the certificate. The certificate shall be issued to the Project participant within 14 days since entry of the record regarding conferring the status to the project participant to the Contestant into the register of the project participants.

5. If in accordance with this Regulation, the Application of the Contestant (Applicant for preliminary assessment) is not considered, the Contestant (Applicant for preliminary assessment) shall have the right to submit such Application subject to general consideration prescribed herein.

Article 5. The Terms and Procedure for Withdrawal of the Status of the Project Participant

1. The status of the Project Participant shall be withdrawn:

1) at the expiration of the ten-year period since the entry of the record into the register of the project participants regarding conferring the status of the project participant to the Contestant;

2) in case of Foundation's decision regarding early withdrawal of the status of the Project Participant of the legal entity;

3) since liquidation or reorganization of the legal entity according to the laws of the Russian Federation (except for reorganization in the form of transformation or merge with the Project Participants status for each entity participating in the merge of such legal entity as of the date of state registration of a legal successor of reorganized legal entities);

2. The decision on early withdrawal of the status of the Project Participant from the legal entity shall be made by the Foundation in the following cases:

- 1) violation of the Project Rules by the Project Participant;
- 2) non-compliance with the requirements of the Law by the Project Participant;
- 3) refuse of the Project Participant to participate in the project.

3. Exclusion of the legal entity from the register of the project participants shall be made by entry of record regarding withdrawal the status of the Project Participant from the legal entity. Such record shall be made within 5 days since occurrence of circumstances specified in the point 1 of the present Article.

The status of the Project Participant shall be deemed withdrawn since entry of a relevant record into the register of the project participants.

Article 6. Other Provisions

1. The present Regulation on Conferring and Withdrawal of Status of the Project Participant for creation and provision of functioning of the Skolkovo Innovation Center comes into effect upon the expiration of 14 calendar days after approval of this Regulation by the Foundation Council with consent of the Foundation Board of Trustees. From this moment Regulation on Conferring and Withdrawal of Status of the Project Participant for creation and provision of functioning of the Skolkovo Innovation Center, approved by the decision of the Foundation Council dated December 6, 2010, No. 1, shall be deemed to cease to be in force.

2. Applications of Contestants and Applicants for preliminary assessment which were filed before coming the present Regulation into effect shall be considered in accordance with the requirements of the Regulation on Conferring and Withdrawal of Status of the Project Participant for creation and provision of functioning of the Skolkovo Innovation Center, approved by the decision of the Foundation Council dated December 6, 2010, No. 1.

3. In the Regulation on grants to participants of the project for creation and support of operation of Skolkovo Innovation Center for implementing innovative projects, approved by the Foundation Council (the of absentee meeting of the Foundation Council minutes dated April 25, 2012 № 2) with consent of the Board of Trustees (the Board of Trustees meeting minutes dated April 25, 2012 № 3):

- 1) add to the Article 1 point 6 as follows:

"6. This Regulation does not regulate the procedure for awarding grants to Center for Applied Research, which received the status of the Project Participants in accordance with the Regulation on conferring and withdrawal the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center.";

- 2) in the point 3 of the Article 2:

a) to edit sub-clause 2 as follows: «2) Substantive examination has demonstrated that the Project meets the criteria specified in sub-clauses 2-6 of the point 1 of the Article 2 of the Regulation on conferring and withdrawal the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center»;

b) to edit sub-clause 3 as follows: «3) The Project is in line with the innovation priorities set forth in accordance with the Regulation on conferring and withdrawal the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center in force at the time.».

**AGREEMENT
FOR NON-DISCLOSURE OF SUBMITTED
PROJECT INFORMATION**

Moscow

The Contestant for the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center according to Federal Law No. 244-FZ Regarding Skolkovo Innovation Center of September 28, 2010 or a person applying for preliminary assessment of the project (hereinafter the Contestant) and

Non-Commercial Organization, the Fund for Development of the Center for Elaboration and Commercialization of New Technologies created according to the laws of the Russian Federation, Primary State Registration Number (OGRN) 1107799016720 (hereinafter referred to as the Foundation) in the person of V.F. Vekselberg, the Foundation President, operating under the Articles of Association

hereinafter jointly referred to as the Parties and individually as Party,
have concluded this Agreement for Non-Disclosure of Submitted Project Information (hereinafter the “Agreement”) as follows:

1. Definitions

1.1. Permitted Goal – acquaintance with documents and materials related to the Contestant's project and submitted by the Contestant by sending filled out Contestant's questionnaire and documents provided at submission of the Contestant application for conferring the status of the project participant or at submission of the application for preliminary assessment.

1.2. Confidential Information – information related to the Permitted Goal (including industrial secrets (know-how), financial records, commercial indicators) which

(1) shall be provided to the Foundation by the Contestant in writing or electronic form and specified as confidential by the Contestant at submission;

(2) is not generally known or in public domain and

(3) is information with respect to which the Contestant undertakes reasonably sufficient steps to ensure its confidentiality.

Information shall not be deemed confidential, which is

(1) known to the Foundation on legal grounds at submission of such information by the Contestant;

(2) generally known and in public domain,

(3) provided to Third parties by the Contestant without limitations (including placement in Internet).

1.3. Third parties – physical or legal persons as well as public and legal establishments excluding the Foundation, the Contestant, Foundation personnel, members of the Boards of Experts of the Foundation, members of the Grant Commission of the Foundation, members of the Scientific Advisory Board, translators as well as the persons with whom the Foundation has entered into services rendering agreements enforceable by the civil law. The Foundation acknowledges that it has entered into non-disclosure agreements with the mentioned persons.

2. Confidential Information Use

The Foundation can use the Confidential Information solely to achieve the Permitted Goal.

3. Transfer of the Confidential Information

3.1. In all cases save the cases established by the laws of the Russian Federation and herein the Foundation shall have the right to disclose Confidential Information including transfer to the Third Parties only with prior Contestant's consent in writing for such transfer.

4. Protection of the Confidential Information

4.1. The Foundation shall be held liable to keep confidentiality applying reasonably sufficient measures in accordance with generally accepted professional standards with respect to any information provided in connection with this Agreement and specified by the Contestant as Confidential Information according to the terms and conditions hereof.

4.2. The Foundation shall be held liable to inform personnel with respect to the Foundation's obligations hereunder and give relevant instructions.

5. Confidential Information Rights

5.1. The Contestant shall be the possessor of the rights for the Confidential Information.

5.2. Nothing in this Agreement including the fact of Confidential Information transfer hereunder shall deem transfer of any Contestant's rights for Confidential Information to the Foundation.

6. Effective Period of the Agreement

This Agreement shall become effective since execution and shall be valid for the period of three years since transfer of Confidential Information by the Contestant to the Foundation.

7. Other Provisions

7.1. The Contestant entering into this Agreement shall give consent to the Foundation for computerized processing and processing without application of automation means of personal information submitted by the Contestant.

7.2. The Foundation shall have no right to transfer the rights and/or obligations hereunder to the Third Parties without prior Contestant's consent in writing.

7.3. This Agreement shall be governed by the applicable law of the Russian Federation.

7.4. Disputes arising between the Parties in connection with this Agreement shall be subject to settlement in the court at location of the Foundation.

7.5. Submission of the application mentioned in clause 1.1 hereof shall mean acceptance by the Contestant of the terms and conditions hereof. The Agreement shall be deemed concluded on the above terms and conditions therefrom.

To the Regulation regarding Conferring and Withdrawal of the Status
of the Project Participant for creation and provision of functioning of
the Skolkovo Innovation Center

AGREEMENT
FOR NON-DISCLOSURE OF SUBMITTED
PROJECT INFORMATION
(with the right to provide information to potential co-investors)

Moscow

The Contestant for the status of the project participant for creation and provision of functioning of the Skolkovo Innovation Center according to Federal Law No. 244-FZ Regarding Skolkovo Innovation Center of September 28, 2010 or a person applying for preliminary assessment of the project (hereinafter the Contestant) and

Non-Commercial Organization, the Fund for Development of the Center for Elaboration and Commercialization of New Technologies created according to the laws of the Russian Federation, Primary State Registration Number (OGRN) 1107799016720 (hereinafter referred to as the Foundation) in the person of V.F. Vekselberg, the Foundation President, operating under the Articles of Association

hereinafter jointly referred to as the Parties and individually as Party,
have concluded this Agreement for Non-Disclosure of Submitted Project Information (hereinafter the “Agreement”) as follows:

1. Definitions

1.1. Permitted Goal – acquaintance with documents and materials related to the Contestant's project and submitted by the Contestant by sending filled out Contestant's questionnaire and documents provided at submission of the Contestant application for conferring the status of the project participant or at submission of the application for preliminary assessment.

1.2. Confidential Information – information related to the Permitted Goal (including industrial secrets (know-how), financial records, commercial indicators) which

(1) shall be provided to the Foundation by the Contestant in writing or electronic form and specified as confidential by the Contestant at submission;

(2) is not generally known or in public domain and

(3) is information with respect to which the Contestant undertakes reasonably sufficient steps to ensure its confidentiality.

Information shall not be deemed confidential which is

(1) known to the Foundation on legal grounds at submission of such information by the Contestant;

(2) generally known and in public domain,

(3) provided to Third parties by the Contestant without limitations (including placement in Internet).

1.3. Potential co-investors – persons by the Foundation opinion can make a decision regarding participation in funding of the Contestant's project.

1.4. Third parties – physical or legal persons as well as public and legal establishments excluding the Foundation, the Contestant, Foundation personnel, members of the Boards of Experts of the Foundation and members of the Grant Commission of the Foundation, members of the Scientific Advisory Board, translators as well as the persons with whom the Foundation

has entered into services rendering agreements enforceable by the civil law. The Foundation acknowledges that it has entered into non-disclosure agreements with the mentioned persons.

2. Confidential Information Use

The Foundation can use the Confidential Information solely to achieve the Permitted Goal.

3. Transfer of the Confidential Information

3.1. In all cases save the cases established by the laws of the Russian Federation and herein the Foundation shall have the right to disclose Confidential Information including transfer to the Third Parties only with prior Contestant's consent in writing for such transfer.

3.2. The Foundation shall have the right to transfer Confidential Information to the Potential co-Investors without the Contestant's consent, provided that a confidentiality agreement will be entered with respect to the transferable information.

4. Protection of the Confidential Information

4.1. The Foundation shall be held liable to keep confidentiality applying reasonably sufficient measures in accordance with generally accepted professional standards with respect to any information provided in connection with this Agreement and specified by the Contestant as Confidential Information according to the terms and conditions hereof.

4.2. The Foundation shall be held liable to inform personnel with respect to the Foundation's obligations hereunder and give relevant instructions.

5. Confidential Information Rights

5.1. The Contestant shall be the possessor of the rights for the Confidential Information.

5.2. Nothing in this Agreement including the fact of Confidential Information transfer hereunder shall deem transfer of any Contestant's rights for Confidential Information to the Foundation.

6. Effective Period of the Agreement

This Agreement shall become effective since execution and shall be valid for the period of three years since transfer of Confidential Information by the Contestant to the Foundation.

7. Other Provisions

7.1. The Contestant entering into this Agreement shall give consent to the Foundation for computerized processing and processing without application of automation means of personal information submitted by the Contestant.

7.2. The Foundation shall have no right to transfer the rights and/or obligations hereunder to the Third Parties without prior Contestant's consent in writing.

7.3. This Agreement shall be governed by the applicable law of the Russian Federation.

7.4. Disputes arising between the Parties in connection with this Agreement shall be subject to settlement in the court at location of the Foundation.

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