Confidentiality Declaration

**in relation to the participation in courses of the postgraduate program in
"Medical Device Regulatory Affairs and Quality Assurance" of the University of Bern**

1. Declaration of the Student: The Student acknowledges that in attending the training course ("Course") he/she might get access to Confidential Information of peer participants ("Peers") and of the University of Bern ("University"), in particular to research and development projects performed at sitem-insel. The University wishes strict confidentiality to be maintained regarding any such Confidential Information. With this Declaration the Student confirms that he/she will use any Confidential Information strictly in accordance with this Declaration.

2. "Confidential Information" means any disclosed information relating to a research and development project of Peers or University in whatever nature or form, including but not limited to, documents, papers, materials, designs, prototypes, software, objects which is marked confidential as well as all information and materials relating to such projects and whose confidential nature is easily identifiable by the Student.

3. The Student agrees not to disclose Information directly or indirectly to a third party. This confidentiality obligation shall apply also to Student's employer. Moreover, the Student undertakes to use Information exclusively for performing his/her tasks in the Course.

4. The obligation set forth in Section 3 above does not apply to Confidential Information for which the Student is able to prove that:
- it was in the public domain or open to the public at the time it was transmitted to the Student by Peers or University, or
- it later became public or open to the public for reasons other than an action or omission attributable to the Student, or
- it already was in Student's possession, without any limitation regarding its disclosure at the time it was transmitted to the Student by Peers or University,

provided that such prior possession is supported by a written evidence, or
- it was obtained in good faith and without any commitment relating to confidentiality from a third party.

5. Duration: This Declaration shall enter into force on the date of signature and shall be effective as of the starting date of the Course. The obligation to maintain confidentiality shall remain in force beyond termination of Course, for as long as an interest in maintaining discretion still exists.

6. Obligation to return Confidential Information: The Student is required, at any time and at the request of the supervisor of the Course at the University, as well as upon termination of the Course, to return any and all documents and data in his possession belonging to the University, or which are the property of external contractors (such as notes, analyses, drafts, plans, drawings, models, minutes of any meetings or discussions, performance descriptions, program printouts, IT documentation etc., or copies thereof), as well as any data which exists in the context hereof, regardless of the means by which such data has been recorded. The supervisor of the Course shall designate the person or office to which such documentation or data is to be returned and/or the place at and the means by which it is to be destroyed.

7. This Declaration shall be governed by and interpreted in accordance with the laws of Switzerland (place of jurisdiction is Bern), without reference to its conflict of laws principles. Any intentional or negligent breach of the provisions set out in this Declaration shall be construed as a material breach of the contractual obligations and can be invoked as grounds for damages according to the Swiss Obligationenrecht Art. 41 ff. The Student shall be wholly and comprehensibly liable towards Peers or the University for all damage which results from such a breach.

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Date, Place

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Signature Student

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