

## Change of the Articles of Association

### Articles as of May 25, 2005

### Articles new

§ 4 <u>Share capital and shares</u>	§ 4 <u>Share capital and shares</u>
<p>(8) The Management Board is authorized</p> <ul style="list-style-type: none"> <li>▪ to increase the share capital of the company according to Para 159 Sec 3 Stock Corporation Act upon approval of the Supervisory Board during a period of five years from the registration of the amendment of the Articles of Association with the Commercial Register by up to EUR 21,810,000.- by issuing up to 10 million new ordinary bearer shares or new ordinary registered shares with no par value in order to serve stock options to be granted to employees, directors and members of the Management Board of the company or of an affiliated company.</li> <li>▪ The authorized conditional capital may be used in several tranches within the maximum amount.</li> <li>▪ The capital increase shall only be effected to the extent that owners of stock options exercise their option rights.</li> <li>▪ The Supervisory Board is authorized to resolve upon the amendments to the Articles of Association required by the use of the authorized conditional capital.</li> </ul>	<p>(8) Authorized conditional capital 2003: The Management Board is authorized</p> <ul style="list-style-type: none"> <li>▪ to increase the share capital according to Para 159 Sec 3 Stock Corporation Act upon approval of the Supervisory Board until June 30, 2010 by up to Euro 9,487,350 by issuing up to 4.35 million new bearer or registered shares with no par value in order to serve stock options, which have been granted to employees, managers and members of the Management Board of the Company or of an affiliated company, in January 2006.</li> <li>▪ The capital increase may only be executed to the extent that owners of stock options exercise their options.</li> <li>▪ The Supervisory Board is authorized to resolve upon the amendments of the Articles of Association resulting from the issuance of shares out of the authorized conditional capital.</li> </ul>

(10) Authorized conditional capital 2006:

- The Management Board is authorized to resolve upon a conditional increase of the share capital upon approval by the Supervisory Board during a period of five years from the registration of the amendment of the Articles of Association with the Commercial Register in order to grant stock options to employees, managers and members of the Management Board of the Company or of an affiliated company by up to Euro 21,810,000 by issuing up to 10 million new bearer or registered shares with no par value, against cash contribution.
- Within the determined maximum amount, the authorized conditional capital can be exercised in several tranches.
- The Supervisory Board is authorized to resolve upon the amendments of the Articles of Association resulting from the issuance of shares out of the authorized conditional capital.