



Special conditions OEM



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1. General

These *special conditions OEM* apply to the manufacture and delivery of products by us affixing your name, your brand or other marks as OEM product (OEM relation).

Due to the OEM relation you are the legal manufacturer. You are therefore required to provide a declaration of conformity for products that are subject to a design or radio frequency permit.

This obligation is met as follows:

1. You sign the EC declaration of conformity prepared by us and add your own logo.
2. You sign the declaration of identical construction that will be confirmed by us with our signature.
3. We provide the OEM product for you with a CE mark.

2. Rights and obligations

2.1 Conformity with harmonised standards

The products manufactured and supplied by us conform to the respective applicable harmonised standards and their conformity has been tested and confirmed by the respective competent authority. The OEM products delivered as “compliant” by us are identically equipped with all components and functions concerning the conformity like the products tested by the competent authority. You will not carry out any modifications to parts and functions relevant to conformity. In case such modifications take place you will lose any right of recourse due to missing conformity.

2.2 Documentation on conformity

We will provide you with the proof of compliance on request by sending you the certificate of the competent authority. Further technical documentation will be presented by us to the supervisory authorities if required. Neither you nor any third parties named by you are entitled to receive this documentation. If we are requested by supervisory authorities to present technical documentation we are obliged to submit them immediately and directly to the supervisory body.

2.3 Storage of technical documentation

We store the technical documentation in accordance with the statutory provisions.

2.4 Initial order of OEM products

Any initial order of OEM products subject to harmonised standards is pending the provision of the declaration of conformity signed by you and carrying your company logo as well as the declaration of identical construction presented and signed by you.

2.5 Changes with regard to conformity to OEM products

In case of changes with regard to conformity to OEM products by us we shall - at our own expense - have the conformity examined again by a competent authority. We will provide you (in accordance with II number 2.) with a declaration of conformity issued by the competent authority. The declaration of identical construction re-submitted by you declares that the products we have delivered to you after having effected changes, are identical in construction with the products tested by the competent authority. You shall also sign an EC declaration prepared by us. Next, we will affix a CE mark to the changed OEM products. Number 4 of these Special Terms and Conditions shall apply accordingly.

2.6 Changes to conformity requirements

We shall inform you immediately about changes to conformity requirements. The provisions as per number 5 of these Special Terms and Conditions shall apply regarding the adaptation of the OEM products to the new requirements.

2.7 Release/Liability

We confirm the conformity of products with relevant harmonised standards, if applicable, for the duration of the use according to calibration specifications of products subject to calibration requirements and for a service life of 12 years, starting from the delivery of products that are not subject to calibration requirements. Furthermore we shall indemnify you from all civil law claims of third parties, if these are based on non-existing conformity on delivery.