

**Polish Financial Supervision Authority****Current report****No. 6 / 2022**Report date: 25<sup>th</sup> April 2022

Abbreviated issuer name:

PATENTUS S.A. ....

**Subject:**

Conclusion of an agreement meeting the significant agreement criteria with Polska Grupa Górnicza S.A..

**Legal grounds:**

Article 17 paragraph 1 MAR - confidential information.

**Report content:**

Management Board of PATENTUS S.A. ("Company, Issuer", "Contractor") informs, that on 25<sup>th</sup> April 2022 an information was received, on signed agreement number 482200486 concluded between Polska Grupa Górnicza S.A. (PGG) with its registered office in Katowice and Consortium composed of: Węgłokoks S.A. with its registered office in Katowice (Consortium Leader), Becker-Warkop Sp. z o.o. with its registered office in Świerlany (Consortium Member) and Patentus S.A. with its registered office in Pszczyna (Consortium Member).

1. Subject of the agreement: Delivery of face scraper conveyors, beam stage loaders, crushers, conveyor shifting equipment control and interlock systems as well as a longwall system monitoring and visualization system for PGG S.A. Branch: KWK ROW, with the total net value of the subject of the agreement of PLN 18 729 845.00 of which PATENTUS S.A. shall complete task no. 2 with the total net amount of PLN 12 356 970.00:

1.1 Task no. 2 – delivery of new beam stage loaders.

2. Completion time – delivery up to 20 weeks from the date of order delivery (via e-mail) to the Contractor.

3. Contractual penalties:

Ordering Party may charge the Contractor with contractual penalties in the event of failure to perform or improper performance of the Agreement, the calculation grounds of which is the net value specified in - Price and payment terms;

1) for withdrawal from the agreement by one of the parties for reasons attributable to the Contractor (other than those indicated in point 2) below) in the amount of 20% of the net value of the unrealized part of the agreement in the scope of the task the withdrawal concerns,

2) for withdrawal from the agreement by one of the parties in the case of the subject of Agreement non-delivery in the amount equal to the cost of a replacement item acquisition by the Ordering Party and 2% of the net agreement value;

3) in the amount of 0.1% of the net value of the not delivered on time part of the order for each day of delay beyond the specified deadline up to 10 days inclusive,

4) in the amount of 0.2% of the net value of the not delivered on time part of the order for each day of delay exceeding 10 days beyond the date of completion,

5) in the amount of 0.01% of the net agreement value for the warranty service reporting at the registered office of the Ordering Party for repair within more than 8 hours from the date of notification for each hour of delay;

6) in the amount of 0.1% of the net agreement value for each hour of failure, to be removed under warranty obligations, after exceeding 36 hours of total downtime in a given month as a result of this type of failure,

7) in the amount of 0.2% of the net agreement value for inability to remove the reported failure within 24 hours from the start of the Contractor's service team, for each started day of delay;

8) the value of the charged contractual penalties may not exceed 10% of the net agreement value,

4. Warranty:

4.1 General warranty for the subject of the order stands at 24 months from the Final Acceptance Protocol date, but no longer than the offered warranty period extended by 6 months from the date of the Completeness of Delivery Protocol to the Ordering Party's warehouse, excluding components for which a detailed warranty was granted, as defined below.

4.2 Detailed warranty:

\*PZS drive hulls and trough haulage – 3 million tons of transported output or 36 months from the date of commissioning underground, whichever occurs first,

\*PZS attached troughs and chain drums – 1.5 million tons of transported output or 24 months from the date of commissioning underground, whichever occurs first,

\*PZS drive hulls and trough haulage – 1.5 million tons of transported output or 18 months from the date of commissioning underground, whichever occurs first,

\*PZS attached troughs and chain drums – 1 million tons of transported output or 18 months from the date of commissioning underground, whichever occurs first,

\*gears and clutches – 24 months from the date of commissioning underground,

\*drive units, motors and other electrical devices – 24 months from the date of commissioning underground,

\*chains for the face scraper conveyor and beam stage loader – 12 months from the date of commissioning underground.

The signed PAT 22.010-99 agreement concluded between the Consortium Leader and PATENTUS S.A. provides the basis for cooperation.

Task no. 2, which will be performed by the Issuer pursuant to the aforementioned agreement, exceeded the value of 10% of the Issuer's equity, therefore the agreement was considered of significant value.

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PATENTUS SPÓŁKA AKCYJNA

(full issuer name)

PATENTUS S.A.  
(abbreviated issuer name)

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(sector acc to WNE classification)

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273585931  
(National Business Registry Number)

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#### SIGNATURES OF THE COMPANY'S REPRESENTATIVES:

Date	Name and Surname	Position/Function	Signature
25 <sup>th</sup> April 2022	Stanisław Duda	Vice President of the Management Board	.....