# Algorithm Provider Terms and Conditions

(version as of September 12th 2023)

## Section 1 - These EOX Algorithm Provider Terms

EOX IT Services GmbH ("EOX") develops, operates, and provides various online services ("EOX Services"), for example hosted JupyterLab instances an online service to provide an interactive computational environment to help exploit Earth Observation data and also run "Algorithms" in a headless manner. The term "Service Provider" used below refers to EOX.

Access to, and use of, any EOX Service related to providing algorithms to third parties constitutes acceptance of the following EOX Algorithm Provider Terms.

## Section 2 - Use of and Providing an Algorithm for use by Third Parties via an EOX Service

When accessing and using any EOX Service related to providing algorithms to third parties the user ("Algorithm Provider") is required to sign an Algorithm Provider agreement with EOX and shall be obliged to observe the following:

a. The Algorithm Provider shall comply to the EOX Contributions Terms in its latest version in its entirety whereas any provided algorithm shall be considered as Contribution as defined and used in these terms.

b. The Algorithm Provider shall be solely responsible to obtain the required Intellectual Property (IP) rights inherent to the algorithm to publish the algorithm on the EDC marketplace and offer it to Third Parties for execution.

c. The Algorithm Provider shall be solely responsible for the correct functioning of provided algorithms.

d. The Service Provider reserves the right - though without accepting any obligation - to refuse or remove any provided Algorithm that, in the Service Provider’s sole discretion, violate these Terms or otherwise threaten the security, integrity, or availability of the EOX Services.

e. The Algorithm Provider shall provide a textual as well as a programmatic description of the algorithm and its input parameters and output as part of the on-boarding process.

f. The Algorithm Provider shall be solely responsible for any third party API integration in provided algorithms. In particular this includes obliging to the third party API Terms and Conditions, Service Level Agreements (SLA), and usage restrictions.

g. The Service Provider makes available a regular report including details on algorithm(s) consumption and generated revenue. The generated revenue is stated subtracting the agreed EDC EOxHub execution costs per started hour and subtracting the agreed revenue share.

h. The Algorithm Provider shall provide an automatic way to retrieve cost estimates for algorithm runs based on concrete values for the defined and agreed input parameters considering all algorithm inherent costs (e.g. subscriptions for Third Party APIs), costs for execution on the selected target environment, as well as the agreed revenue share based EDC marketplace fee. The Algorithm Provider shall acknowledge that these cost estimates are binding. The Algorithm Provider shall be solely responsible to cover any expenses incurred and exceeding the cost estimate when running the algorithm using the exact same concrete input parameter values.

i. The Service Provider reserves the right to suspend any algorithm run where the current EDC EOxHub execution costs are exceeding the provided cost estimate.

j. In order to receive payouts the Algorithm Provider shall present invoices to the Service Provider according to the provided revenue report and complying with Austrian and European Union laws and regulations.

k. The Algorithm Provider agreement shall define the

- target environment
- input parameters including defaults
- applicable delivery methods
- interval of the provided report (quarterly, monthly, etc.)
- percentage of the revenue share
- minimum consumer price per algorithm run (execution)
- maximum duration per algorithm run (execution)

l. The Algorithm Provider shall maintain capacity to reproduce consumer executions any time including an active EDC EOxHub Workspace according to the defined target environment subscription in order to mitigate any problems e.g. based on specific input parameters.