



# **Opportunities of the Globalization**

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## **Portrait of a Consultant**

**Coaching Multicultural Teams**

**Lean Internationalization Consulting**

**International Management Training**

**Goal-Based Internationalization Scenarios**

**Interkultural Mediation**

**Interim Management**

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# Contents

<b>HARTMUT BÜTTNER.....</b>	<b>3</b>
1. EXPERIENCE PROFILE.....	3
2. PROFESSIONAL PRACTICE.....	4
3. PROFESSIONAL EDUCATION.....	4
4. OTHER QUALIFICATIONS.....	4
<b>SERVICES .....</b>	<b>5</b>
COACHING.....	5
1. Target Group.....	5
2. Success Factors.....	5
3. Approach.....	6
4. Service Provision.....	6
LEAN INTERNATIONALIZATION CONSULTING (LIC).....	7
1. Target Group.....	7
2. Benefits.....	7
3. Approach.....	8
4. Note.....	8
TRAINING.....	9
Introduction to Export Business.....	11
Success through Professional Internationalization Strategies.....	12
Competitive Advantages through Intercultural Competence.....	13
Particularities of International Marketing.....	14
Introduction to Project Management.....	15
Particularities of International Project Management.....	17
The Asian Challenge – Market Entry Strategies.....	18
The Asian Challenge – Success through Intercultural Competence.....	19
GOAL-BASED INTERNATIONALIZATION SCENARIOS (GBIS).....	20
1. Target Group.....	20
2. Benefits.....	20
3. Approach.....	21
4. Service Provision.....	21
5. Note.....	21
INTERCULTURAL MEDIATION.....	22
1. Target Group.....	22
2. Success Factors.....	22
3. Approach.....	23
4. Note.....	24
INTERIM MANAGEMENT.....	25
Your Benefits.....	25
<b>GENERAL TERMS AND CONDITIONS (GTC).....</b>	<b>26</b>

# Hartmut Büttner

## International Management Consultant since 2002

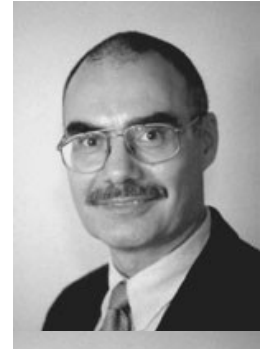
### *Personal Data*

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### **1. Experience Profile**

- International Management Consultant and Trainer
- Delegate, responsible for the Asia-Pacific Region, located in Hong Kong for six years
- Transferring and integrating an international distribution organization following a business takeover
- Implementation and maintaining of an international distribution organization
- Sales management in Europe and Asia-Pacific
- Project management and processing of international producer's goods orders
- Planning and coordination of public funded research and development projects
- Controlling

## **2. Professional Practice**

since 2006 International Management Consultant and Trainer  
2002 - 2005 International Management Consultant  
2000 - 2002 Clariant Masterbatch GmbH & Co. OHG in Ahrensburg (Product management Asia-Pacific)  
1999 - 2000 Clariant Masterbatch GmbH & Co. OHG in Hong Kong (Delegate)  
1994 - 1998 Boehringer Ingelheim KG in Hongkong (Delegate)  
1992 - 1994 Boehringer Ingelheim KG in Ingelheim (Area sales manager)  
1990 - 1992 Mabuchi Motor Co., Ltd. in Frankfurt (Sales engineer)  
1989 - 1990 Leybold AG in Alzenau (Order processing engineer)  
1985 - 1988 Leybold AG in Hanau and Alzenau (Controlling)

## **3. Professional Education**

- MBA with Distinction (International Management Consultancy, University of Lincoln, Great Britain, 2005)
- Diplom-Wirtschaftsingenieur/Elektrotechnik (Business Administration and Electrical Engineering, Technische Hochschule Darmstadt [today: Technical University Darmstadt], Germany, 1985)
- European Net-Trainer (European Net-Trainers Association, Tele-Akademie Furtwangen University, Germany, and The Sheffield College, Great Britain, 2008)
- Suggestopedia (Basic Training, DGSL, CeLL – Centrum für effektives Lehren und Lernen, 2007)
- NLP-Trainer (DVNLP, NLP-TrainerAkademie, 2007)

## **4. Other Qualifications**

- License - Training Supervisor Sport in Prevention: Relaxation and Stress Management (DSB, German Sports Federation, 2007)
- License - Training Supervisor Sport in Prevention: Posture and Movement (DSB, German Sports Federation, 2005)
- Licence - Trainer C Fitness and Health (DSB, German Sports Federation, 2005)
- Yoga Teacher (Sivananda Yoga Vedanta Dhanwantari Ashram, India, 2000)

# Services

## *Coaching*

### 1. Target Group

Enterprises, organizations and teams in the international / global environment and who aim for example:

- to achieve additional value with the help of coaching following a previous training,
- to develop a forward-looking strategy or motivating vision,
- to support an international manager or executive in tackling difficult situations through individual coaching support,
- to form or restructure an international, multicultural and/or virtual team
- to identify and raise awareness in a team, by means of supervision and coaching, in order to:
  - find synergy potentials for future interactions,
  - uncover latent/unconscious misunderstandings,
  - increase efficiency and effectiveness,
  - improve communication and cooperation and
  - optimize processes and interfaces.

### 2. Success Factors

For the coaching being successful and all participants adopting and implementing the measures with motivation, the following conditions must be fulfilled.

Requirements for the coachees (team members):

- The coachees take part in the coaching voluntarily and accept the coach.
- The team members are, in principle, qualified for their tasks (otherwise would probably a training or a transfer make more sense).
- The expectations of the management to the team are clearly defined.

Requirements for the coach:

- own intercultural competence
- is accepted by the coachees
- neutral and goal oriented working style
- only opening but not providing solution approaches

### 3. Approach

When deciding on the appropriate approach for coaching multicultural teams the team composition has to be taken into account because of the different values, knowledge bases, ways of thinking, behaviours, problem-solving strategies and native languages of the various team members.

### 4. Service Provision

- On-site at the client company or organization
- Particularly for virtual teams also electronically as eCoaching.

## ***Lean Internationalization Consulting (LIC)***

Hartmut Büttner International Management Consulting is specialized in the **Lean Internationalization Consulting**.

### 1. Target Group

LIC is particularly suitable for small and medium-sized companies as well as individual business units of large companies which aim to:

- develop new markets,
- build-up an international organization and/or
- optimize their international activities

and put emphasis on:

- an attractive price-performance ratio,
- a low load of their own resources,
- a consistent and timely implementation and
- taking into account the latest business knowledge.

### 2. Benefits

The client receives through LIC:

- A lean consultancy, with seven to ten consultant days, only a fraction of a traditional consulting costs. This is possible because e.g. employees of the client collect and edit the data required for the analysis of the current situation under the guidance of the consultant. In addition, the client's employees undergo an on-the-job training thanks to this approach.
- 100 % transparency, because the strategy and the resulting actions are not defined by the consultant alone, but together with the client's team. Furthermore, it is ensured that the knowledge and experience of client's employees are used.
- A very high implementation rate (up to over 95%), since the persons affected were involved in the strategy development and accept the measures decided on. However, as most likely immediate actions are already decided on the first day and realized, the positive effects get quickly visible.

### 3. Approach

Unlike traditional consulting, the client and his team develop their own concept through LIC with the assistance of a professional consultant.

In LIC the roles and tasks are as follows:

#### **Client Organization**

- Roles
  - Project Management
  - Project Assistant
  - Project Team
- Tasks
  - Analysis
  - Decisions
  - Implementation

#### **Consultant**

- Roles
  - Facilitation
  - Moderation
  - Coaching
  - Hotline
- Tasks
  - Contribution of professional knowledge and methods

### 4. Note

**Lean Internationalization Consulting** is based on the practice proven Lean Consulting® approach of Prof. Dr. Christel Niedereichholz.

## ***Training***

The necessary expert knowledge and methods for successful International Business and Management are conveyed in the following in-house seminars and workshops. In addition, the sensitivity for intercultural differences of the participants will be trained.

The participants benefit in these interactive seminars and workshops from the more than twenty-years practical experience of the trainer in various international functions and the latest technical and didactic knowledge.

### 1. Seminars

#### Internationalization

- Introduction to Export Business (2 days; page 11)
- Success through Professional Internationalization Strategies (1 day; page 12)
- Competitive Advantages through Intercultural Competence (1 day; page13)
- Particularities of International Marketing (1 day; page 14)

#### Projekt Management

- Introduction to Project Management (3-5 days; as agreed upon; page 15)
- Particularities of International Project Management (2 days; page 17)

#### Asia

- Market Entry Strategies (1 day; page 18)
- Success through Intercultural Competence (1 day; page 19)

## 2. Notes

- **eLearning:** The seminars can be organized also as eLearning courses or as combined presence and eLearning courses (blended learning).
- **Methodology:** Lectures, case studies, exchanges of experience and discussions
- **Organization:** Meeting rooms, presentation tools (beamer, flipchart, consumables and computers with Internet access) and meals are provided by your company.
- **Seminar Topics:** The individual modules may be re-arranged according to different training needs. Other seminars, workshops and lectures upon request.
- **Seminar Language:** The modular seminars can be held in German and English.
- **Number of Participants:** Maximum 20 persons
- **Venue:** In-house event in your rooms
- **Workshops:** The seminars can also be organized as workshops too.

## Introduction to Export Business

(Seminar)

This seminar provides an overview of the most important aspects of export business. The participants learn to what they need to pay attention and receive practical tips for the establishment and expansion of their export business.

### Contents:

- Basics  
(export-environments and export forms)
- Legal framework  
(foreign trade law, export licensing, international sales contracts and arbitration)
- Checking the own export capacity  
(own company, own industry and business-environment)
- Selection of promising export markets  
(information sources, market analysis and selection)
- Finding suitable distribution partners  
(partner profile, search and selection)
- Offer components
- Shipping and payment terms  
(esp. Incoterms, document collection and letter of credit)
- Export financing  
(short-, medium- and long-term)
- Export risks and their insurance  
(public, private; transport insurance)
- Export price calculation  
(pricing strategies, full and partial-cost accounting)
- Order processing  
(Packaging, transport, export documents and customs clearance)
- Qualified contact persons and information sources

**Target Group:** Owners, managing directors, marketing and sales managers and all employees without or with little export experience, who like get a deeper insight into export business.

**Speaker:** Hartmut Büttner

**Duration:** 2 days

## **Success through Professional Internationalization Strategies**

(Seminar)

The different internationalization strategies are introduced and compared in this seminar. In addition the criteria for choosing a foreign location are explained and it will be analysed which organizational forms are suitable for implementing the different international strategies.

### **Contents:**

- Reasons and conditions for a successful internationalization
- Internationalization approaches  
(transaction costs, eclectic approach, extended Ansoff Matrix, Porter Matrix, Country-Similarity-Theory and product life cycle)
- Strategy design  
(growth, timing, order, segmentation, stimulation, processing and strategy-grid)
- Site selection  
(location attractiveness, decision and implementation)
- Conventional organizational structures  
(export department, international division; functional, product, and regional structure, two-dimensional matrix structure, grid structure and hybrid structures)
- New organisational structures  
(Holding, network structures and virtual enterprises)

**Target group:** Owners, managing directors, export managers, marketing and sales managers.

**Speaker:** Hartmut Büttner

**Duration:** 1 day

## **Competitive Advantages through Intercultural Competence**

(Seminar)

In this seminar, the different levels of culture and cultural dimensions are introduced, the differences between national standards analysed and practical recommendations worked out for intercultural marketing and management as well as for effective leadership of multicultural teams and organizations.

### **Contents:**

- Culture levels  
(symbols, heroes, rituals, practices, values, etc.)
- Intercultural communications  
(verbal and nonverbal)
- Stereotypes and prejudices
- Cultural dimensions  
(examples and comparison: power distance, individualism and collectivism, masculinity and femininity, uncertainty avoidance, etc.)
- Intercultural marketing  
(culture-bound products, culture-free products, cultural market segmentation, intercultural industrialized countries marketing and cultural adaptations of product strategies)
- Organizational culture  
(Universalism, Economic Cluster School, culture-bound approach, Hofstede's four bureaucracy types)
- Intercultural management  
(knowledge management, international change projects, learning organization and personnel management)
- Multicultural organizations and teams  
(corporate culture, multicultural teams and cultural negotiations)

**Target group:** Owners, managing directors, export managers, marketing and sales managers and all employees with foreign business partners contact.

**Speaker:** Hartmut Büttner

**Duration:** 1 day

## **Particularities of International Marketing**

(Seminar)

This seminar deals with the specific features of international marketing and adds to the national marketing knowledge and the marketing experience of the participants won on the home market.

Practical recommendations are given for finding promising foreign markets and how to develop appropriate marketing concepts.

### **Contents:**

- Definition and delimitation of the term "International Marketing"
- International marketing process  
(marketing concept life cycle and international marketing planning)
- International marketing research  
(International secondary and primary research)
- Market entry forms  
(from indirect export to own subsidiary)
- International marketing mix  
(product, price, communication and distribution policy)
- International marketing and Internet  
(Internet as an information source and marketing tool)

**Target group:** Owners, managing directors, export managers, marketing and sales managers and all employees, who like to deepen their knowledge about the peculiarities of international marketing.

**Speaker:** Hartmut Büttner

**Duration:** 1 day

## Introduction to Project Management

(Seminar)

This seminar deals with the central project management issues and provides the associated methodical knowledge on the basis of practical examples.

Practice approved approaches are presented and alternative routes to the project objectives are discussed. Since these alternatives are valuable only if the right decision-making criteria are applied, decision-making procedures will be trained too.

Some of the project management tools are explained, some are tested.

Even seminar participants, without practical experience will succeed entering into the world of project work, thanks to the practical and interactive design.

### Contents:

#### 1. Project management and Organization

- Project start-up phase  
(kick-off meeting, feasibility study, project team, responsibilities of the project participants, alternative decisions, including deciding on the approach, project contract)
- Organizational conditions  
(project organization, structural design possibilities and ways of working in the project team, cooperation, delegation, transfer of responsibilities to the working group from the perspective of the client and that of the project manager, cultural influences)
- Project implementation  
(phases and milestone concepts, combinations, cooperation between the client and project team, project curve, project effort and cost distribution from the start to handing over the finished product to the client)

#### 2. Cross-Cutting Issues

- Estimation  
(effort and cost estimation, savings estimation, boundary conditions)
- Planning  
(principles, planning system, smoothing, plan types, planning techniques, planning tools)

- Control  
(project cycle, target-performance comparison, control charts, resources, effort, dates, quality)
- Profitability  
(cost recovery: graphic and arithmetic determination)
- Quality assurance  
(requirements, organization, problems, actions, overview ISO 9000)
- Documentation  
(purpose, documents, design, reporting system)
- Decision making  
(value analysis: procedure, significance)
- Project risks  
(risk factors, main risks, counter-measures)
- Project management  
(responsibility, skills, motivation)
- Project management principles  
(rules and standards, project management manual)

**Target group:** Prospective project managers and project members without or with little project experience.

**Speaker:** Hartmut Büttner

**Duration:** 3-5 days; as agreed upon

Note: The seminar contents must be tightened and reduced at a seminar duration of 3 and 4 days.

## **Particularities of International Project Management**

(Seminar)

This seminar deals with the particularities of international project management and complements the existing project management skills and experience of the participants.

The additional project management conditions and rules for successfully handling international projects are presented as well.

### **Contents:**

- Basics  
(framework, definition and delimitation, examples)
- Special features  
(additional factors, organizational concepts, recruitment, project management tools, project financing and risk management)
- International teams  
(leadership, teamwork and team development, intercultural management, negotiations, problem-solving process and decision-making)
- Project managers  
(selection, employment and management development)
- Internationalization in 6 stages  
(1. preparation, 2. analysis of the current situation (baseline), 3. target concept, 4. implementation planning, 5. implementation, 6 review and follow-up)
- 5 Phases scheme for the foundation of international co-operations  
(1. strategic clarification and targets, 2. partner search, 3. configuration and implementation, 4. management, 5. termination)

**Target group:** Persons with project management skills, who like to introduce, to systematize and/or to improve the international project management in their enterprises. Furthermore persons, who are going to manage international projects in future or who will work in them.

**Speaker:** Hartmut Büttner

**Duration:** 2 days

## **The Asian Challenge – Market Entry Strategies**

(Seminar)

This seminar provides an overview of the regional triangle with India in the west, Japan in the north and Indonesia in the south. Regional and local characteristics are presented. Possible market entry strategies with their advantages and disadvantages are discussed. Moreover, recommendations are given for country and site selection.

### **Contents:**

- The region - a general overview  
(economics, languages, religions, history)
- Differences between German and Asian country and corporate cultures  
(individualism versus collectivism, power distance, masculinity versus femininity, uncertainty avoidance and long-term orientation; organizational models; problem-solving styles)
- Internationalization strategies  
(strategy modules, strategy design and development paths)
- Country selection - Asia  
(selection criteria, country risk - BERI index, brief countries profiles; example: automotive industry)
- Site selection in Asia  
(location factors, decision)
- Qualified German and Asian contact persons and information sources

**Target group:** Owners, managing directors, export managers, marketing and sales managers.

**Speaker:** Hartmut Büttner

**Duration:** 1 day

## **The Asian Challenge – Success through Intercultural Competence**

(Seminar)

This seminar provides an overview of the regional triangle with India in the west, Japan in the north and Indonesia in the south. The Asian and Western ways of thinking, decision-making processes and business practices are compared. Furthermore, the participants get practical information on how to deal with Asian business partners, negotiation strategies and networking.

### **Contents:**

- The region - a general overview  
(economics, languages, religions and history)
- Cultural analysis  
(symbols, heroes, rituals, practices, values and values change)
- Cross-cultural communication between Germans and Asians  
(verbal, nonverbal, stereotypes and prejudices)
- Differences between German and Asian cultural standards  
(individualism versus collectivism, power distance, masculinity and femininity, uncertainty avoidance, long-term orientation; organizational models; problem-solving styles)
- Intercultural information about China, India and Japan  
(business relations, business etiquette, small talk, negotiation and taboos)
- Planning of business trips  
(intercultural, business and organizational)

**Target group:** Owners, managing directors, export managers, marketing and sales managers as well as all employees who work with Asian business partners or prepare for a business trip or a longer stay in Asia.

**Speaker:** Hartmut Büttner

**Duration:** 1 day

## **Goal-Based Internationalization Scenarios (GBIS)**

Hartmut Büttner International Management Consulting offers with **Goal-Based Internationalization Scenarios** a package of consulting, coaching and training modules aligned and geared to the client's needs and objectives taking into account the current situation of the client's organization.

### 1. Target Group

GBIS is particularly suitable for small and medium-sized companies as well as individual business units of large companies which aim to:

- develop new markets,
- build-up an international organization and/or
- optimize its international activities

and put emphasis on:

- an attractive price,
- a low load of their own resources,
- a consistent and timely implementation and
- taking into account the latest business knowledge.

### 2. Benefits

- The client receives through GBIS:
- service package thematically, financially and time optimized for his specific needs,
- a better knowledge transfer into the daily work practice, since the GBIS training modules are adjusted to the specific needs of the participants,
- an added value compared to isolated coaching and training, since under GBIS coaching and training are coordinated and therefore complement and reinforce each other mutually,
- qualitatively higher consulting results, as the coaching and training measures have a positive effect on the technical and methodological expertise of participants.

### 3. Approach

#### **1. Preparation**

The client explains the consultant the objectives of the planned ZOIS and the present situation of his enterprise in a preliminary meeting.

#### **2. Analysis of the current situation**

Detailed determination of the coaching, training and consulting needs.

#### **3. Target concept**

Specification of the coaching, training and consulting contents in form of a project structure plan. Followed by a rough work estimation and a rough time schedule based on the project structure plan.

#### **4. Concept preparation**

Preparing detailed work flow chart, time, resources plans and cost projection.

#### **5. Realization**

Carrying out the coaching, training and consulting services agreed on and making adjustments if necessary.

#### **6. Evaluation**

- Project evaluation
- Customer satisfaction

### 4. Service Provision

- On-site at the client company or organization
- Particularly in virtual teams also electronically as eCoaching, eConsulting and eLearning.

### 5. Note

The term Goal-Based Scenarios (GBS) was first coined by Roger Schank at the Institute for the Learning Sciences (ILS) at Northwestern University (USA) during 1993-1994. Hartmut Büttner International Management Consulting has modified this didactic approach and transferred into an on-the-job coaching, training and consulting approach.

## ***Intercultural Mediation***

### 1. Target Group

Enterprises and organisations, teams or single persons from different cultures which are working in the international/global environment and would like to convert an acute conflict into a Win-Win situation.

### 2. Success Factors

For the mediation being successful and all participants adopting and implementing the measures with motivation, the following conditions must be fulfilled:

Cultural awareness of potential conflicts such as different

- values,
- knowledge bases,
- different ways of thinking and practices,
- problem-solving strategies and
- verbal, nonverbal and paraverbal languages

Conflict parties

- want an amicable solution
- have an interest in good future relations,
- take part in the mediation voluntarily,
- are ready to collaborate actively and to observe the "rules of the game".
- Furthermore, they need
  - patience,
  - perseverance,
  - tolerance and listening skills,
  - openness and
  - 100% presence.

Mediator

- must be able to recognize misunderstandings and conflicts due to intercultural differences as well as the needs of the conflict parties,
- has good knowledge about the facts underlying the conflict,
- takes the position of both conflict parties (german: allparteiisch) and has their trust,

- help the parties to articulate their feelings and interests understandable,
- prescribes no solution and
- stops the conversation if necessary.

### 3. Approach

#### **0. Prearrangements**

Making contact, preliminary meeting and situation clarification.

#### **1. Set-up phase**

At this stage, the mediator tries to create a trusting atmosphere and to give the conflict parties an opportunity to agree on rules of their own in addition to the standard mediation rules.

#### **2. Views of the conflict parties**

The conflict parties describe their views one after another, without be interrupted by the other party. The moderator listens actively, asks questions for better understanding and collects all important information. First motives can be recognized during this phase.

#### **3. Mirroring**

The conflict parties repeat the position and the interests of the other side with words of their own.

#### **4. Conflict clarification and visualization of similarities**

The important points of both parties are visualized and the similarities highlighted first to create a better starting point for the following discussion of the problem aspects. The objective is to elucidate the positions, needs and feelings, lying behind the conflict.

#### **5. Working out possible solutions**

After all problem aspects have been dealt with, the participants search possible solutions together e.g. by means of brainstorming and then judge their feasibilities. An uniform opinion does not always have to come out in the context of an intercultural mediation at the end. Often, it can make more sense that the conflict parties only remind themselves of the differences and accept them as specific peculiarities of the other party.

## **6. Agreeing on solutions**

The conflict parties opt for one or several of their proposed solutions which they want to implement and perhaps agree on a follow up meeting.

## **7. Implementation**

The conflict parties implement the agreed measures and make adjustments if necessary.

## **4. Note**

The intercultural mediation, as described above, serves not only the voluntary solution finding in case of conflict, but also assists the mutual learning, helping the conflict parties to improve their mutual understanding and to develop a feeling for mutual opportunities.

## ***Interim Management***

As an interim manager in international marketing, sales and product management, I can support you goal oriented and efficient in your international growth and value creation, considering social and ecological points of view.

### Your Benefits

- In case of temporary personnel bottlenecks, I can take over management assignments at short notice until the work can be done again by your own management.
- If you start a new activity, e.g. developing international markets, I can ensure that the work will be done in a professional manner until your own management is ready to take over or until you have employed additional personnel.
- You do not have to bear long-term fixed costs if you employ me as interim manager.
- You avoid the risk connected with filling personnel vacancies over-hurried.
- Being neutral and independent I can get done many things within a short time.
- Due to the know-how transfer, my employment brings a clear increase in ideas and knowledge for your organization.
- The emphasis of my activity lies in the realization.

# General Terms and Conditions (GTC)

of Hartmut Büttner International Management Consulting (hereinafter HBIMC)

## § 1 Application

(1.1) These Terms and Conditions apply to coaching, consulting and training by HBIMC for the client, particularly in the following areas:

- Team coaching,
- Intercultural coaching,
- Lean internationalization consulting,
- Seminars and workshops,
- eLearning and eTutoring,
- Goal based internationalization scenarios and
- Intercultural mediation

(1.2) Terms and conditions of the client apply only when explicitly agreed upon in writing.

## § 2 Scope of Consulting Assignments / Scope of Services Rendered

(2.1) Subject of the contract is the designated service, not to achieve a particular economic success or the provision of a report or other works. The scope of service rendered is based on preparatory talks held between the client and HBIMC. The service of HBIMC is supplied when the measures agreed upon in the contract are carried out and the results discussed with the client. It is irrelevant whether or when the conclusions and recommendations are implemented.

(2.2) In particular, coaching, lean internationalization consulting, mediation and goal based scenarios are based on cooperation and mutual trust. HBIMC will disclose the applied methods, their functionality and purposes as well as the risks and possible results in every phase to the client and the participants.

(2.3) At the request of the client HBIMC has to grant information on the status of executing the contract, to grant or to give account after completion of the consulting assignments by a written report stating the essential information concerning the course of actions and results of the service. It must be agreed separately if HBIMC should prepare a comprehensive written report, in particular for submission to third parties.

(2.4) HBIMC carries out all work with the utmost care and always based on the individual situation and the needs of the client.

(2.5) HBIMC only checks the information provided by the client or third party for plausibility. HBIMC is obliged to present the information known to him about the situation of the client with regard to the scope of consulting assignments in question correctly and completely. The conclusions and recommendations derived from the services are carried out to the best knowledge and according to recognized rules of science and practice. The presentation of the recommendations is carried out in an understandable and comprehensible way.

(2.6) Unless otherwise agreed, HBIMC shall be entitled to subcontract, in whole or in part, the services to expert subcontractors. Also in this case HBIMC remains directly obliged to the client.

### **§ 3 Changes in the Scope of the Consulting Assignment**

(3.1) HBIMC shall be obliged to take into account change requests of the client, provided that they are reasonable particularly with regard to the effort and the time scheduling in the context of HBIMC's operational capacities.

(3.2) If the examination of the possibilities for change or the realization of the desired changes have an effect on the terms and conditions of the contract, particularly on the work of HBIMC or the time schedule, the parties agree on an adequate amendments of the terms and conditions of the contract, particularly rise of the compensation and moving of the deadlines.

(3.3) If a more extensive examination of the effort is necessary, HBIMC has the right to require a separate assignment.

(3.4) Changes and additions to the contract must be in writing. Minutes of meetings regarding this or the project status do justice to it, provided that they are signed by the assignees of both sides.

### **§ 4 Confidentiality / Data Protection**

(4.1) HBIMC shall be without time limitation obliged to keep confidential all business and trade secrets of the client as well as all information described as confidential, which becomes known to him in connection with the contract. The passing on to third parties not engaged in the execution of the order may be carried out only with a written consent of the client.

(4.2) HBIMC assumes responsibility to commit all persons employed by him for the execution of the contract on the compliance with this regulation in writing.

(4.3) HBIMC is authorized to process the personal data entrusted to him or to have processed by third parties in the context of the contract purpose considering the data protection regulations.

## **§ 5 Client's Obligation to Cooperate**

(5.1) The client is obliged to support HBIMC as much as possible and to create in his business sphere all conditions and prerequisites necessary for the proper execution of the contract. The client has particularly to provide all necessary or meaningful documents for the contract execution on time.

(5.2) On request of HBIMC the client has to confirm in writing the correctness and completeness of the documents presented by him, his information and verbal explanations.

## **§ 6 Remuneration / Payment / Off-Set**

(6.1) The remuneration for the services of HBIMC is calculated based on the times used for the contractual activities (time fee or as a fixed price as agreed in writing). Unless otherwise agreed, HBIMC is entitled to claim reimbursement of expenses in addition to the fees. Details of the method of payment are regulated in the contract.

(6.2) As far as long-term contracts are settled according to time and effort the respective current fee rates of HBIMC are valid. For contracts which are concluded during the last quarter of a year, the prices agreed on apply also for the following year. The client may terminate the contract, if the fees change does exceed the fees customary in the market significantly.

(6.3) Remuneration and claims for reimbursement shall be due and payable immediately without discounts. The legal value-added tax (sales tax) has to be added to all price quotations and reported separately on the invoices.

(6.4) Several clients (natural and/or legal entities) are jointly and severally liable.

(6.5) A setting off against claims of HBIMC for remuneration and reimbursement is permitted only with undisputed or legal finally established claims.

## **§ 7 Removal of defects**

(7.1) As far as the service rendered can be improved, HBIMC will remove possible defects for which he is responsible as far as this is possible for him with an adequate effort. The client has to name in writing possible defects immediately at the latest however within six months after delivery.

(7.2) When the amendment fails, the client may demand reduction of the remuneration or cancellation of the contract. If the order has been placed by a merchant who has been entered as such in the commercial register in the context of its commercial sector, a legal entity of the public law or a separate property entity under public law, then the client only can demand the

cancellation of the contract, if the rendered service is for him without interest because of the failed improvement. § 8 applies to claims for compensation going beyond above.

## **§ 8 Liability**

(8.1) HBIMC shall be liable to the client, unimportant for which legal foundation, for the damages caused by him deliberately or grossly negligently.

(8.2) For ordinary negligence there is a liability only at the violation of essential contractual duties. In this case the liability for contract atypical damages is excluded. For a single claim case the liability is restricted € 25.000,-. A single claim case is regarded as the sum of claims for compensation of all rightful claimants, which stem from a single-defined, time-coherent and consistent service performance. If a considerably higher damage risk is predictable, HBIMC is obliged to offer the client a larger liability sum. In this case HBIMC shall have the right to adjust his remuneration accordingly.

(8.3) Contractual claims for compensation of the client against HBIMC become statute-barred two years after the claim-triggering circumstances.

## **§ 9 Intellectual Property Protection**

(9.1) The client will ensure that reports, organization charts, outlines, drawings, lists and calculations prepared by HBIMC in the context of the contractual assignment will be only used for the purposes mentioned in the contract. Furthermore, they will not be published without express approval in writing for each individual case. The use of the rendered services for enterprises connected to the client requires an explicit written agreement.

(9.2) As far as copyright results from HBIMC's contractual work, the copyright remains the property of HBIMC. The client receives in these cases the time and place unrestricted, irrevocable, exclusive and non-transferable right to use the work results, which is restricted only by § 9 paragraph 1 sentence 1.

## **§ 10 Loyalty**

(10.1) The contractual parties commit themselves to mutual loyalty. They immediately inform each other of all circumstances appearing in the course of the project which can influence the project execution.

(10.2) In particular, the recruitment or employment of employees or former employees, who are or were active in the context of the assignment execution has to be refrained before expiry of twelve months after completion of the cooperation.

## **§ 11 Force Majeure**

Events of force majeure, which make it much more difficult or temporarily impossible to fulfil the contractual obligations, entitle the respective party to postpone its activity for the duration of disability and a reasonable start-up time. Industrial action and similar circumstances are put on a par with force majeure as far as they are unforeseeable, serious and through no fault of one's own. The parties immediately inform each other about the occurrence of such circumstances.

## **§ 12 Revocation of the Contract**

(12.1) Unless otherwise agreed, the contract can be discontinued at the end of a month with a preceding period of 14 days notice. The right of extraordinary contract cancellation remains untouched.

(12.2) To become effective the revocation of the contract has to be in writing.

## **§ 13 Retention / Storage of Documents**

(13.1) HBIMC has the right to retain the documents handed over to him up to the complete payment of his claims. However, this would be in bad faith if the retention would harm the client disproportionately high, balancing the interests of both contractual parties.

(13.2) HBIMC has to return all documents given to him by client or a third party on the occasion of contract execution after settlement of his claims from the contract. This does not apply to the correspondence between the parties nor for simple copies of the reports, organization charts, drawings, lists, calculations etc. made in the context of the contract provided that the customer has got the originals.

(13.3) The obligation of HBIMC to keep the documents expires six months after the delivery of the written request for clearance, otherwise three years and in case of retained documents according to § 13 paragraph 1 five years after termination of the contractual relationship.

## **§ 14 Other Rights and Obligations**

(14.1) Rights from the contractual relationship with HBIMC may be transferred to a third party only with a prior written consent.

(14.2) The right of the Federal Republic of Germany exclusively applies to all claims from the contract.

(14.3) Changes and amendments of these conditions or the contract must be in writing and shall be expressly indicated as such.

(14.4) Place of jurisdiction for all disputes arising from the contract is that of HBIMC, if the client is a merchant, who has been entered as such in the

commercial register, in the context of its commercial sector, a legal entity governed by public law or a separate property entity under public law.



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