

Synopsis of the intended amendments of the Articles of Association¹

| Current version of the Articles of Association (as of November 2021) | Intended version (Resolution proposals to the Annual Stockholders' Meeting on 24 May 2023) |
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| Regarding agenda item 9 | |
| Article 4 (Capital Stock) Para. 3 of the Articles of Association | |
| <p>The Board of Management is authorized, with the approval of the Supervisory Board, to increase the capital stock on one or more occasions until May 14, 2023, by issuing new no-par bearer shares against cash or contributions in kind up to a total amount of EUR 18,304,587 (Authorized Capital I). Stockholders must be granted subscription rights subject to the following restrictions: The Board of Management is authorized, with the approval of the Supervisory Board to eliminate fractional amounts in the event of capital increases. The Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights insofar as this is necessary in order to grant holders or creditors of the warrants or conversion rights granted or obligations imposed by the company or by its direct or indirect affiliates a subscription right to new no-par bearer shares to the extent to which they would be entitled as stockholders after exercising their warrant or conversion right or fulfilling the warrant or conversion obligation. The Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights in the event of capital increases against contributions in kind, especially in connection with the acquisition of companies, parts of companies, equity investments, other assets including rights and receivables or business combinations. Moreover, the Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights in the event of capital increases against cash contributions, if the issue price of the new no-par bearer shares is not significantly lower than the stock market price at the time the issue price is definitively fixed, which time should be as close as possible to the placement of the no-par bearer shares (simplified disapplication of subscription rights in accordance with Section 186 Para. 3 Sentence 4 AktG). The shares issued with subscription rights disappplied in accordance with Section 186 Para 3 Sentence 4 AktG may not exceed 10% of the capital stock existing at the time when the resolution is passed by the Annual Stockholders' Meeting or – if lower – when the resolution regarding the utilization of</p> | <p><i>The Board of Management is authorized, with the approval of the Supervisory Board, to increase the capital stock on one or more occasions until May 23, 2026, by issuing new no-par bearer shares against cash or contributions in kind up to a total amount of EUR 17,269,260 (Authorized Capital I).</i></p> <p><i>In general, stockholders must be granted subscription rights. The subscription rights can also be granted by way of the new shares being acquired by one or more credit institutions or equivalent entities in accordance with Section 186 Para. 5 Sentence 1 AktG with the obligation to offer them to the stockholders of the company for subscription (indirect subscription right). However, the Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights in the following cases:</i></p> <ul style="list-style-type: none"> <i>a) to eliminate fractional amounts in the event of capital increases;</i> <i>b) insofar as this is necessary in order to grant holders or creditors of the warrants or conversion rights granted or obligations imposed by the company or by its direct or indirect affiliates a subscription right to new no-par bearer shares to the extent to which they would be entitled as stockholders after exercising their warrant or conversion right or fulfilling the warrant or conversion obligation.</i> <i>c) in the event of capital increases against contributions in kind, especially in connection with business combinations, the acquisition of companies, parts of companies, equity investments or other assets including rights and receivables.</i> <i>d) in the event of capital increases against cash contributions, if the issue price of the new no-par bearer shares is not significantly lower than the stock market price at the time the issue price is definitively fixed, which time should be as close as</i> |

¹ Intended changes are highlighted in **boldface**.

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| <p>authorized capital is first passed. This upper limit of 10% of capital stock is reduced by the pro rata amount of the capital stock attributable to the shares issued or sold during the term of this authorization with subscription rights disapplied in direct or analogous application of Section 186 Para. 3 Sentence 4 AktG. Furthermore, this limit is decreased by shares that have been or will be issued in order to satisfy warrants or conversion rights or obligations, if the warrants or conversion rights or obligations were granted or imposed with subscription rights disapplied in accordance with Section 186 Para. 3 Sentence 4 AktG during the term of this authorization. The Board of Management is also authorized to determine the further details of the capital increase and its implementation with the Supervisory Board's approval.</p> | <p><i>possible to the placement of the no-par bearer shares (simplified disapplication of subscription rights in accordance with Section 186 Para. 3 Sentence 4 AktG). The shares issued with subscription rights disapplied in accordance with Section 186 Para 3 Sentence 4 AktG may not exceed 10% of the capital stock existing at the time when the resolution is passed by the Annual Stockholders' Meeting or – if lower – when the resolution regarding the utilization of authorized capital is first passed. This upper limit of 10% of capital stock is reduced by the pro rata amount of the capital stock attributable to the shares issued or sold during the term of this authorization with subscription rights disapplied in direct or analogous application of Section 186 Para. 3 Sentence 4 AktG. Furthermore, this limit is decreased by shares that have been or will be issued in order to satisfy warrants or conversion rights or obligations, if the warrants or conversion rights or obligations were granted or imposed with subscription rights disapplied in accordance with Section 186 Para. 3 Sentence 4 AktG during the term of this authorization.</i></p> <p><i>The Board of Management is also authorized to determine the further details of the capital increase and its implementation with the Supervisory Board's approval.</i></p> <p><i>Shares issued on the basis of this authorization with stockholders' subscription rights disapplied may not, (i) together with shares issued by the company during the term of this authorization on the basis of other authorizations with subscription rights disapplied or (ii) together with shares issued or to be issued to service warrants or conversion rights or obligations, provided the warrants or conversion rights or obligations were granted or imposed during the term of this authorization with subscription rights disapplied, exceed 10% of the capital stock at the time this authorization becomes effective. Shares issued with subscription rights disapplied to eliminate fractional amounts in the event of capital increases are not counted toward the aforementioned limit.</i></p> |
| <p>Regarding agenda item 10</p> | |
| <p>Article 4 (Capital Stock) Para. 4 of the Articles of Association</p> | |
| <p>The Board of Management is authorized, with the approval of the Supervisory Board, to increase the capital stock on one or more occasions until May 25, 2022, by issuing new no-par bearer shares against cash contributions up to a total amount of EUR 9,152,293 (Authorized Capital III). Stockholders must be granted subscription rights subject to the following restrictions: The Board of Management is authorized, with the approval of the Supervisory Board</p> | <p><i>The Board of Management is authorized, with the approval of the Supervisory Board, to increase the capital stock on one or more occasions until May 23, 2025, by issuing new no-par bearer shares against cash contributions up to a total amount of EUR 8,634,630 (Authorized Capital II).</i></p> <p><i>In general, stockholders must be granted subscription rights. The subscription rights can also be granted</i></p> |

to eliminate fractional amounts in the event of capital increases against cash contributions. Moreover, the Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights in the event of capital increases against cash contributions, if the issue price of the new no-par bearer shares is not significantly lower than the stock market price at the time the issue price is definitively fixed, which time should be as close as possible to the placement of the no-par bearer shares (simplified disapplication of subscription rights in accordance with Section 186 Para. 3 Sentence 4 AktG). The shares issued with subscription rights disapplied in accordance with Section 186 Para 3 Sentence 4 AktG may not exceed 10% of the capital stock existing at the time when the resolution is passed by the Annual Stockholders' Meeting or – if lower – when the resolution regarding the utilization of authorized capital is first passed. This upper limit of 10% of capital stock is reduced by the pro rata amount of the capital stock attributable to the shares issued or sold during the term of this authorization with subscription rights disapplied in direct or analogous application of Section 186 Para. 3 Sentence 4 AktG. Furthermore, this limit is decreased by shares that have been or will be issued in order to satisfy warrants or conversion rights or obligations, if the warrants or conversion rights or obligations were issued with subscription rights disapplied in accordance with Section 186 Para. 3 Sentence 4 AktG during the term of this authorization. The Board of Management is also authorized to determine the further details of the capital increase and its implementation with the Supervisory Board's approval.

by way of the new shares being acquired by one or more credit institutions or equivalent entities in accordance with Section 186 Para. 5 Sentence 1 AktG with the obligation to offer them to the stockholders of the company for subscription (indirect subscription right). However, the Board of Management is authorized, with the approval of the Supervisory Board, to disapply stockholders' subscription rights in the following cases:

- a) to eliminate fractional amounts in the event of capital increases **against cash contributions**;
- b) if the issue price of the new no-par bearer shares is not significantly lower than the stock market price at the time the issue price is definitively fixed, which time should be as close as possible to the placement of the no-par bearer shares (simplified disapplication of subscription rights in accordance with Section 186 Para. 3 Sentence 4 AktG). The shares issued with subscription rights disapplied in accordance with Section 186 Para 3 Sentence 4 AktG may not exceed 10% of the capital stock existing at the time when the resolution is passed by the Annual Stockholders' Meeting or – if lower – when the resolution regarding the utilization of authorized capital is **first** passed. This upper limit of 10% of capital stock is reduced by the pro rata amount of the capital stock attributable to the shares issued or sold during the term of this authorization with subscription rights disapplied in direct or analogous application of Section 186 Para. 3 Sentence 4 AktG. Furthermore, this limit is decreased by shares that have been or will be issued in order to satisfy warrants or conversion rights or obligations, if the warrants or conversion rights or obligations were **granted or imposed** with subscription rights disapplied in accordance with Section 186 Para. 3 Sentence 4 AktG during the term of this authorization.

The Board of Management is also authorized to determine the further details of the capital increase and its implementation with the Supervisory Board's approval.

Shares issued on the basis of this authorization with stockholders' subscription rights disapplied may not, (i) together with shares issued by the company during the term of this authorization on the basis of other authorizations with subscription rights disapplied or (ii) together with shares issued or to be issued to service warrants or conversion rights or obligations, provided the warrants or conversion rights or obligations were granted or imposed during the term of this authorization with subscription rights disapplied, exceed 10% of the capital stock at the time this authorization becomes effective. Shares issued with

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| | <i>subscription rights disapplied to eliminate fractional amounts in the event of capital increases are not counted toward the aforementioned limit.</i> |
| Regarding agenda item 11 | |
| Article 4 (Capital Stock) Para. 5 of the Articles of Association | |
| <p>The capital stock shall be increased on a conditional basis by up to EUR 9,152,293 divided into up to 9,152,293 no-par bearer shares (conditional capital). The conditional capital increase shall only be implemented to the extent that the holders or creditors of, or persons obligated to exercise, warrants or conversion rights pertaining to warrant bonds and/or convertible bonds, income participation rights and/or income bonds (or a combination of these instruments) issued by the company or a dependent company against cash contributions, or issued against cash contributions and guaranteed by the company or a dependent company, on or before May 14, 2023, on the basis of the authorization granted to the Board of Management by the Annual Stockholders' Meeting on May 15, 2018, exercise their warrants or conversion rights or, where they are obligated to do so, fulfill such obligation, or to the extent that the company elects to grant shares in the company in place of all or part of the cash amount due for payment. The conditional capital increase shall not be implemented if cash compensation is granted or if the company's own shares, shares issued out of authorized capital or shares in another listed company are used to service the warrant or conversion rights. The new shares shall be issued at the warrant or conversion price to be determined in accordance with the authorizing resolution referred to above. The new shares shall participate in profit starting with the beginning of the fiscal year in which they are created; insofar as is legally permissible, the Board of Management may, with the Supervisory Board's approval, determine profit participation for the new shares in deviation from the above and from Section 60 Para. 2 AktG, including for a fiscal year which has already ended. The Board of Management is authorized, with the Supervisory Board's approval, to specify the further details for the purpose of executing the conditional capital increase.</p> | <p><i>The capital stock shall be increased on a conditional basis by up to EUR 8,634,630 divided into up to 8,634,630 no-par bearer shares (conditional capital). The conditional capital increase shall only be implemented to the extent that the holders or creditors of, or persons obligated to exercise, warrants or conversion rights pertaining to warrant bonds and/or convertible bonds, income participation rights and/or income bonds (or a combination of these instruments) issued by the company or a dependent company against cash contributions, or issued against cash contributions and guaranteed by the company or a dependent company, on or before May 23, 2026, on the basis of the authorization granted to the Board of Management by the Annual Stockholders' Meeting on May 24, 2023, exercise their warrants or conversion rights or, where they are obligated to do so, fulfill such obligation, or to the extent that the company elects to grant shares in the company in place of all or part of the cash amount due for payment. The conditional capital increase shall not be implemented if cash compensation is granted or if the company's own shares, shares issued out of authorized capital or shares in another listed company are used to service the warrant or conversion rights. The new shares shall be issued at the warrant or conversion price to be determined in accordance with the authorizing resolution referred to above. The new shares shall participate in profit starting with the beginning of the fiscal year in which they are created; insofar as is legally permissible, the Board of Management may, with the Supervisory Board's approval, determine profit participation for the new shares in deviation from the above and from Section 60 Para. 2 AktG, including for a fiscal year which has already ended. The Board of Management is authorized, with the Supervisory Board's approval, to specify the further details for the purpose of executing the conditional capital increase.</i></p> |
| Regarding agenda item 12 | |
| Article 14 (Convening the Stockholders' Meeting) of the Articles of Association | |
| <p>Unless other persons are entitled to do so by virtue of law, Stockholders' Meetings shall be convened by the Board of Management. Such convening shall be announced in the Federal Gazette no later than thirty-six days prior to the date of the Meeting.</p> | <p><i>Unless other persons are entitled to do so by virtue of law, Stockholders' Meetings shall be convened by the Board of Management. Such convening shall be announced in the Federal Gazette no later than thirty-six days prior to the date of the Meeting. The Board of Management is authorized to arrange that the Stockholders' Meeting is held as a meeting</i></p> |

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| | <i>without the physical presence of the stockholders or their authorized representatives at the venue of the Stockholders' Meeting (virtual Stockholders' Meeting) if the meeting takes place within two years of the entry of this provision of the Articles of Association into the Commercial Register</i> |
| Regarding agenda item 13 | |
| Article 10 (Convening and Resolutions) Para. 2 of the Articles of Association | |
| The members of the Board of Management can attend Supervisory Board meetings unless otherwise specified by the Chair of the Supervisory Board for specific reasons. | <i>Subject to statutory provisions, the members of the Board of Management can attend Supervisory Board meetings unless otherwise specified by the Chair of the Supervisory Board for specific reasons.</i> |
| Article 16 (Procedure of the Stockholders' Meeting) Para. 5 of the Articles of Association | |
| | <i>Supervisory Board members may attend the Stockholders' Meeting by way of audio-visual transmission in consultation with the Chair of the Supervisory Board if the Supervisory Board member in question is unable to physically attend the venue of the Stockholders' Meeting, if the Supervisory Board member resides outside of Germany, if the Supervisory Board member's attendance at the venue of the Stockholders' Meeting would be associated with an unduly long journey or if the Stockholders' Meeting is held as a virtual Stockholders' Meeting</i> |