



**Synopsis of the intended amendment of the
Articles of Association¹**

<p>Current version</p> <p>Resolution of the General Meeting as of 19 February 2021</p>	<p><i>Intended version</i></p> <p><i>Resolution proposal for the General Meeting on 11 February 2022</i></p>
<p align="center">For Agenda Item 6: § 4 (7) (authorised capital) of the Articles of Association</p>	
<p align="center">§ 4 (7)</p> <p align="center"><i>Authorised capital</i></p> <p>The Management Board is authorised, with the consent of the Supervisory Board, to increase the capital stock of the Company on one or more occasions on or before 28 February 2022 by issuing new ordinary bearer shares in exchange for contributions in cash or in kind up to a maximum amount of 181,000,000 euros (authorised capital). As a general rule, the shareholders are to receive subscription rights in this respect. The new Shares may also be assumed by credit institutions, or by enterprises that are equivalent pursuant to § 186 (5) sent. 1 German Stock Corporation Act, that are designated by the Management Board, subject to the obligation to offer them to the shareholders for subscription.</p> <p>However, the Management Board is authorised, with the consent of the Supervisory Board, to exclude the shareholders' subscription right in the following cases:</p> <ul style="list-style-type: none"> - for the compensation of fractional amounts; 	<p align="center">§ 4 (7)</p> <p align="center"><i>Authorised capital</i></p> <p><i>The Management Board is authorised, with the approval of the Supervisory Board, to increase the share capital of the Company until 10 February 2027 by issuing new ordinary bearer shares against cash contributions once or several times, but by a maximum of up to 108,929,175 euros (authorised capital). In doing so, the shareholders have a subscription right. The new shares may also be taken over by credit institutions determined by the Management Board or by companies equivalent to these pursuant to § 186 section 5 sentence 1 of the German Stock Corporation Act (AktG) with the obligation to offer them to the shareholders for subscription.</i></p> <p><i>However, the Managing Board is authorised, with the approval of the Supervisory Board, to exclude shareholders' subscription rights to compensate for fractional amounts.</i></p> <p><i>The Management Board is authorised, with the consent of the Supervisory Board, to determine the further details of the capital</i></p>

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

<ul style="list-style-type: none">- if the shares are issued in exchange for contributions in kind for the purpose of corporate mergers or for the acquisition of companies, divisions of companies, operational activities, branches of activity or interests in companies;- to grant a so-called scrip dividend, in which case the shareholders are offered to contribute their claim for payment of the dividend to the Company (in whole or in part), as contribution in kind against granting of new shares from the authorised capital;- in the event of a capital increase in exchange for cash contributions to the extent necessary to grant subscription rights to new ordinary shares to the holders of warrant or convertible bonds issued by the Company or such affiliates in which the Company holds at least 90 percent of the shares, directly or indirectly, in the scope to which they would be entitled upon exercise of the warrant or conversion right or fulfilment of the warrant or conversion obligation, or upon exercise of a substitution right of the Company as shareholder;- in the event of a capital increase in exchange for cash contributions, if the aggregate nominal value of such capital increases does not exceed 10 percent of the Company's capital stock and the issue price of the new shares is not substantially lower than the stock exchange price of the ordinary shares of the Company with the same features that are already listed. The limit of 10 percent of the capital stock is diminished by the portion of the capital stock attributable to the Company's treasury shares which during the term of the authorised capital (i) are used or disposed of as treasury shares with an exclusion of the shareholders' subscription rights in application, mutatis mutandis, of § 186 (3) sent. 4 German Stock Corporation Act, or (ii) are issued from contingent capital to satisfy warrant or convertible bonds which	<p><i>increases and their implementation, including the content of the share rights and the conditions of the share issue.</i></p>
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<p>themselves were or are issued without subscription rights in application, mutatis mutandis, of § 186 (3) sent. 4 German Stock Corporation Act.</p> <p>The portion of the capital stock attributable to shares that are being issued in exchange for contributions in cash and/or in kind during the term of this authorisation with an exclusion of the shareholders' subscription rights may not exceed 20 percent of the Company's capital stock.</p> <p>The Management Board is authorised, with the consent of the Supervisory Board, to determine further details of the capital increases.</p>	
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