COMMUNITY API REDISTRIBUTION LICENSE

SWIFT© 2021

1. Definitions:

"IP Rights" means all copyright, proprietary, know-how, patent rights (including patent applications) or other intellectual or industrial property rights and any and all other rights similar or analogous to any of the foregoing, whether pending, arising or granted in any jurisdiction.

"License" means this Community API Redistribution License.

"Licensee" means any person who obtains the SWIFT Community API Specification and associated documentation under the terms if this license.

"SWIFT" means SOCIETY FOR WORLDWIDE INTERBANK FINANCIAL TELECOMMUNICATION SC ("SWIFT")

"SWIFT Community API Specification" means any SWIFT published community API specification developed by SWIFT for the SWIFT community and designated as such by SWIFT.

2. License:

SWIFT hereby grants Licensee who obtains a copy of the SWIFT Community API Specification and associated documentation files (the "API"), a free of charge license to use, copy, modify, merge, publish, distribute, sublicense and make derivative works containing or derived from the API, all subject to the terms and conditions of this License, including but not limited to the following:

- The present Licence shall be included in all copies of any substantial portion of the API
- The Licensee may not directly or indirectly sell, market or otherwise commercialise the API.
- If the API is modified or merged with other material, Licensee agrees that:
 - any such modifications or merged material shall be separately identified as such and shall remain the exclusive ownership of their respective intellectual property rights holders;
 - It shall remove any and all references that such modified or merged API is a SWIFT branded API;
 - will indemnify, defend and hold SWIFT harmless from any and all claims arising from or related to Licensee's use, distribution or modification of the API.

Nothing in this License grants Licensee a license to use any of SWIFT's trademarks, except the trademark "SWIFT" in relation to the use of the unaltered SWIFT API Specification.

Access to Future Updates and Releases of the API:

Those Licensees who register as service providers of the API on developer-support@swift.com, are eligible to receive (i) future updates and releases of the API ("Updates") as and when made generally available and (ii) invitations to participate in community workshop sessions. All such Updates shall be governed by this License and considered to be part of the API.

4. Ownership:

All IP Rights, worldwide ownership of and rights, title and interest in and to the SWIFT Community API Specifications, and all copies and portions thereof, are and shall remain vested exclusively in SWIFT or its licensors.

Termination:

The above license will terminate immediately without notice and without prior judicial intervention towards any person who fails to comply with any material provision of this license.

6. Disclaimer:

THE API IS PROVIDED "AS IS", WITHOUT WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE WARRANTIES OF MERCHANTIBILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT. IN NO EVENT SHALL SWIFT OR COPYRIGHT HOLDERS BE LIABLE FOR ANY CLAIMS FOR DIRECT, INDIRECT, SPECIAL, EXEMPLARY OR CONSEQUENTIAL DAMAGES OR OTHER LIABILITIES WHETHER IN CONTRACT, TORT OR OTHERWISE, ARISING FROM, OUT OF, OR IN CONNECTION WITH, ANY USE MADE OF OR ANY MODIFICATION OR REDISTRIBUTION OF THE API EVEN IF SWIFT IS EXPRESSLY ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

Choice of Law and Arbitration:

This license is governed by Belgian law (without giving effect to any conflict of law provision that would cause the application of other laws). Any dispute concerning this license, which cannot be amicably resolved, shall be finally settled under the Rules of Conciliation and Arbitration of the International Chamber of Commerce (ICC) by three arbitrators appointed in accordance with those rules. The arbitration proceedings shall take place in Brussels, Belgium, and shall be conducted in the English language.

SWIFT is a trade name of S.W.I.F.T. SC with its registered office at 1 avenue Adele, 1310 La Hulpe, Belgium. The following are registered trademarks of SWIFT: the SWIFT logo, SWIFT, SWIFTNet, Sibos, 3sKey, Innotribe, the Standards Forum logo, MyStandards, and SWIFT Institute. Other product, service, or company names in the API are trade names, trademarks, or registered trademarks of their respective owners.