

EXHIBIT 2.Q



Date: July 16, 2021

To whom it may concern:

This is to certify that the attached translation from Dutch and into English is an accurate representation of the documents received by this office.

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Alexander Danesis, Project Manager in this company, attests to the following:

“To the best of my knowledge, the aforementioned documents are a true, full and accurate translation of the specified documents.”

Alexander Danesis

Signature of Alexander Danesis

ECLI:NL:HR:2020:1251

Court	Supreme Court
Date of ruling	10 July 2020
Date of publication	10 July 2020
Case number	19/01170
Formal relations	In cassation in: ECLI:NL:GHSHE:2018:5074, Ratification/confirmation Findings: ECLI:NL:PHR:2020:128, To the contrary
Areas of law	Civil procedural law
Special features	Cassation
Content summary	Procedural law. Claim for submission of exhibits in a non-intellectual property-case (Art. 843a of the Dutch Code of Civil Procedure). Standard for assuming a legal relationship within the meaning of Art. 843a of the Dutch Code of Civil Procedure in case of alleged failure or tort.
Sources	Rechtspraak.nl NJB 20201896 RvdW 2020/870 JIN 2020/138 with annotation by Veldhuis, A.F., Mink, J.E. NJ 2020/20 with annotation by W.J.G. Maas TvPP 2020, installment. 5, p. 176 RBP 2020/77

Judgment

SUPREME COURT OF THE NETHERLANDS

CIVIL CHAMBER

Number 19/01170

Date 10 July 2020

RULING

In the matter of

SEMTEX B.V.,
with registered offices in Best,
PETITIONER in cassation

hereinafter: Semtex,
attorney: J. den Hoed,

versus

1. [Respondent 1],
residing at [residence address],

2. [Respondent 2],
residing at [residence address],

RESPONDENTS in cassation,

hereinafter collectively: [Respondents],

attorneys: N.E. Groeneveld-Tijssens and A.C. van Schaick.

3 Evaluation of the grounds for appeal

- 3.1.1 Section Ia of the grounds for appeal complains that the Court of Appeal wrongly applied the standard that applies in intellectual property cases in the assessment of a claim to inspection or copying, to wit, that the alleged infringement of an intellectual property right must be sufficiently plausible, also in this non-intellectual property case. By demanding of Semtex that it makes the alleged violation of obligations arising from the employment agreement and the alleged wrongful actions sufficiently plausible, this section argues that the Court of Appeal imposes requirements that are too burdensome on the plausibility of a claim based on Art. 843a of the Dutch Code of Civil Procedure.
- 3.1.2 Art. 843a (1) of the Dutch Code of Civil Procedure provides that he has the legitimate interest thereby, can demand inspection, copying, or excerpting at his expense of specific documents relating to a legal relationship whereby he or his legal predecessors are a party from that person who has these documents at his disposal or in his custody. In this case, the legal relationship on which Semtex has based its claim to inspection, insofar as this is important in cassation, first on a failure by the [Respondents] in performing their obligations arising from their employment agreements (terminated in the meantime) with Semtex, and second on a tort by the [Respondents] consisting of unfairly competing with Semtex.
- 3.1.3 In the cases AIB/Novisem and Synthon/Astellas, the Supreme Court set a standard in the framework of an infringement of an intellectual property right for assuming the existence of a legal relationship as set forth in Art. 1019a of the Dutch Code of Civil Procedure in conjunction with Art. 843a of the Dutch Code of Civil Procedure.¹ This standard includes that the person who demands inspection, copying, or excerpting of evidence must allege such facts and circumstances and must support them with any already existing evidence that it is adequately plausible that an infringement of an intellectual property right has been or threatens to be committed. In the Organik/Dow case, the Supreme Court ruled that the standard is also amendable to application to a legal relationship that derives from wrongfully obtaining and

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