

September 26, 2022

Listing Compliance, BSE Limited P. J. Towers, Dalal Street, Mumbai - 400 001 (Scrip Code: 526881)	Listing Compliance, National Stock Exchange of India Limited Exchange Plaza, Bandra Kurla Complex, Bandra (E), Mumbai - 400 051 (Scrip Code: 63MOONS)
---	---

Dear Sirs,

Sub: Circular issued by MCX w.r.t. Software Support and Maintenance Agreement between 63moons and MCX

1. We request the Stock Exchange for dissemination of this communication to bring to the attention of stakeholders of the Company, that the term of the Software Support and Maintenance Agreement between 63moons and Multi-Commodity Exchange of India Ltd. (MCX) as amended on 27th September 2014 would end on 30th September 2022. Consequently, MCX would cease to be a client of the 63moons for Exchange Technology Maintenance agreement.
2. As the above-mentioned Agreement is not renewed, MCX's right to continue to use the Exchange Technology software (with no access to source code to rectify issues or bugs that may arise) shall be subject to any regulatory restriction the regulator may impose on MCX. MCX shall not be entitled to receive any support on the Exchange Technology software after 30th September 2022 if the trading or settlement system halts for any reason. No work around by any person is possible in issues arising in Exchange platform as no access to source code is available to MCX.
3. As MCX has brought out a circular No. MCX/TECH/547/2022 dated 22-Sep-2022 to its members, and since 63moons' name was used in the said circular, we wish to state following facts relating to 63moons to set the record correct.
 - a) MCX initiated discussions with 63moons for acquiring IP licence of Exchange Technology for self-use even before the expiry of the Service agreement and also initiated discussions for new Service agreement after the expiry of existing Technology service agreement.

63 moons technologies limited

Corporate Office: FT Tower, CTS No. 256 & 257, Suren Road, Chakala, Andheri (East), Mumbai 400 093, India.
T: +91 22 66868010 | F: +91 22 66868050 | E: info@63moons.com | W: www.63moons.com

Registered Office: Shakti Tower - II, 4th Floor, Premises - J, 766, Anna Salai, Chennai - 600 002.
T: +91 44 4395 0850 | F: +91 44 4395 0899 | CIN No.: L29142TN1988PLC015586

- b) 63moons responded to their requests with clear commercial proposals. Both the proposals after discussion eventually ended with no final response of acceptance or rejection from MCX.
- c) MCX's floated a public Request for Proposal (RFP) which opened on 17-Oct-2020 and closed on 6-Dec-2020.
- d) The discussion with 63 moons for a new agreement started on 21-Oct-2020 and the last communication from MCX seeking inputs/ clarification for negotiation was received on 06-Jan-2021. which was responded to on 11-Jan-2021. As 63 moons was already in discussion with MCX on new service agreement, it will be imprudent to quote again by way of RFP response as both are for the same set of technology platform. The commercials and the technology features already known to MCX and hence there is nothing new to quote in RFP.
- e) However, 63moons wrote to the Board of MCX on 09-Dec-2020, with a request to take an informed decision given the fact the 63moons technology has been giving them best performance since inception in 2003 and are willing to enter new agreement or give IP rights for existing usage.
- f) 63moons learnt from a media report (<https://tinyurl.com/ykpk8kh3>) on 4th Feb 2021 about MCX decision of finalising the vendor, even when discussion with 63 moons was not closed. Even after receipt of Bids in the RFP, MCX had the option to exit from the process if it had continued the negotiations and finalised with 63moons.
- g) **Hence, it is an incorrect statement and misrepresentation that 63moons did not participate in RFP as discussion on the commercials were going on and nothing new was there to quote in RFP.**
- h) Further, it is also a misrepresentation in the said circular that "...the Exchange is also taking the services of subject matter experts for providing workaround solutions in the event of any technical incident." It is a clear misrepresentation as no work around is possible without access to source code. With no access to source code, MCX cannot provide any workaround in the Technology platform provided by us and if they attempt, it will be a clear criminal infringement of IP rights.



4. MCX again (Second time now, first 2 years back) on 01-Aug-2022, approached 63moons for support services after 30th September as the new system was not fully developed and deployed, for which a proposal was requested by MCX. The commercial proposal was duly submitted by 63moons to the Board of MCX. The validity of the last proposal has already expired as on date and 63moons did not hear anything from MCX on the renewal of service agreement.

63moons understands and acknowledges that eventually it is a commercial arrangement between 2 organisations which MCX has decided not to take any further. 63 moons wish all the best to MCX for its future journey.

Kindly take the above information on your records and acknowledge receipt.

Thanking you,

Yours faithfully,
For 63 moons technologies limited

Hariraj Chouhan
Sr. VP & Company Secretary