

## Comparative Version

### of the Articles of Association for Agenda Item 9 of the 6<sup>th</sup> Annual General Meeting of Marinomed Biotech AG on June 21, 2023

#### Version to date:

##### **Sec. 5 (Share Capital) Para. (3)**

The shares of the Company shall be admitted to trading on a stock exchange according to § 3 Austrian Stock Corporation Act (AktG).

##### **Sec. 5 (Share Capital) Para. 9**

The sum of (i) new shares that may be issued for servicing financial instruments that by resolution of the shareholders' meeting held on 17 June 2021, the management board is authorized to issue with the approval of the supervisory board and (ii) already issued or to be issued shares from the Conditional Capital 2023 (§ 5 para 6 of the articles of association) for which legally effective resolutions exist at the time of issuing the financial instruments, shall not exceed the amount of 736.017. The subscription or conversion right (or the subscription or conversion obligation as the case may be) of the beneficiary of financial instruments shall be assured.

##### **Sec. 11 (Composition and Election of the Supervisory Board) Para. 2**

Unless elected for a shorter term, the supervisory board members elected by the shareholders' meeting are elected for the period pending termination of the shareholders' meeting which resolves on the discharge for the fourth business year after the election. The business year in which the election was held will not be counted.

#### New version:

##### **Sec. 5 (Share Capital) Para. (3)**

[deleted]

##### **Sec. 5 (Share Capital) Para. 9**

The sum of (i) new shares that are issued to service financial instruments that the Management Board was authorized to issue at the Annual General Meeting on June 17, 2021, with the consent of the Supervisory Board, and (ii) shares to be issued, if necessary, from the Authorized Capital 2023 (Sec. 5 Para. 6 of the articles of association) may not exceed 759,583 shares.

##### **Sec. 11 (Composition and Election of the Supervisory Board) Para. 2**

Unless elected for a shorter term, the supervisory board members elected by the shareholders' meeting are elected for the period pending termination of the shareholders' meeting which resolves on the discharge for the **third** business year after the election. The business year in which the election was held will not be counted.

Note:

This is a working translation of the German language version and for convenience only. In the event of conflict with the German language version, the German language version shall prevail.