



**AmInvest**

**AmFunds Management Berhad**  
**198601005272 (154432-A)**

# AmTech & Innovation Fund (the “Fund”)

## RESPONSIBILITY STATEMENT

This Product Highlights Sheet has been reviewed and approved by the directors of AmFunds Management Berhad and they have collectively and individually accepted full responsibility for the accuracy of the information. Having made all reasonable enquiries, they confirm to the best of their knowledge and belief, that there are no false or misleading statements or omission of other facts which would make any statement in the Product Highlights Sheet false or misleading.

## STATEMENT OF DISCLAIMER

The relevant information and document in relation to the AmTech & Innovation Fund, including a copy of this Product Highlights Sheet has been lodged with the Securities Commission Malaysia under the Lodge and Launch Framework.

The lodgement of the relevant information and document in relation to the Fund, including this Product Highlights Sheet, should not be taken to indicate that the Securities Commission Malaysia recommends the Fund or assumes responsibility for the correctness of any statement made or opinion or report expressed in this Product Highlights Sheet.

The Securities Commission Malaysia is not liable for any non-disclosure on the part of the AmFunds Management Berhad, the management company responsible for the Fund and takes no responsibility for the contents in this Product Highlights Sheet. The Securities Commission Malaysia makes no representation on the accuracy or completeness of this Product Highlights Sheet, and expressly disclaims any liability whatsoever arising from, or in reliance upon, the whole or any part of its contents.

**SOPHISTICATED INVESTORS SHOULD RELY ON THEIR OWN EVALUATION TO ASSESS THE MERITS AND RISKS OF THE INVESTMENT. IF SOPHISTICATED INVESTORS ARE UNABLE TO MAKE THEIR OWN EVALUATION, THEY ARE ADVISED TO CONSULT PROFESSIONAL ADVISERS.**

## PERSONAL DATA

As part of our day to day business, we collect your personal information when you apply to open an account with us, subscribe to any of our products or services or communicate with us. In return, we may use this information to provide you with our products or services, maintain our records or send you relevant information. We may use your personal information which includes information on any transactions conducted with us, for one or more of the following purposes, whether in Malaysia or otherwise:

- a. Assess your eligibility or suitability for our products which you had applied for and to verify your identity or financial standing through credit reference checks;
- b. To notify you of more and up-to-date information such as improvements and new features to the existing products and services, development of new products, services and promotions which may be of interest to you;
- c. Manage and maintain your account(s) through regular updates, consolidation and improving the accuracy of our records. In this manner we can respond to your enquiries, complaints and to generally resolve disputes quickly so that we can improve our business and your relationship with us;
- d. Conduct research for analytical purposes, data mining and analyse your transactions / use of products and services to better understand your current financial / investment position and future needs. We will also produce data, reports and statistics from time to time, however such information will be aggregated so that your identity will remain confidential;
- e. Comply with the requirements of any law and regulations binding on us such as conducting anti-money laundering checks, crime detection / prevention, prosecution, protection and security;
- f. Enforcement of our rights to recover any debt owing to us including transferring or assigning our rights, interests and obligations under any of your agreement with us;
- g. In the normal course of general business planning, oversight functions, strategy formulation and decision making within AmBank Group;
- h. To administer and develop the Manager's and/or the Manager's associated companies within the AmBank Group business relationship with you;
- i. Outsourcing of business and back-room operations within AmBank Group and/or other service providers; and
- j. Any other purpose(s) that is required or permitted by any law, regulations, standards, guidelines and/or relevant regulatory authorities including with the trustee of the Fund.

Sophisticated Investors are advised to read our latest or updated Privacy Notice (notice provided as required under the Personal Data Protection Act 2010) available on our website at [www.aminvest.com](http://www.aminvest.com). Our Privacy Notice may be revised from time to time and if there is or are any revision(s), it will be posted on our website and/or other means of communication deemed suitable by us. However, any revision(s) will be in compliance with the Personal Data Protection Act 2010.

**This Product Highlights Sheet only highlights the key features and risks of this Fund. Sophisticated Investors are advised to request, read and understand the Fund's Information Memorandum which includes supplementary(ies) or replacement Information Memorandum of the Fund (“Information Memorandum”) before deciding to invest.**

# PRODUCT HIGHLIGHTS SHEET

This Product Highlights Sheet is an important document:

- It is a summary of the salient information about the Fund.
- You **MUST NOT** invest in the Fund based on this Product Highlights Sheet alone. Please read the Information Memorandum before deciding to make an investment. If you do not have a copy, please contact us to ask for one.
- You should not invest in the Fund if you do not understand it or are not comfortable with the accompanying risks.

## What is the Fund about?

AmTech & Innovation Fund is a wholesale feeder fund issued by AmFunds Management Berhad (the "Manager") which seeks to provide long-term capital growth by investing in Invesco NASDAQ 100 ETF (the "Target Fund"). The Target Fund seeks to track the investment results, before fees and expenses, of the NASDAQ-100 Index® ("Underlying Index")<sup>1</sup>.

## Who is the Fund suitable for?

The Fund is suitable for Sophisticated Investors seeking:

- potential capital appreciation on their investment;
- participation in global equity market; and
- long-term\* investment horizon.

*Note: \*Long term means the investment horizon should at least be five (5) years.*

## What am I investing in?

Fund Category	Wholesale (feeder fund).
Fund Type	Growth.
Investment Objective	The Fund seeks to provide capital growth by investing in one (1) collective investment scheme, which is an exchange-traded fund.  <i>Note: Any material change to the investment objective of the Fund would require unit holders' approval.</i>
Investment Strategy	The Fund seeks to achieve its investment objective by investing a minimum of 85% of the Fund's Net Asset Value ("NAV") in the Target Fund, while the balance of the Fund's NAV will be invested in deposits and money market instruments for liquidity purposes and/or derivative for hedging purposes.  This implies that the Fund has a passive strategy. The Fund will not be adopting any temporary defensive strategies in response to market conditions. All investment decisions are left with the fund manager of the Target Fund. Please refer to "Risk of a Passive Strategy" and "Risk of not Meeting the Fund's Investment Objective" under Risk Factors chapter for more details.  The Manager may, in consultation with the Trustee and with the approval of the Unit Holders, terminate the Fund or replace the Target Fund with another fund that has similar objective, if in the Manager's opinion, the Target Fund no longer meets the Fund's investment objective.  The Fund may utilise derivative instruments including but not limited to options, futures contracts, forward contracts and swaps for hedging purposes, where appropriate.  <i>Note: A replacement of this Target Fund would require unit holder's prior approval.</i>
Asset Allocation	<ul style="list-style-type: none"> <li>A minimum of 85% of the Fund's NAV in the Target Fund; and</li> <li>A maximum of 15% of the Fund's NAV in deposits and money market instruments for liquidity purposes and/or derivative for hedging purposes.</li> </ul>
Base Currency of the Fund	US Dollar (USD).
Performance Benchmark	NASDAQ-100 Index® (in USD) <sup>1</sup> (available at <a href="http://www.nasdaq.com">www.nasdaq.com</a> )  <i>Note: The benchmark does not imply that the risk profile of the Fund is the same as the risk profile of the benchmark. Sophisticated Investors of the Fund will assume a higher risk compared to the benchmark. Hence, the returns of the Fund may be potentially higher due to the higher risk faced by the investors.</i>
Launch Date	28 April 2025.
Initial Offer Period	A period of up to twenty-one (21) days commencing from the date units of the Fund are being offered for sale.  <i>Note: The Manager reserves the right to determine a shorter offer period and notify the Trustee. The decision for a shorter offer period is based on the sole discretion of the Manager.</i>
Initial Offer Price	<b>RM Class:</b> RM1.0000 <b>RM-Hedged Class:</b> RM1.0000 <b>USD Class:</b> USD1.0000
Distribution Policy	Subject to the availability of income, distribution (if any) is incidental.  <i>Note: The Manager reserves the right to vary the frequency and/or amount of distribution for each of the Classes.</i>

## Target Fund's Information

Name of Target Fund	Invesco NASDAQ 100 ETF.
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Domicile	United States of America.
Regulatory Authority	US Securities and Exchange Commission.
Management Company	Invesco Ltd.
Investment Adviser	Invesco Capital Management LLC.
Base Currency of the Target Fund	USD.
Date of Establishment	13 October 2020.
Exchange Listing	The Nasdaq Stock Market LLC.
Stock Codes	QQQM.
Underlying Index	NASDAQ-100 Index®.
Index Provider	Nasdaq, Inc.
Investment Objectives	The Target Fund seeks to track the investment results, before fees and expenses, of the Underlying Index.

**Note: Please refer to the Information Memorandum under “Information on AmTech & Innovation Fund (the Target Fund)” for further details on the Target Fund.**

## Who am I investing with?

Manager	: AmFunds Management Berhad (“AFM”)
Trustee	: Deutsche Trustees Malaysia Berhad
Trustee’s Delegate (Custodian)	: Deutsche Bank (Malaysia) Berhad
Taxation Adviser	: Deloitte Tax Services Sdn Bhd
Auditor	: Ernst & Young PLT

All transactions with related parties are to be executed on terms which are best available to the Fund and which are not less favourable to the Fund than an arm’s length transaction between independent parties. The Fund may have dealings with parties related to the Manager. The related parties defined are AmlIslamic Funds Management Sdn Bhd (“AIFM”), AmlInvestment Bank Berhad, AmlInvestment Group Berhad, AmBank (M) Berhad and AmBank Islamic Berhad. The directors of AFM may have direct or indirect interest through their directorships in parties related to AFM.

The Manager may conduct cross trades between funds and private mandates it currently manages provided that all criteria imposed by the regulators are met. Notwithstanding, cross trades between the personal account of an employee of the Manager and the Fund’s account and between the Manager’s proprietary trading accounts and the Fund’s account are strictly prohibited. The execution of cross trade will be reported to the investment committee and disclosed in the Fund’s report accordingly.

## What are the possible outcomes of my investment?

Best Case	Capital appreciation and income distribution.
Mid Case	No significant change in investment i.e. no capital appreciation and no income distribution.
Worst Case	Capital loss and no income distribution.

## What are the key risks associated with the Fund?

### General risks associated with investing in a wholesale fund

Market Risk	Market risk refers to the possibility that an investment will lose value because of a general decline in financial markets, due to economic, political and/or other factors, which will result in a decline in the fund’s net asset value.
Inflation Risk	This is the risk that Sophisticated Investors’ investment in the fund may not grow or generate income at a rate that keeps pace with inflation.
Manager’s Risk	This risk refers to the day-to-day management of the fund by the manager which will impact the performance of the fund.
Non-Compliance Risk	This is the risk of the manager or the trustee not complying with their respective internal policies, the deed and its supplemental deed, securities law or guidelines issued by the regulators relevant to each party, which may adversely affect the performance of the fund.
Loan Financing Risk	This risk occurs when investors take a loan / financing to finance their investment. The inherent risk of investing with borrowed money includes investors being unable to service the repayments.
Country Risk	Investments of the fund in any country may be affected by changes in the economic and political climate, restriction on currency repatriation or other developments in the law or regulations of the countries in which the fund invests in.
Suspension Risk	Refers to situation where the Manager suspends dealings of units in the fund (no redemption or subscription are allowed) under exceptional circumstances as set out in Information Memorandum. Suspension of the fund may potentially result in Unit Holders not being able to redeem their units into cash based on their liquidity needs and continue to be subject to the risk factors inherent in the fund.

### Specific risks associated with the Fund

Risk of a Passive Strategy	As the Fund adopts a passive strategy of investing a minimum of 85% of its NAV into the Target Fund at all times, this strategy would result in the Fund being exposed to the risk of its NAV declining when the Target Fund’s NAV declines.
Risk of not meeting the Fund’s Investment Objective	This is the risk that the Fund may deviate from the intended investment objective.
Secondary Trading Risk	The units of the Target Fund are traded on the Nasdaq Stock Market LLC (“Exchange”). The trading price of the Target Fund on the Exchange may differ from the NAV per unit of the Target Fund and there can be no guarantee that a liquid secondary market will exist for the units of the Target Fund. There can be no assurance that once the Target Fund is listed on the Exchange that it will remain listed. The Manager may proceed to terminate the Fund or replace the Target Fund with another fund if the Target Fund is delisted from the Exchange, and the unit holders will be notified accordingly.
Currency Risk	As the Fund offers multiple currency Classes, certain Class(es) would be exposed to currency risk. This is the risk associated with investments in certain Class(es) of the Fund which is denominated in currency different from the base currency of the Fund. When the base currency of the Fund depreciates against the denomination currency of certain

	Class(es), the Class(es) will suffer currency losses. This is in addition to any gains or losses derived from the Fund's investment in the Target Fund.
Distribution Risk	The distribution of income is not guaranteed.
Redemption Risk	The ability of the Fund to honour requests for redemption in a timely manner is subject to any deferral of redemptions from the Target Fund, the Fund's holding of adequate liquid assets and the Fund's ability to seek borrowings on a temporary basis as permitted by the relevant laws to meet redemption requests. In the event there are insufficient liquid assets, the Manager may have to liquidate the Fund's investments at an unfavourable price.
Liquidity Risk	The Fund will be investing a minimum of 85% of its assets in the Target Fund. There may be exceptional circumstances, which could cause delays in the redemption of shares of the Target Fund and units of the Fund. In the event of exceptional circumstances such as suspension of calculation of net asset value of the Target Fund, no shares of the Target Fund will be redeemed.

### **Specific risks associated with the Target Fund**

Investments in the Target Fund are associated to the following risks:	
<ul style="list-style-type: none"> <li>• Market Risk</li> <li>• Index Risk</li> <li>• Equity Risk</li> <li>• Industry Concentration Risk</li> <li>• Information Technology Sector Risk</li> <li>• Non-Diversified Fund Risk</li> <li>• ADR Risk</li> <li>• Issue-Specific Changes Risk</li> <li>• Non-Correlation Risk</li> <li>• Authorised Participant Concentration Risk</li> <li>• Market Trading Risk</li> <li>• Operational Risk</li> <li>• Risk associated with shares of the Target Fund May Trade at Prices Different then NAV</li> <li>• Foreign Investment Risk</li> <li>• Market Disruption Risks Related to Armed Conflict</li> </ul>	<ul style="list-style-type: none"> <li>• Cash Transaction Risk</li> <li>• Convertible Securities Risk</li> <li>• Cybersecurity Risk</li> <li>• Derivatives Risk</li> <li>• Emerging Markets Investment Risk</li> <li>• Index Provider Risk</li> <li>• Index Rebalancing Risk</li> <li>• Large Shareholder Risk</li> <li>• Leverage Risk</li> <li>• Money Market Funds Risk</li> <li>• Natural Disaster / Epidemic Risk</li> <li>• Repurchase Agreements Risk</li> <li>• Risks of Futures and Options</li> <li>• Securities Lending Risk</li> <li>• Structured Notes Risk</li> <li>• Trading Issues Risk</li> </ul>
<b>These risks of the Target Fund are elaborated in the Fund's prevailing Information Memorandum and its supplementary(ies) (if any).</b>	

**Note: The abovementioned risks which Sophisticated Investors should consider before investing into the Fund should not be considered to be an exhaustive list. Sophisticated Investors should be aware that investments in the Fund may be exposed to other unforeseeable risks from time to time. Sophisticated Investors are advised to consult their professional adviser. Please refer to the Information Memorandum under "Risk Factors" for further details on risks.**

**Please note that if you invest in units through a distributor via a nominee system of ownership, you will not be deemed a unit holder under the deed of the Fund.**

### **What are the fees and charges involved?**

There are fees and charges involved and you are advised to consider them before investing in the Fund.

#### **What will I be charged by AFM?**

Entry Charge	Up to 5.00% of the NAV per unit of the Class(es)  <i>Notes: There will be no entry charge for all staff from AmBank Group. All entry charges will be rounded up to two (2) decimal points. Sophisticated Investors are advised that they may negotiate for lower entry charge prior to the conclusion of sales. The Manager reserves the right to waive or reduce the entry charge from time to time at its absolute discretion.</i>
Exit Penalty	There will be no exit penalty for this Fund.
Transfer Fee	Nil.
Bank Charges/Fees	Bank charges or fees, if any, will be borne by you.
Switching Fee	<i>Switching between funds managed by the Manager</i> Unit holders are only allowed to switch to other funds where the currency denomination is the same as the fund switched out. For switches between any of the funds managed by the Manager, unit holders will be charged on the differences of the entry charge between the funds switched, which is up to a maximum of 6% of NAV per unit of the fund switched into. No entry charge will be imposed if the fund to be switched into has a lower entry charge.  <i>Switching between Classes of the Fund</i> Unit Holders are allowed to switch between Class(es) of the Fund, provided that the Class(es) is denominated in the same currency.

#### **What are the key ongoing fees charged to the Fund?**

Annual Management Fee	Up to 1.20% per annum (p.a.) of the Fund's NAV attributable to the Class(es)
Annual Trustee Fee	Up to 0.03% p.a. of the NAV of the Fund (excluding foreign sub-custodian fee and charges, where applicable).
Fund Expenses	The Fund's expenses currently include but are not limited to: <ul style="list-style-type: none"> <li>• audit fees;</li> <li>• tax agent's fees;</li> <li>• printing and postages of annual and quarterly reports;</li> <li>• bank charges;</li> <li>• lodgement fees for Fund's reports;</li> <li>• foreign custodians' charges (if any);</li> <li>• fees paid to brokers or dealers (if any); and</li> <li>• other expenses as permitted by the deed.</li> </ul>

- investment committee fee for independent members;

**Note: Unless stated otherwise, all fees, charges and/or expenses disclosed in the Product Highlights Sheet are exclusive by way of example and not limitation; goods and services tax, value added tax, consumption tax, levies, duties and other taxes as may be imposed by the Government of Malaysia from time to time (collectively known as "Taxes"). If these fees, charges and/or expenses are subject to any Taxes, such Taxes shall be borne and payable by the unit holders and/or the Fund (as the case may be) at the prevailing rate, including any increase or decrease to the rate, in addition to the fees, charges and/or expenses stated herein.**

### **Target Fund Fees and Expenses**

Sophisticated Investors should note that the fees and expenses provided below is not an exhaustive list payable by the Target Fund.

<b>Management Fee</b>	Up to 0.15% p.a. of the net asset value of the Target Fund.
<b>Other Expenses</b>	None

**Sophisticated Investors are advised to consider the fees and charges involved before investing in the Fund. Unit prices and distributions, if any, may go down as well as up.**

### **How will I be notified of any increase in fees and charges?**

- A written communication will be sent to unit holders to notify of the higher rate and its effective date; and
- A supplementary or replacement information memorandum will be issued.

### **How often are valuations available?**

We publish updated information on our website [www.aminvest.com](http://www.aminvest.com); and the NAV per unit of the Fund is sent to the Federation of Investment Managers Malaysia ("FIMM") in order for it to be published in major newspapers on a daily basis.

### **How can I invest in or exit from this investment?**

#### **How can I invest in this investment?**

A Sophisticated Investor may submit an application to the Manager in accordance with the cut-off time of processing your application request subject to the minimum initial investment amount and minimum additional investment amount (or such amount as the Manager may from time to time decide).

Minimum Initial Investment	<b>RM Class:</b> RM5,000 <b>RM-Hedged Class:</b> RM5,000 <b>USD Class:</b> USD1,000
Minimum Additional Investment	<b>RM Class:</b> RM1,000 <b>RM-Hedged Class:</b> RM1,000 <b>USD Class:</b> USD1,000
Submission of Application	Monday to Friday (except public holiday).
Processing an Application / Cut-off Time	<ul style="list-style-type: none"> <li>• If an application with complete documentation is accepted by the Manager or our appointed distributors before 4.00 p.m. on a Business Day, it will be processed at the closing NAV per unit of the same Business Day.</li> <li>• If an application with complete documentation is accepted by the Manager or our appointed distributors after 4.00 p.m. on a Business Day or on a non-Business Day, it will be processed at the closing NAV per unit of the next Business Day.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>• The Manager reserves the right to reject any application that is unclear, incomplete and/or not accompanied by the required documents or proof of payment. Incomplete applications will not be processed until all the necessary information has been received.</li> <li>• You should note that different distributors may have different cut-off times in respect of receiving application request. You are advised to contact the relevant distributors to obtain further information and should check with the relevant distributors on their cut-off time in respect of receiving application request</li> </ul>

**Note: The Manager reserves the right to change the stipulated amount from time to time. You may request for a lower amount subject to the Manager's discretion to accept.**

**You should NOT make payment in cash to a unit trust consultant or issue a cheque in the name of a unit trust consultant.**

#### **How can I exit from this investment?**

A Sophisticated Investor may redeem all or part of their units in accordance with the cut-off time of processing your application request subject to the minimum redemption and to maintain a minimum holding balance for partial withdrawal (or such units as the Manager may from time to time decide).

Minimum Redemption / Switching	<b>RM Class:</b> 1,000 units <b>RM-Hedged Class:</b> 1,000 units <b>USD Class:</b> 1,000 units
Minimum Holding / Balance	<b>RM Class:</b> 1,000 units <b>RM-Hedged Class:</b> 1,000 units <b>USD Class:</b> 1,000 units
Submission of Redemption Request	Monday to Friday (except public holiday).
Processing a Redemption Request / Cut-off Time	<p>Redemption request can be made on any Business Day by completing the transaction form or letter of instructions.</p> <ul style="list-style-type: none"> <li>• If a redemption request with complete documentation is accepted by the Manager or our appointed distributors before 4.00 p.m. on a Business Day, it will be processed at the closing NAV per unit of the same Business Day.</li> </ul>

	<ul style="list-style-type: none"> <li>If a redemption request with complete documentation is accepted by the Manager or our appointed distributors after 4.00 p.m. on a Business Day or on a non-Business Day, it will be processed at the closing NAV per unit of the next Business Day.</li> </ul> <p>Notes:</p> <ul style="list-style-type: none"> <li>The Manager reserves the right to reject any application that is unclear, incomplete and/or not accompanied by the required documents. Incomplete applications will not be processed until all the necessary information has been received.</li> <li>You should note that different distributors may have different cut-off times in respect of receiving redemption request. You are advised to contact the relevant distributors to obtain further information and should check with the relevant distributors on their cut-off time in respect of receiving redemption request.</li> </ul>
Payment of Redemption Proceeds	Within five (5) Business Days of receiving the redemption proceeds from Target Fund provided that receipt of complete documentation.
Cooling-off Right	Not applicable for this Fund.

Note: The Manager reserves the right to change the stipulated amount from time to time. You may request for a lower amount subject to the Manager's discretion to accept.

**No redemption will be paid in cash under any circumstances.**

## Who should I contact for further information or to lodge a complaint?

- If you have any complaints, you may direct your complaints to your personal adviser from the distributor or contact our customer service representative at 03-2032 2888. Alternatively, you can e-mail us at enquiries@aminvest.com. If you wish to write to us, please address your letter to:

**AmFunds Management Berhad**  
9<sup>th</sup> Floor, Bangunan AmBank Group  
No. 55, Jalan Raja Chulan  
50200 Kuala Lumpur

- If you are dissatisfied with the outcome of the internal dispute resolution process, please refer your dispute to the Financial Markets Ombudsman Service (FMOS):

- via phone to : 03-2272 2281
- via letter to : Financial Markets Ombudsman Service (FMOS)  
Level 14 Main Block Menara Takaful Malaysia  
No 4 Jalan Sultan Sulaiman  
50000 Kuala Lumpur

- You can also direct your complaint to the Securities Commission Malaysia ("SC") even if you have initiated a dispute resolution process with FMOS. To make a complaint, please contact the SC's Consumer & Investor Office:

- via phone to the Aduan Hotline at : 03-6204 8999
- via fax to : 03-6204 8991
- via e-mail to : aduan@seccom.com.my
- via online complaint form available at : www.sc.com.my
- via letter to : Consumer & Investor Office  
Securities Commission Malaysia  
No. 3, Persiaran Bukit Kiara  
Bukit Kiara  
50490 Kuala Lumpur

- You can also direct your complaint to Federation of Investment Managers Malaysia ("FIMM")'s Complaints Bureau:

- via phone to the Aduan Hotline at : 03-7890 4242
- via e-mail to : complaints@fimm.com.my
- via online complaint form available at : www.fimm.com.my
- via letter to : Legal & Regulatory Affairs  
Federation of Investment Managers Malaysia  
19-06-1, 6<sup>th</sup> Floor, Wisma Capital A  
No. 19, Lorong Dungun Damansara Heights  
50490 Kuala Lumpur

<sup>1</sup>The Fund is not sponsored, endorsed, sold or promoted by Nasdaq, Inc. or its affiliates (Nasdaq, with its affiliates, are referred to as the "Corporations"). The Corporations have not passed on the legality or suitability of, or the accuracy or adequacy of descriptions and disclosures relating to, the Fund. The Corporations make no representation or warranty, express or implied to the Unit Holders of the Fund or any member of the public regarding the advisability of investing in securities generally or in the Fund particularly, or the ability of the Underlying Index to track general stock market performance. The Corporations' only relationship to AFM ("Licensee") is in the licensing of the Nasdaq®, Underlying Index trade/service marks, and certain trade names of the Corporations and the use of the Underlying Index which is determined, composed and calculated by Nasdaq without regard to Licensee or the Fund. Nasdaq has no obligation to take the needs of the Licensee or the Fund into consideration in determining, composing or calculating the Underlying Index. The Corporations are not responsible for and have not participated in the determination of the timing of, prices at, or quantities of the Fund to be issued or in the determination or calculation of the equation by which the Fund is to be converted into cash. The Corporations have no liability in connection with the administration, marketing or trading of the Fund. **THE CORPORATIONS DO NOT GUARANTEE THE ACCURACY AND/OR UNINTERRUPTED CALCULATION OF UNDERLYING INDEX OR ANY DATA INCLUDED THEREIN. THE CORPORATIONS MAKE NO WARRANTY, EXPRESS OR IMPLIED, AS TO RESULTS TO BE OBTAINED BY LICENSEE, THE FUND, OR ANY OTHER PERSON OR ENTITY FROM THE USE OF THE UNDERLYING INDEX OR ANY DATA INCLUDED THEREIN. THE CORPORATIONS MAKE NO EXPRESS OR IMPLIED WARRANTIES, AND EXPRESSLY DISCLAIM ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE WITH RESPECT TO THE UNDERLYING INDEX OR ANY DATA INCLUDED THEREIN. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT SHALL THE CORPORATIONS HAVE ANY LIABILITY FOR ANY LOST PROFITS OR SPECIAL, INCIDENTAL, PUNITIVE, INDIRECT, OR CONSEQUENTIAL DAMAGES, EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.**