

## VSG Software Maintenance Terms and Conditions



*As of June 1<sup>st</sup>, 2009*

Any Licensee of a VSG product can subscribe to a renewable Maintenance Agreement, along with, or independently of his purchase of the product license itself.

### Scope of services provided by the Maintenance Agreement

The VSG Maintenance Agreement grants the Licensee the following services:

- **Hotline:** Hotline telephone, e-mail and fax service to a designated site coordinator to assist Licensee's use of Software.
- **No-charge upgrades:** Access to all regular patches, and minor and major releases of the product of which the Licensee owns a license.
- **Software malfunctions fixes:** Access to malfunctions report and correction service.
- **License Transfer facility:** Licensee under Maintenance Agreement will have the possibility to transfer his product license from a specified equipment to another.
- **Technical resources & news services:** privileged access to technical resources (tutorials, tips, sample code, and more) and to an automatic news services about release availability and more.

### Restrictions of the Maintenance Agreement

The following restrictions apply to the VSG Maintenance Agreement:

- **Hotline:** The Hotline service is not a training or consulting service. Specific services covering product training and expertise are available separately.
- **No-charge upgrades:** Regular patches and minor releases ("dot releases") will be provided in Electronic Delivery only. Major releases will be provided through physical shipment.
- **Software malfunctions fixes:** Software malfunctions are defined as performance variances between Software and the applicable Reference Manual/User's Guide description. All notices of Software malfunctions shall be in writing with details sufficient for VSG to diagnose or reproduce said failure. VSG will use reasonable efforts to correct duly reported malfunctions and will distribute corrected versions, when and if available, at the time of normal distribution of a new patch, minor release or major release.
- **License Transfer facility:** Licensees who wish to transfer a license under maintenance shall fill and send to VSG the appropriate Request Document and agree with its content. License transfer from a specified equipment to another not binary compatible is subject to payment of a License Transfer Fee of 30% of the current list price of the considered license.

### Purchase Terms and Conditions of the Maintenance Agreement

The following Purchase Terms and Conditions apply to the VSG Maintenance Agreement:

- **Duration:** Maintenance is purchased in 12 month increments.
- **Purchase Price:** A Maintenance Agreement covers one individual product license. Maintenance price is defined by the yearly VSG Price List. Maintenance unit price depends on the product, platform, type of license (development, runtime, application).
- **Renewal:** Upon the 12-months maintenance period, a maintenance agreement renewal is proposed to the Licensee, for all the licenses the Licensee currently has under maintenance. Should the Licensee decline to renew maintenance and then wish to reinstate maintenance at a later date, there will be a re-instatement fee of 33% of the product price per year, plus 12 months maintenance.