Avaya’s Manufacturer Support Policy

Effective August 1, 2005

The following outlines Avaya’s policy regarding the availability of Manufacturer Support.

Minimum Term for Manufacturer Support

Hardware

- Three (3) years following the End of Sale Date for the product.

Licensed Software

- For Licensed Software identified by Avaya (see Attachment I), Avaya shall provide Manufacturer Support for the current Major Release and one prior Major Release. For example, if a software version 8.0 becomes generally available, Avaya will provide Manufacturer Support for software version 8.0 (considered the current Major Release) and software version 7.x (considered the prior Major Release) until such time as software version 9.0 becomes generally available. At the same time, when software version 8.0 becomes generally available, Manufacturer Support will no longer be provided for software version 6.x.

- At a minimum, for all Licensed Software, Manufacturer Support shall continue for one (1) year following the End of Sale Date of a specified release.

Terms of Policy

Manufacturer Support will be provided either directly from Avaya or through a service provider at then current-prices and under then-current terms and conditions. Avaya maintenance agreements typically will be available until the end of availability of Manufacturer Support, although Avaya may choose to extend the availability of certain maintenance offers beyond the Manufacturer Support period.

This Manufacturer Support policy does not pertain to products branded as products of third parties, including those that Avaya resells.

Avaya will continue to honor previously executed enhanced warranty, post-warranty and service contracts in accordance with the terms and conditions of those agreements.

Avaya is not responsible for any support or maintenance commitments made by BusinessPartners or other service providers.

Avaya reserves the right to amend or change the above Manufacturer Support Policy at its sole discretion at any time or with such minimum notice period that local laws may provide for, and such Manufacturer Support Policy shall not be interpreted to create any contractual obligation by Avaya to provide support to any specific customer or BusinessPartner.
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Definitions

“Embedded Firmware” means the firmware is embedded in an Avaya hardware product and is integral to the operation of that hardware product. Examples of firmware are the firmware embedded in the TN2302AP IP Media Processor and the firmware embedded in the 4620SW IP Telephone.

“End of Sale Date” means the last date that a product is commercially available to the general public. In almost all circumstances, this date is established by prior notice via Avaya’s public website, or other means deemed appropriate by Avaya. Avaya will also endeavor to identify supported releases in its Product End of Sale announcements.

“End of Support Date” means the date on which Avaya will no longer make Manufacturer Support available for the product.

“Hardware” means the standard hardware products that Avaya delivers under its commercial sales agreements. The term “Hardware” includes embedded firmware but does not include any customized deliverables that Avaya creates specifically for the customer on a time & materials basis or on a milestone basis.

“Licensed Software” means the software programs in object code form that Avaya delivers under its commercial sales agreements, whether as stand-alone products or pre-installed on Hardware. Licensed Software does not include any firmware nor any customized deliverables that Avaya creates specifically for the customer on a time & material basis or on a milestone basis.

“Manufacturer Support” means that Avaya or an Avaya authorized service provider make available routine hardware/software updates or patches to fix product problems, and any applicable support notes, when and if such updates and patches become available. At Avaya’s sole discretion, upgrades to the next Minor Release version of the Licensed Software may be offered in lieu of an update or product patch. Manufacturer Support also means that Avaya or an Avaya authorized service provider will make available hardware replacement parts. Product substitution or refurbished parts may be provided as deemed appropriate by Avaya. At Avaya’s sole discretion, Avaya may also make available updates to product documentation and other web-based information.

“Major Release” means a major change to the Licensed Software that introduces new optional features and functionality. A Major Release is typically designated as a change in the digit(s) to the left of the first decimal point (e.g. [n].y.z).

“Minor Release” means a minor change to the Licensed Software that introduces a limited amount of new optional features and functionality. A Minor Release is typically designated as a change in the digit(s) to the right of the first decimal point (e.g. n.[y].z).
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#### Examples

<table>
<thead>
<tr>
<th>Product</th>
<th>Policy Category</th>
<th>Policy Manufacturer Support</th>
<th>End of Sale Date</th>
<th>End of Support Date</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>8410D Digital Telephone</td>
<td>Hardware</td>
<td>3 Years</td>
<td>4/5/04</td>
<td>4/5/07</td>
<td></td>
</tr>
<tr>
<td>G600 Media Gateway</td>
<td>Hardware</td>
<td>3 Years</td>
<td>12/15/05</td>
<td>12/15/08</td>
<td></td>
</tr>
<tr>
<td>Communication Manager 1.x</td>
<td>Licensed Software</td>
<td>Current Major Release and Previous Major Release</td>
<td>2/8/04</td>
<td>12/05</td>
<td>CM 3.0 became GA on 6/13/05. However, at Avaya’s discretion, the support period for CM 1.x was extended 6 months beyond the GA date of the latest Major Release.</td>
</tr>
</tbody>
</table>
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Attachment I

Licensed Software

- Application Enablement Services (AES)
- ASG Guardian Security
- Broadcast Server Application
- Call Management System (CMS)
- Communication Manager (CM)
- Computer Telephony (CT)
- Converged Network Analyzer
- Integrated Management Suite
- IP Office
- IP Softphone
- SIP Enablement Services
- Softconsole
- Text Messaging Application
- VPN