



VIRTUAL INSTRUMENTS PRODUCTS USE RIGHTS SUPPLEMENT

Overview

This document (the "Product Use Rights Supplement") defines additional or different terms and conditions applicable to Virtual Instruments Corporation ("VI") Products that are supplied under either the agreement available at the URL <http://www.virtualinstruments.com/files/pdfs/PASA.pdf> or under any other binding agreement to which licensee is a party (each, the "Agreement") to the extent such Agreement incorporates by reference this Product Use Rights Supplement. Capitalized terms used but not defined in this Product Use Rights Supplement shall have the meanings given to them in the Agreement. Unless otherwise agreed to by VI, the version of this Product Use Rights Supplement effective as of the date of a particular Agreement shall apply to all use of Products.

Product Categorization and Purpose

1.1. Base Product and License-Enabled Features. VI offers the following Product types:

- The VirtualWisdom software platform ("VirtualWisdom Platform"), which includes the ability to monitor SAN Links.
- SAN Instrumentation Devices ("SIDs") – ESX Servers, SAN Probes, Protocol Analyzers, and Rovers – which provide additional control, monitoring, and data gathering functionality for the VirtualWisdom Platform.
- Ancillary hardware, including transceivers, cables, and optics ("Ancillary Products"), that provides connectivity between various SAN components.

1.2. VirtualWisdom Server License. Payment of the VirtualWisdom Server license fee entitles you to install and operate the VirtualWisdom on a single server. This license allows monitoring of a specific number of SAN Links up to an unlimited number of ProbeV ports, ProbeFCX, Rovers, and ESX servers, licenses for which must be purchased separately..

1.3. VirtualWisdom Server-Limited License. Payment of the VirtualWisdom Server, License fee entitles you to install and operate the VirtualWisdom Server on a single server, and accommodates a limited number of SAN Links, up to (1,024) ProbeSW ports, (1) ProbeFC8, (3) Rover Blades, and (50) ESX Servers, licenses for which must be purchased separately.

1.4. SID Licenses. Specific licenses are required for every SAN Link on which an SID is deployed. The name and packaging of the licenses varies by SID type. For example, each SAN Link accessed by a Rover, called a Rover Link; requires a Rover Link license. A Rover Link license key enables VirtualWisdom to operate against up to 24 Rover Links. A second such license key is required for the twenty-fifth through forty-eighth Rover Links, and so forth. See also definitions for Analyzed Link and Monitored Link. The type and number of SID link licenses purchased will be identified on each quote issued by VI.

1.5. Use Across Environments. All Products may be deployed in any configuration across any number and combination of supported environments and platforms provided that you do not use the Products to operate against more than the number of licensed SAN Links. All SAN Links against which Products are deployed, in any environment used for any non-demonstration purposes, must be licensed. The Documentation details the current supported environments and platforms for each Product.

1.6. Ancillary Products. Ancillary Products are sold for use with any appropriate SAN and may be freely redeployed.

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Definitions

SAN Link

A single, full-duplex connection between any two components (the "Link Endpoints") of a storage area network (SAN), including but not limited to a connection between a switch port and a storage array control port or a connection between a switch port and an HBA or other interface on another SAN device.

Switch Link

A SAN Link monitored by collecting SNMP information from either or both Link Endpoints.

SAN Probe

A ProbeFC8 or ProbeFCX Product that connects to one or more SAN Links to monitor and capture information.

Protocol Analyzer

A Protocol Analyzer Product that connects to one or more SAN Links to monitor, capture, and analyze information.

Rover

A Rover product that allows SAN Probes or Protocol Analyzers to be automatically time-shared across multiple SAN Links.

Rover Link

A SAN Link connected to a Rover to enable time-shared access by a SAN Probe or Protocol Analyzer.

Analyzed Link

A single concurrent SAN Link analyzed by a Protocol Analyzer. An Analyzed Link can be either a SAN Link to which a Protocol Analyzer is directly attached or a connection between a Rover and a Protocol Analyzer that allows concurrent monitoring of a single Rover Link. A single Rover that allows multiple such connections can support multiple Analyzed Links.

Monitored Link

A single concurrent SAN Link monitored by a SAN Probe. A Monitored Link can be either a SAN Link to which a SAN Probe is directly attached or a connection between a Rover and a SAN Probe that allows concurrent monitoring of a single Rover Link. A single Rover that allows multiple such connections can support multiple Monitored Links.