

VMWare

**IMPORTANT NOTICE:**

As part of our ongoing commitment to ensure that our clients are kept updated regarding terms applicable to use a third party service provided by a third party service provider, we wish to inform you as follows:

*As an orderer of the third party services of the type identified below in the left column, you, as Client, are subject to the applicable third party service provider's agreement terms of use, also known as "end user license agreement" terms, listed or linked below (identified below in the right column).*

***Please Note:** Where such terms are not made available for review through a link providing access to a third party publicly available webpage(s), then the terms disclosed below constitute "**SoftLayer Confidential Information**" (unless otherwise indicated) and you, as Client, should maintain their confidentiality (Client may share these terms with Client's customer end users on a confidential basis).*

<b>Name/Brand (and where different Third Party Services Provider)</b>	<b>Applicable TPS Agreement Terms</b>
<b>VMWare</b>	<b>Applicable TPS Agreement Terms</b> The following terms apply to Client's use of or access to the software: (i) - VM Ware End User License Agreement and its Product Guide (collectively the "VMware EULA") currently available at: <a href="http://www.vmware.com/download/eula/">http://www.vmware.com/download/eula/</a> ; (ii) - Client's entitlement to use the VMware Product is limited to usage of the VMware Product installed and operated in SoftLayer's environment; and (iii) - Client acquires no entitlement to use any VMware Product after its relationship with SoftLayer ends. If Client provides VMware Product management or access rights to a Client end user / customer, then Client must notify IBM/SoftLayer that it is doing so, Client must require that the above terms be agreed to by such Client end user / customer prior to Client granting any access or management rights to such Client end user / customer, and Client will be responsible to IBM/SoftLayer for the compliance of such end user / customer, and any breach of, the VMware EULA.