

## **Gigamon® Policy Related to Secondary Market Products**

This document states Gigamon, LLC's policy for supporting Gigamon products that are "Secondary Market Products". This Gigamon policy is intended to support and protect the following:

- The Gigamon name and reputation of Gigamon products
- The ownership rights of the original purchaser
- Current end user customers running Gigamon products

Definitions:

- 1) "Secondary Market Product(s)" means new or used Gigamon products that are purchased outside the Gigamon Authorized Reseller network *or* Gigamon products that are sold more than once.
- 2) "Authorized Reseller Network" includes any active agent, distributor, or reseller that has a valid contract with Gigamon allowing them to do business on Gigamon's behalf at the time of sale.
- 3) "Original Purchaser" is the business entity of record that initially purchased the Gigamon product from within the Gigamon Authorized Reseller Network or directly from Gigamon.
- 4) "End User" is any entity legally using a Gigamon product

Policy:

Standard and/or Premium Gigamon Support may be purchased by an End User of a Secondary Market Product only under the following conditions:

- a) End User acknowledges that the Gigamon 5-Year Hardware Warranty and 1 year Software Warranty were not transferred with the Secondary Market Product purchase. Both warranties terminated when the Original Purchaser disposes of Gigamon product.
- b) The Original Purchaser provides a written document verifying that the product(s) (with specific serial numbers) are no longer in their possession and have been sold or otherwise transferred with Original Purchaser's consent.
- c) The End User provides a written Bill of Sale documenting transfer of ownership for the product(s).
- d) The End User purchases Standard and/or Premium Support directly from Gigamon.