

PLM, MOM, MENTOR GRAPHICS SYSTEMS PRODUCTS, EMBEDDED AND POLARION SOFTWARE



Software Specific Maintenance Services Terms Siemens Digital Industries Software

These Product Lifecycle Management Software Specific Maintenance Services Terms (“**PLM Maintenance Terms**”) supplement the General Maintenance Services Terms and apply solely to Software which has been assigned any of the following alphanumeric codes on the Order: PLM-TC, PLM-NX, PLM-TCO, MOM, MGSP, EMB-IES or POLAR (“**PLM Software**”). These PLM Maintenance Terms, together with the General Maintenance Services Terms, the UCA or EULA, as applicable, and other applicable Supplemental Terms, form the agreement between the parties (“**Agreement**”).

1. **DEFINITIONS.** Capitalized terms used herein have the meaning as defined in the Agreement. The following additional definitions apply to these terms:

- (a) “**Incident Report**” means a Customer query related to PLM Software.
- (b) “**Targeted Response Time**” means the targeted time between the receipt of the Incident Report in accordance with these PLM Maintenance Terms and the first communication by Siemens Technical Support with the Customer.
- (c) “**Tiered Support**” means the multiple-level Maintenance Services offered under these PLM Maintenance Terms.

2. TIERED SUPPORT

Customer will receive the Maintenance Services according to the Tiered Support level indicated on the applicable Order Form. If not indicated otherwise, the Bronze Support level will apply (a.k.a. “Standard Support”). Customer must purchase the same level of Maintenance Services for all supported PLM Software within a portfolio (Teamcenter, NX, Tecnomatix, Polaron, Camstar, Simatic IT, MoM R&D Suite, Preactor each are considered a product portfolio).

2.1 **Bronze Support Services.** Bronze Support (a.k.a. “Standard Support”) includes the following benefits:

- (a) Online Support. Bronze Support Customers may create, manage and review Incident Reports online. Access to the Siemens technical support website, including the Siemens Software knowledge base and locations of Siemens Technical Support Centers, is available 24 hours per day, 7 days per week (“24/7”).
- (b) Technical Support. Bronze Support Customers may contact the Siemens Technical Support Center in closest proximity to the applicable Location or Territory during the Center’s normal business hours. Customer will provide SISW with sufficient information about a suspected Error and the circumstances under which it occurred for SISW to recreate the problem on SISW’s systems. Technical support is provided in English; other languages may be available at the sole discretion of SISW.
- (c) Technical Contacts. Customer will designate a minimum of two (2) Customer employees as named technical contacts who have received training from SISW on the respective SISW Software. These designated technical contacts will be the primary contacts at the Customer’s premises for Maintenance Services. One Customer technical contact must be involved any time that SISW provides Maintenance Services. Designated technical contacts may be changed upon written notice to SISW.
- (d) Access and Data. SISW may provide Maintenance Services through a secure remote connection to access Customer’s computer systems that are running the SISW Software. The access protocols and passwords will be determined by each party’s technical contacts. Customer will provide copies of Customer data as reasonably necessary to provide the Maintenance Services.

2.2 **Silver Support.** Certain PLM Software products are eligible for Silver Support. Silver Support Customers will receive Bronze Support plus the following benefits:

- (a) Critical Support Service. Support for Critical priorities will be available 24 hours per day, 5 days per week. Continuous support may be provided by worldwide support centers. Incident Reports that contain classified or export-controlled data may not be eligible for continuous work outside of local business hours. Customer must contact the Siemens Technical Support Center directly during normal business hours. For Critical priorities outside of normal business hours, contact information will be published on the Customer technical support webpage. For those PLM Software products identified in <http://www.siemens.com/sw-terms/Exclusion-productID-list>, support will be provided during normal business hours only, regardless of the priority of the Incident Report.

2.3 **Gold Support.** Certain PLM Software products are eligible for Gold Support. Customers will receive Bronze and Silver Support plus the following benefits:

- (a) Critical Support Service. Support for Critical priorities will be available 24 hours per day, 7 days per week. Continuous support may be provided by worldwide support centers. Incident Reports that contain classified or export-controlled data may not be eligible for continuous work outside of local business hours. Customer must contact the Siemens Technical Support Center directly during normal business hours. For Critical priorities outside of normal business hours, contact information will be published on the Customer technical support webpage. For those PLM Software products identified in <http://www.siemens.com/sw-terms/Exclusion-productID-list>, support will be provided during normal business hours only, regardless of the priority of the Incident Report.
- (b) Go-Live Support. Weekend or holiday support for Critical, High and Medium/General priorities is permitted for production implementation or upgrade go-live situations and limited to two (2) times per year per Location, provided that:
 - i. The request is made in writing at least two weeks in advance;

- ii. The request includes the technical details of the planned activity, such as the project plan, timeline, project staff contact details, etc.; and
- iii. Customer ensures that SISW has remote access to Customer's system environment in advance.

3. PRIORITY AND ESCALATION

SISW will use commercially reasonable efforts to provide Maintenance Services promptly on a first come/first served basis. Incident Reports are escalated to the appropriate resources within SISW based on severity and complexity. Customer will classify each Incident Report according to the following priority classes. Unclassified Incident Reports will be considered "General". Final priority classification will be at the sole discretion of SISW. Priority classes:

Critical	Customer's Software production installation ceases to function entirely or causes a severe disruption to the Customer's operations. Targeted Response Time for Critical incidents is 2 hours for Silver Support during weekdays only and 1 hour for Gold Support tiers (seven days a week).
High	This priority will be used for situations where there is a severe functionality loss, but the Customer's production system remains operational and processing can continue. Targeted Response Time for High priority incidents is 8 business hours for Silver and Gold Support tiers.
Medium/ General	A functionality error has occurred but processing can still continue, or a non-business critical function is not performing properly.
Low	Request for service or information or a problem of minor impact has been identified.