VMware Learning Platform™

Service Description

Updated as of 13 October 2022

vmware®

As used in this Service Description, "VMware", "we", or "us" means VMware, Inc., a Delaware corporation, if the billing address for your order is in the United States, or VMware International Unlimited Company, a company organized and existing under the laws of Ireland, if the billing address for your order is outside the United States. Terms not defined in this Service Description are defined in the Terms of Service or elsewhere in the Agreement.

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1. Introduction

1.1 Service Description

VMware Learning Platform™ (the "Service Offering") is a cloud service that provides the mechanism to deliver true hands-on education content to anyone, worldwide, at cloud scale. It allows you to train on anything that you can install on an operating system. Unlike traditional cloud-based trainers, customers get true system-level access to an environment all the way from startup to shut down. The Service Offering provides a complete turn-key solution that requires no installation and very little setup. Customers can scale to as many students or sessions as desired without any worries about capacity. Customers can access the Service Offering from any device that has a web browser with no plug-ins needed and nothing additional to install.

The Service Offering includes

- A lab user interface for users to utilize when taking customer-authored labs.
- Administration interface used to author and deliver labs for a variety of use cases including on-demand training, demos, instructor led training and even larger events.
- Cloud capacity on demand for provisioned lab environments.
- The optional ability to administer and leverage on-premise capacity provided by the customer referred to as "Bring your own Cloud" ("BYOC").

1.2 Technical Documentation and Training

A Getting Started Guide, Administrator Reference Guide, Content Admin Guide, workflow guides for navigating through key features, and FAQs are available at:
https://support.learningplatform.vmware.com

1.3 Legal Terms

Use of the Service Offering is subject to the Terms of Service, that can be found through the VMware end user terms landing page, at:
https://www.vmware.com/download/eula.html

or directly at:
https://www.vmware.com/content/dam/digitalmarketing/vmware/en/pdf/downloads/eula/vmware-cloud-services-universal-tos.pdf

2. Service Operations

The following outlines VMware's roles and responsibilities in providing the Service Offering. While specific roles and responsibilities have been identified as being owned by you, any roles or responsibilities not contained in this Service Description are either not the duty of VMware or are assumed to be your responsibility.

2.1 Service Provisioning

VMware will provide the following provisioning services:

- VMware will create a service account for you, and send an email or other notification to the contact that you identified in your Order inviting that contact to the newly-created instance. A URL to access the Service Offering will be provided within that notification.

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- VMware will ensure that the identified contact can create additional user accounts for other users, as needed.

You are responsible for creating and managing all user-facing content including, but not limited to:

- Lab creation, management and template development
- End user account management
- Lab Manual content and creation
- Manage usage and capacity needs
- Management of any customer provided BYOC infrastructure
- Embedding any Third-Party Content into your instance and/or into any Content that you provide to Users and End Users (e.g., YouTube videos, etc.)

> **NOTE**: As provided in Section 1.4 of the Terms of Service, you are responsible for complying with any terms accompanying that Third-Party Content, and for management of cookies and other tracking technologies used by the third party in or as a result of any use of that Third-Party Content.

2.2 Support

The Service Offering includes Cloud Services Production Support for problems related to your account and the Service Offering's availability and features. Support may be provided from both U.S. and non-U.S. locations.

See https://www.vmware.com/support/services/saas-production.html

2.3 Incident and Problem Management

VMware will provide incident and problem management services (detection, severity classification, recording, escalation, and return to service) pertaining to infrastructure over which VMware has direct, administrative access and control, including servers and services used to provide the Service Offering.

You are responsible for incident and problem management (e.g., detection, severity classification, recording, escalation, and return to service) pertaining to:

- Your account settings in the Service Offering administrative management console.
- User-deployed and user-configured assets such as templates and software.
- Anything else not under VMware's direct control and administration.

2.4 Change Management

VMware will provide the following change management elements:

- Inform customers of any upcoming maintenance windows that are expected to impact access to their environment.

You are responsible for:

- Management of changes to your labs, dashboards, and other content.
- Administration of self-service features provided through the Service Offering's system console and user portal, up to the highest permission levels granted to you.
- Cooperating with VMware when planned or emergency maintenance is required.

2.5 Data Privacy

Data Collection by Google Analytics

The Service Offering utilizes Google Analytics to collect data directly from any browsers used to view or receive the Service Offering. The data collected and inferred is used by VMware to diagnose and improve its products and services and to fix issues. Further information on how Google collects and uses this data when you use the Service Offering can be found at: www.google.com/policies/privacy/partners/. This data collection is made possible using cookies. Detailed descriptions of the types of cookies we use can be found in the VMware Privacy Notice, and policies linked from that Privacy Notice. More information on how to choose whether to accept certain cookies used by VMware websites and solutions can also be found from the VMware Privacy Notice. The VMware Privacy Notice can be found at: https://www.vmware.com/help/privacy.html. You agree to provide the information in this paragraph to all end users of the Service Offering.

Deletion of Personal Data

Following expiration or termination of the Agreement, all Content, and all personal data contained in Content, in VMware's possession will be deleted from VMware's primary database and (if applicable) back-up database, as described in the "Termination" section, below. The only exception would be if and to the extent that VMware is required by applicable law to retain any of the personal data (in which case VMware will implement reasonable measures to isolate the personal data from any further processing).

2.6 Data Retention

During the Subscription Term, data transmitted to the Service Offering by you will be retained and available for querying and alerts. Upon service termination, all data will be deleted.

3. Business Operations

Billing and Usage Metering

Purchasing the Service Offering

The Service offering is purchased either on-demand or through a committed term subscription. Committed term subscriptions do not renew at the end of the purchased subscription term.

If you wish to purchase additional committed term subscriptions, those subscriptions will not be coterminous with subscriptions previously purchased (i.e., each additional subscription will have its own Subscription Term).

You may elect to pay applicable charges for the Service Offering through redemption of VMware's Subscription Purchasing Program (SPP) credits or Hybrid Purchasing Program (HPP) credits (collectively, "Credits").

Refer to the following websites for information on the Credit programs:

- SPP Program Guide:
  https://www.vmware.com/content/dam/digitalmarketing/vmware/en/pdf/solutions/vmware-spp-program-guide.pdf
- HPP Program Guide:

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https://www.vmware.com/files/pdf/solutions/vmware-hpp-program-guide.pdf.

Billing

For on-demand usage you are billed monthly in arrears. Committed term subscription fees will be billed all up front.

Expiration of Committed Subscription Term

Unless you purchase a new subscription, upon expiration of a committed subscription term, all services will continue to operate on an on-demand basis, and you will be billed at the then current on-demand rate for those services until you cancel your on-demand use.

Termination

Termination of your Service Offering instance will result in permanent loss of access to the environments, discontinuation of services, and a deletion of the environments and configurations.