

VMware Hybrid Purchasing Program

This Hybrid Purchasing Program Guide (“HPP Guide”) applies to the purchase and redemption of VMware’s Hybrid Purchasing Program credits (“HPP Fund Balance”). The provisions in the Enterprise License Agreement (“ELA”) through which the HPP Fund Balance was purchased will prevail to the extent they are inconsistent with any policies below. VMware reserves the right to modify this HPP Guide at any time in its sole discretion but those modifications will apply only to purchases of HPP Fund Balances after the effective date of the modification. For additional details on HPP, please refer to the Hybrid Purchasing Program Operations Guide.

HPP Term	Term is 3 years from the date VMware makes the HPP Fund Balance available in My VMware. Any unused HPP Fund Balances at the end of the HPP Term will be forfeited. Customers are not entitled to a refund for any unused HPP Fund Balances.
Initial Allocation Percentage	Customers may use up to 10% of the total HPP Fund Balance for the redemption of HPP Services. Customers may use the remainder of the HPP Fund Balance for the redemption of HPP Products. Customers may change this allocation between HPP Products and HPP Services but may never change it in a way that allocates more of the original HPP Fund Balance to HPP Services than as set forth in this initial allocation. Any reallocation is subject to the exchange ratio stated in the customer’s ELA.
Eligible HPP Products	Customers may redeem the HPP Fund Balance only for Products that are listed on the EPP Eligibility Matrix on the date VMware makes the HPP Fund Balance available in My VMware. The EPP eligibility Matrix is posted at https://my.vmware.com/go/epp . No additional Products are made available after that date. VMware reserves the right to designate Products as End of Life (EOL) and subsequently remove them from the EPP eligibility matrix.
Eligible HPP Services	Customers may redeem the HPP Fund Balance for (i) Services that are listed on the SPP Eligibility Matrix on the date VMware makes the HPP Fund Balance available in My VMware and (ii) Services that are added to the SPP Eligibility Matrix during the HPP Term. The SPP eligibility Matrix is posted at https://my.vmware.com/go/spp . VMware reserves the right to designate Services as End of Life (EOL) and subsequently remove them from the SPP Eligibility Matrix.
HPP Access	HPP Fund Balances are delivered to the specified Fund Owner’s My VMware account. Two fund balances are delivered. One is for redemption against Eligible HPP Products and another is for redemption against Eligible HPP Services. In addition to the two HPP Fund Balances, the customer receives a pre-provisioned On-Demand service with their purchase, which will be deemed delivered and accepted when VMware provisions the On-Demand service and makes it available to Customer. Customer’s use of the pre-provisioned On-Demand environment is subject to VMware’s standard legal terms and conditions.
Support & Subscription (SnS)	Upon redemption for a Product, (i) Production Level SnS automatically attaches to that Product for the HPP Term and (ii) funds representing the SnS cost from the redemption date through the end of the HPP Term are debited from the HPP Fund Balance.
Services Co-Term	Redeemed Services cannot have a term that is longer than the HPP Term. If a Redeemed Service has a term that is longer than the remaining HPP Term, that term will automatically be reduced so that it co-terms with the HPP Term.
Legal Terms	The customer’s use of the Redeemed Products and Redeemed Services under HPP is subject to the terms and conditions accompanying the applicable software or service, copies of which are posted at www.vmware.com/download/eula .
HPP Services Billing & Fund Balances	The HPP Fund Balance is debited in advance (i) at the time of redemption for the full value of those Services that are prepaid, (ii) monthly for those Services that billed monthly, and (iii) annually for those Services that are billed annually. On-Demand services, usage items and other applicable services are debited in arrears. If a customer redeems a service offering with a recurring payment method, the customer must maintain a sufficient fund balance for the value of that service offering.
SnS Renewal	Customers may renew SnS at the end of the HPP Term at the then-current list prices less any applicable multi-year discounts.
Price Protection	The MSRP values of licenses and corresponding SnS are fixed for the duration of the HPP Term. The MSRP value of services is based on the then current list prices at time of redemption.

HPP eligibility restrictions apply to U.S. state and local public sector end user customers. HPP is not available to U.S. federal end user customers. Execution of an agreement to purchase HPP credits by a U.S. public sector end user customer constitutes certification that the purchase and its pre-payment is allowed by applicable laws and regulations.

