

Novell® Technology Assurance Program

It's about enterprise-class software and support—and your peace of mind. That's why the Novell® Technology Assurance Program provides some of the industry's most comprehensive coverage against intellectual property (IP) infringement claims. Whether you run proprietary or Linux-based products from Novell, you can be confident that those software investments are covered by one of the industry's broadest IP protection offerings.

The Strongest Protection for Your Essential Software

Novell provides a leading legal protection program to help you stay safe in today's competitive business environment. Our Novell Technology Assurance Program includes a newly enhanced Novell Indemnification Program, a patent covenant from Microsoft and a portfolio of more than 500 patents to help deter patent aggression. If an intellectual property issue arises with *any* Novell product, you can rely on one of the strongest IP protection offerings available in the industry today.

Novell Indemnification Program

The Novell Technology Assurance Program includes an agreement designed to protect you financially if a third party files a copyright, patent, trade secret or trademark infringement claim against you. It's a program that provides much more than the basic warranty-

like protection offered by other vendors—it gives you the same level of IP protection for Linux-based and open source products that you have grown to expect for proprietary products.

Legal expenses for defending a patent suit can easily exceed US\$2 million. With the Novell Indemnification Program, you have the assurance that deploying Novell products will not result in legal expense for your organization.

Product Inclusions

The Novell Indemnification Program:

- *Covers all Novell commercial products (proprietary and Linux-based) at the same level*
- *Offers protection for copyrights, patents, trademarks and trade secrets*

- **Solutions:**
Novell Technology Assurance Program
- **Products:**
All Novell products

Novell offers one of the leading intellectual property protection programs in the industry, and it is by far the most comprehensive program for Linux and open source IP protection.



Leading the Industry in Intellectual Property Protection

The Novell Technology Assurance Program is one of the leading intellectual property protection offerings in the industry, and it is by far the leading assurance program for Linux and open source. Because of the Novell Technology Assurance Program and our UNIX copyright ownership, we can now offer a level of IP protection that few, if any, competitive vendors can match.

www.novell.com

Customer Qualifications

To qualify for indemnification under the Novell Technology Assurance Program, customers must sign a contract with Novell outlining the indemnity coverage. Depending on the product involved, customers must either:

- Purchase perpetual licenses for the relevant proprietary product in a quantity to cover all installations; or
- Purchase and maintain an ongoing subscription to upgrades and updates (for Linux-based products); and
- Purchase and maintain annual technology support (separately or included with ongoing upgrade and update subscriptions)

Damages and Defense Cost Coverage

Damages and defense costs covered in the Novell Indemnification Program:

- For large, Master License Agreement (MLA) customers (i.e., large enterprise customers) covered damages are capped at the lesser of US\$1.5 million or twice fees paid.
- For non-MLA customers, covered damages and defense costs correspond to fees paid by customer in the 12 months preceding a claim.
- The defense cost coverage is unlimited for MLA customers and capped at fees paid in the previous 12 months for non-MLA customers.

Purchase and Registration Requirements

To allow a maximum number of Novell customers to participate in the program, there are:

- No minimum purchase requirements
- No registration requirements

Patent Protection through the Novell and Microsoft Relationship

Under the patent cooperation agreement with Microsoft, Novell customers receive assurance that Microsoft will not take legal action when customers use Novell products—whether Linux-based or proprietary. See: www.microsoft.com/interop/msnovellcollab/patent_agreement.msp

An Extensive Patent Portfolio

At Novell, we use our portfolio of more than 500 patents to protect customers in the event of patent infringement challenges. This protection applies to all products and also extends to open source technologies that are part of a Novell offering.

Novell owns patents in operating systems technology, word processing, directory software and other areas. Because these patents continue to be crucial elements in the current computing environment, we are dedicated to protecting your right to use them.



For more information about the Novell Technology Assurance Program, contact your local Novell sales representative, or call Novell at:

1 800 714 3400 U.S./Canada
1 801 861 1349 Worldwide
1 801 861 8473 Facsimile

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