Retiring License on the MLA or VLA

Policy Number: #112

Effective Date: 01 July 2008

Audience: Customer, Partner, Internal

Applies To: Worldwide

Version: #7

Description
This policy defines the procedure for customers to follow when they own a product with maintenance coverage and discontinue use of that product. Also applicable when a customer wishes to cover a product with maintenance, and wants to reduce the number of licenses in use.

Example
As part of the requirement of the MLA contract, customers are required to pay a maintenance fee on every Novell license they own. Under VLA coverage rules, when a customer covers a product install base with maintenance all licenses of that product must have the same coverage. These license duties exist regardless of whether the customer is utilizing the product or not.

Customers may not reduce their license duties to a product by simply reporting a lower quantity on their annual Self Audit. However, there may be some instances where a customer wishes to reduce the quantity of licenses it owns of a product. Examples would include when the customer discontinues use of the product or decreases their install base or headcount.

When a customer chooses to reduce the number of product licenses they are using, they must retire the license rights to those products. For example, if a customer with 5,000 Open Enterprise Server (OES) licenses wanted to reduce their license quantity to 4,500, they would retire the license rights to 500 licenses.

Novell has created the Retired License Rights Form for customers who wish to retire licenses. For a copy of this form, please email FieldServices@novell.com. Upon completion of the form, customers in the Americas and Asia Pacific may fax a copy to 801-861-2564, and should mail the original(s) to Novell at:

> Novell, Inc
> Attn: License Management Services
> 1800 South Novell Place
> Mailstop B-161
> Provo UT, 84606

Novell.

Customers in Europe, the Middle East or Africa may send the completed form by fax to +353 1 605 8089 and mail the original(s) to Novell at:

EMEA Contract Admin
Novell Ireland Software Ltd
Corrig Court, Corrig Road
Sandyford Business Park
Dublin 18
Ireland

After Novell has countersigned the amendment, the quantity of licenses for products specified on the Form are retired and can no longer be utilized by the customer. The customer will pay maintenance going forward according to its new license quantity. The license rights are perpetually retired with the execution of the amendment. If the customer subsequently needs more licenses after submitting an amendment, it must purchase new licenses at the price indicated on the then-current price list.

Reductions are only effective going forward from the date Novell is notified of the reduction. Novell will not give credit for past reductions in license usage, nor does the Form relieve the customer from responsibility for any maintenance or license fees owing prior to the effective date. The level of Technical Services granted through maintenance will not diminish for the duration of the current Annual Period in which the Form is signed.

Novell retains the right to decline acceptance of customer requests after evaluation of the customer's account status, payment history, etc. Requests for Retirement of Licenses should be sent to the License Management Services (LMS) Team.