

IBM System 36/38 Work Station Emulation Program Statement of Service

Program service for valid program-related defects in the IBM System 36/38 Work Station Emulation Program is available, at no additional charge, until December 31, 1990, or until six months after written notice by IBM that the warranty period has been terminated, whichever is sooner. However, service will be provided only for the current update level.

Each licensee's access to program service is determined by the marketing channel through which the license was obtained. For example, in the United States and Puerto Rico, if the IBM System 36/38 Work Station Emulation Program license was obtained through:

- An authorized IBM Personal Computer dealer
 - Requests for program service should be made through your dealer.
- The IBM North-Central Marketing Division or the IBM South-West Marketing Division.
 - Your company will have established a technical support location to interface to IBM central service through an IBM Support Center, and your request for program service should be made through your company's technical support location.

Your company's technical support location is registered by the IBM branch office, under the terms of the Quantity Discount Agreement. The technical support location's responsibilities include, but are not limited to, the problem determination, problem source identification, submissions of problem reports, application of maintenance, and action on IBM support organization recommendations.

The IBM Support Center, in call-back mode, will provide the technical support location with telephone assistance in problem diagnosis and resolution. The technical support location may call the IBM Support Center at any time and will normally receive a call back within eight business hours. The IBM Support Center will contact the customer's technical support location, Monday through Friday from 8 a.m. to 5 p.m., local customer time; IBM holidays are excluded.

If the IBM System 36/38 Work Station Emulation Program is obtained through transfer of license from another party under the conditions of the IBM Program License Agreement supplied with this product, the new licensee may obtain program service through the access arrangement provided for the original licensee.

When a license is transferred, if the original license was obtained through the IBM North-Central Marketing Division or the IBM South-West Marketing Division, the old licensee is responsible for contacting their IBM marketing representative to make arrangements to transfer service entitlement to the new licensee; the new licensee must also establish a qualified technical support location to interface to IBM central service.

IBM does not guarantee service results or that the program will be error free, or that all program defects will be corrected.

IBM will respond to a reported defect in an unaltered portion of a supported release of the licensed program by issuing: defect correction information such as correction documentation, corrected code, or notice of availability of corrected code; a restriction; or a bypass.

Corrected code is provided on a cumulative basis on diskettes; no source code is provided. Only one copy of the corrections with supporting documentation will be issued to the licensee, or the agent of the licensee, reporting the defect. IBM will authorize various agents, such as IBM North-Central Marketing Division or the IBM South-West Marketing Division customer's technical support locations, to make and distribute a copy of the corrections, if needed, to each IBM System 36/38 Work Station Emulation Program licensee that they serve.

IBM will notify authorized IBM Personal Computer dealers, IBM marketing and service representatives, and IBM North-Central Marketing Division and IBM South-West Marketing Division customer's technical support locations if and when an update is made available.

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The total number of copies of an update distributed to IBM System 36/38 Work Station Emulation Program licensees within a customer's location may not exceed the number of copies of the IBM System 36/38 Work Station Emulation Program licensed to the customer.

IBM does not plan to release updates of the IBM System 36/38 Work Station Emulation Program on a routine basis for preventative service purposes. However, should IBM determine that there is a general need for a preventative service update, it will be made available to all licensees through the same process that is utilized to distribute general IBM System 36/38 Work Station Emulation Program updates, as described above.

Following the discontinuance of all program services, this program will be distributed on an "as is" basis without warranty of any kind either express or implied.