



VMware vSphere Essentials Plus

Specific Program Documentation (“SPD”)

The Broadcom software program(s) (“Broadcom Software”) listed below is provided under the following terms and conditions in addition to any terms and conditions referenced on the Broadcom quote, order form, statement of work, or other mutually agreed ordering document (each a “Transaction Document”) under the applicable end user agreement or governing contract (collectively, the “Agreement”) entered into by Customer and the Broadcom entity (“Broadcom”) through which Customer obtained a license for the Broadcom Software. These terms shall be effective from the effective date of such Transaction Document. Capitalized terms have the meanings ascribed to them herein, or, otherwise, in the Agreement.

Program Name: *VMware vSphere Essentials Plus*

1. DEFINITIONS.

All terms defined in the Broadcom Software Glossary located at legaldocs.broadcom.com apply to this SPD unless specified herein.

“**BIOS**” means the Basic Input Output System, a set of routines that boots the operating system and sets up the hardware of the Processor.

“**Cloud Services**” means computing infrastructure and platform services (such as compute resources, storage capabilities, databases or virtual machines and other computing infrastructure and platforms services) that a third party makes available for consumption by customers.

“**Core**” means a single physical computational unit of the Processor.

“**Instance**” means a single installation of the Software on a physical server or Virtual Machine.

“**Internally Developed Application**” means: i) a computer applications that Customer has created or developed and (ii) a third-party computer application(s) that is ancillary to Customer’s application-based service, and (b) cannot be accessed directly by end users of Customer’s application-based service.

“**Processor**” means a single, physical chip that houses at least one Core that can execute computer programs.

“**Server**” means a hardware system capable of running the server software. A hardware partition or blade is considered a separate hardware system.

“**Virtual Machine**” means a software container that can run its own operating system and execute applications like a physical machine.

2. USE RIGHTS AND LIMITATIONS.

License Metrics

- VMware vSphere Essentials Plus is subscription software licensed on a per Core license metric with a minimum licensing requirement of 16 Cores per Processor.
- VMware vSphere Essentials Plus is sold in a 96-core license pack.
- Each Core on the Server must be licensed, including Cores deactivated by the BIOS. The required number of Core licenses equals the number of Cores on the Server, subject to the minimum of 16 Core licenses per Processor.
- Customer may use vSphere Essentials Plus software on a Server that contains up to the maximum number of Cores for which Customer has paid the applicable license fees.

Use Rights and Limitations

- **vCenter Server.** Customers may only use the VMware vCenter Server Essentials entitlement included in this VMware vSphere Essentials Plus license solely to manage up to three (3) Servers, with each Server having up to two (2) Processors, each Processor with up to thirty-two (32) Cores. Customer may only use VMware vCenter Server provided with this VMware vSphere Essentials Plus license to manage Servers running a copy of VMware vSphere included with this VMware vSphere Essentials Plus license.
- **Restrictions on Use with Public Cloud Services.** Customer must not (and must not allow Customer's Third-Party Agents to) use or deploy the Software on any Cloud Services.
- **Hosting Rights and Restrictions.** Customer may use the Software to deliver Internally Developed Applications as a service to a third party via an internal or external network. Except as expressly provided in this paragraph and the License Agreement, the use of the Software for any other types of hosting or for the benefit of any third party in any manner is strictly prohibited unless Customer is an authorized participant in a VMware program that is governed by a separate set of terms and conditions which authorizes such activity.

3. THIRD PARTY INFORMATION AND TERMS.

Any required third-party software license terms are incorporated by this reference and are set forth in online documentation at techdocs.broadcom.com or legaldocs.broadcom.com.

- **VMware Tools.** VMware Tools is a suite of utilities and drivers that can be installed in a Guest Operating System to enhance the performance and functionality of a Guest Operating System when running in a Virtual Machine in conjunction with a vSphere hypervisor. Customer may not use VMware Tools with any other hypervisor. Customer may distribute the VMware Tools to third parties solely when installed in a Guest Operating System within a Virtual Machine. Customer is liable for compliance by those third parties with the terms and conditions of the Framework Agreement.