



NetScout Systems, Inc.

Delivery Services Description and Terms

DS-Delivery

Introduction and Objective

NetScout Systems, Inc. is committed to providing its customers with quality delivery services, as described herein, delivered by skilled industry professionals. NetScout's delivery services provide some or all of the following services:

- Configuration of NetScout products
- Knowledge transfer
- Quick start implementation based on NetScout best practices
- Workflow implementation

NetScout's delivery services professional can assist customer with ensuring their NetScout solution deployment begins with NetScout best practice processes and procedures.

Scope of Service and Timeline

Upon purchase by customer, NetScout will provide a delivery services professional for the number of days purchased at NetScout's then-current daily rate. For each day purchased by customer, NetScout's delivery services professional will perform the applicable delivery services Monday through Friday between the hours of approximately 8:00 am and 5:00 pm, customer local time, excluding NetScout holidays. The delivery services may encompass some or all of the following activities, as applicable, and the sequence and quantity of these tasks may vary, depending on the size and complexity of implementation.

1. Install NetScout software onto customer-provided hardware, in the case of a software only install process.
2. Update and/or patch the NetScout software to the most current release, if applicable and provided the software is covered under a valid maintenance contract.
3. Configure NetScout product(s) following the basic installation steps and procedures in the applicable product documentation. The basic installation is complete once the product(s) is running and interfaces are accessible.
4. Establish communities per NetScout documentation.
5. Create standard service monitors.
6. Create customer workflows for top network operations center issues.
7. Create NetScout recommended views and reports.
8. Build up to ten (10) customer-specific reports supported within the current applicable product documentation.
9. Provide two (2) knowledge transfer sessions with the customer regarding new workflows, view and reports created.
10. Provide documentation regarding specific activities performed.

If customer is an authorized reseller of NetScout products and services, and the end user is an agency or instrumentality of the United States government who requires that consultants hold current Department of Defense security clearances, then customer shall (a) notify the end user that the security clearances of NetScout's consultants are sponsored by a cleared third party contractor and not directly by NetScout and (b) if applicable, obtain the end user's consent to such arrangement.



Customer Requirements

The performance and successful completion of these delivery services is based upon the assumptions set forth below. Customer's inability to provide any of the following may affect deliverables, completion dates, and prices, and NetScout will not be liable for claims resulting therefrom. Customer will provide:

- All hardware racked and connected to network, IP addresses assigned, all inter-device connections made and confirmed, with access through firewalls.
- Pre-engagement assessment documentation prior to commencement of the delivery services
- Documentation of customer network and topology prior to commencement of the delivery services.
- One customer point of contact for questions and issues relating to the engagement.
- Sufficient qualified customer personnel capable of performing customer's obligations in connection with this Delivery Services Description.
- Reasonable access to customer's facilities, including hardware, software, networks, and systems, during customer's normal business hours and otherwise as reasonably requested to allow NetScout to timely perform the delivery services – where required.
- Sufficient working space and office support, including network and internet connectivity and access to telephones, photocopying equipment, printers, and the like, as NetScout may reasonably request – where required.

Deliverables and Scheduling

The delivery services described herein are sold on a per day, time and materials basis. Each one day of work is a "Deliverable" for purposes of this Delivery Services Description. Each Deliverable is deemed complete upon performance.

This Delivery Services Description constitutes a time and materials statement of work for the prepackaged delivery services described herein. Additional tasks considered outside the scope of this Delivery Services Description, or departure from the standard tasks of these delivery services, will be defined, documented and mutually agreed upon in writing by NetScout and customer and handled as a separate delivery engagement. Any delay and/or wait-time on the engagement due to customer readiness or third party products and vendors will impact the delivery schedule and will require rescheduling of the engagement. Upon receipt of customer's purchase order for the total number of days purchased, NetScout and customer will agree on the engagement start date.

Invoicing and Payment

The delivery services described herein require prepayment, or other payment terms as determined by NetScout in accordance with its billing policies. NetScout will invoice customer in advance for such services. Prices are exclusive of expenses and applicable taxes, which shall be paid by the customer. Payment is due in full in U.S. dollars within thirty (30) days of the invoice date. The delivery services expire one (1) year from the invoice date. Refunds are not available for unused and prepaid delivery services. Delivery services are not subject to acceptance, and NetScout will have fulfilled its obligations under this Delivery Services Description when it has delivered the number of days specified in the applicable NetScout quotation and customer's purchase order issued as a result of such quotation.