



CISCO POLICY

NON-ENTITLEMENT TO CISCO WARRANTY AND SERVICE SUPPORT OF NON-GENUINE CISCO PRODUCTS

INTRODUCTION

The integrity of a customer's network is of paramount importance. Cisco's ability to properly support customer networks is premised on the basis that the Cisco products and related software in such networks comprise genuine products/software that have not been destroyed, stolen or otherwise constitute scrapped materials. The following policy is intended to capture this key premise. This policy is subject to change at any time and without notice.

CUSTOMER ADVOCACY NON-ENTITLEMENT POLICY: NON-GENUINE PRODUCTS

A. Objective:

This policy sets forth the invalidity of any warranty and service support for a Non-Genuine Product. This policy is intended to support and be consistent with other relevant Cisco policies, such as those regarding Cisco trademarks and copyright materials, software licensing, destroyed, stolen and scrapped products, channel partner direct and indirect programs that authorize Cisco channel partners to sell legitimate and genuine Cisco products and services, and any other Cisco policies referenced in this policy.

B. Scope:

This policy applies globally.

C. Definitions:

1. "Non-Genuine Product" means any Cisco product:
 - (a) to which a Mark has been affixed without Cisco's consent or in violation of Cisco policies;
 - (b) that do not originate from Cisco or are produced without the approval of Cisco; and
 - (c) that are generally produced, marked or labeled as counterfeits or imitations of a genuine Cisco product with the intent to counterfeit or imitate a genuine Cisco product and
 - (d) are distributed or sold as authorized Cisco products when they are not.
2. "Marks" means the mark CISCO and the other trademarks, logos and service marks of Cisco and any of its affiliates, as identified at http://www.cisco.com/en/US/about/ac50/ac47/about_cisco_trademarks.html. "Marks" also means the Cisco Registered Partner logo, and each of the Cisco Certified Partner marks for which Cisco's certified partners may qualify, as further described at www.cisco.com/go/partner/logo.

D. Policy:

1. **Warranties.** Cisco does not provide any kind of warranty support whatsoever for Non-Genuine Products. None of Cisco's written warranties (as set forth at http://www.cisco.com/en/US/products/prod_warranties_item09186a00800b546d.html or elsewhere) applies to any Non-Genuine Products.

2. **Services.** Cisco does not offer for sale or otherwise any kind of services whatsoever for Non-Genuine Products. None of Cisco's service offerings (as set forth on any of Cisco's price lists) applies to any Non-Genuine Products.
3. **Any and all service contracts and/or hardware or software warranty obligations pertaining to Non-Genuine Products are void.** Upon Cisco's discovery of any Non-Genuine Products, Cisco shall immediately terminate any and all associated services and/or warranty support for such Non-Genuine Product, and pursue other available legal remedies.
4. **Refurbished Equipment.** Cisco does not offer services, or authorize or endorse any third party, to refurbish any Non-Genuine Products. Cisco's Authorized Refurbished Equipment Program (found at http://www.cisco.com/en/US/ordering/or6/or17/order_refurbished_equipment_program_description.html) and related software licensing (found at http://www.cisco.com/en/US/ordering/or6/or17/order_refurbished_equipment_software_transfer_and_licensing_overview.html) do not apply to any Non-Genuine Products. Hence, sections D(1) and (2) above are equally applicable to Non-Genuine Products that have been subjected to any type of refurbishment efforts.
5. **Inspections.** Cisco does not offer, authorize or endorse any kind of used equipment inspection or recertification for Non-Genuine Products.
6. **Return Material Authorizations.** Cisco does not accept Non-Genuine Products as a part of Cisco's Return Material Authorization ("RMA") process for Advanced Replacements. Non-Genuine Products sent to Cisco either directly or via a Cisco-authorized reseller shall not qualify as meeting Cisco's RMA requirements and may be subject to destruction.

E. Policy Implications:

1. Any hardware or software that has been identified as a Non-Genuine Product shall be appropriately identified in Cisco's databases as ineligible for any kind of warranty or service support whatsoever.
2. Any warranty support or services for a Non-Genuine Product is void.
3. Cisco assumes no obligation or liability whatsoever for Non-Genuine Products.
4. If, per Cisco's Advanced Replacement services and warranty support, a customer receives a replacement product from Cisco and then improperly returns to Cisco a Non-Genuine Product (instead of the actual defective Cisco product for which the advanced replacement product was provided), Cisco retains the right to invoice the customer for the then-current list price for a genuine Cisco replacement product, and may take other actions, including, termination of the customer's support contract or pursue other available actions.
5. Cisco encourages the removal of any and all Non-Genuine Products from customer networks in order to eliminate or reduce risks associated with keeping such Non-Genuine Products in the networks.

**Corporate Headquarters**

Cisco Systems, Inc.
170 West Tasman Drive
San Jose, CA 95134-1706
USA
www.cisco.com
Tel: 408 526-4000
800 553-NETS (6387)
Fax: 408 526-4100

European Headquarters

Cisco Systems International
BV
Haarlerbergpark
Haarlerbergweg 13-19
1101 CH Amsterdam
The Netherlands
www-europe.cisco.com
Tel: 31 0 20 357 1000
Fax: 31 0 20 357 1100

Americas Headquarters

Cisco Systems, Inc.
170 West Tasman Drive
San Jose, CA 95134-1706
USA
www.cisco.com
Tel: 408 526-7660
Fax: 408 527-0883

Asia Pacific Headquarters

Cisco Systems, Inc.
Capital Tower
168 Robinson Road
#22-01 to #29-01
Singapore 068912
www.cisco.com
Tel: +65 6317 7777
Fax: +65 6317 7799

Cisco Systems has more than 200 offices in the following countries and regions. Addresses, phone numbers, and fax numbers are listed on the Cisco Web site at www.cisco.com/go/offices.

Argentina • Australia • Austria • Belgium • Brazil • Bulgaria • Canada • Chile • China PRC • Colombia • Costa Rica • Croatia • Czech Republic
Denmark • Dubai, UAE • Finland • France • Germany • Greece • Hong Kong SAR • Hungary • India • Indonesia • Ireland • Israel • Italy • Japan
Korea • Luxembourg • Malaysia • Mexico • The Netherlands • New Zealand • Norway • Peru • Philippines • Poland • Portugal • Puerto Rico
Romania • Russia • Saudi Arabia • Scotland • Singapore • Slovakia • Slovenia • South Africa • Spain • Sweden • Switzerland • Taiwan •
Thailand
Turkey • Ukraine • United Kingdom • United States • Venezuela • Vietnam • Zimbabwe

Copyright 2004 Cisco Systems, Inc. All rights reserved. Cisco, Cisco Systems, and the Cisco Systems logo, and VCO are registered trademarks of Cisco Systems, Inc. and/or its affiliates in the U.S. and certain other countries.

All other trademarks mentioned in this document or Web site are the property of their respective owners. The use of the word partner does not imply a partnership relationship between Cisco and any other company. (0304R)