

ADDENDUM TO

MICROSOFT COMMUNICATIONS PROTOCOL PROGRAM (MCP) LICENSE AGREEMENT

This Addendum to the **Microsoft Communications Protocol Program (MCP) License Agreement** between Microsoft and Licensee (the “**Agreement**”) is entered into between Microsoft Corporation, a Washington corporation, with offices at One Microsoft Way, Redmond, WA 98052-6399 (“**Microsoft**”), and the person or company identified below (“**Licensee**”), effective as of the date it has been signed on behalf of both parties (the “**Effective Date**”). This Addendum supplements and, where indicated, modifies the Agreement as described below.

Licensee Full Legal Name: Type of Legal Entity (corporation, partnership, sole proprietorship or other): State/Province Organized: Street Address: City, State & Country: Licensee Contact Name: Phone Number: Fax Number: <i>[Licensee may execute this Addendum on behalf of its affiliates, including wholly-owned subsidiaries]</i>

LICENSEE

MICROSOFT CORPORATION

By

By

Name, Title

Name, Title

Date

Date

1. **Definitions.** Capitalized terms used in this Addendum are defined in this **Section 1** or elsewhere in this Addendum or the Agreement.
 - 1.1. “**Additional Protocols**” means the file, print, and user & group administration software communications protocols that are implemented and used in Covered Windows Servers to interoperate or communicate with other Covered Windows Servers. Additional Protocols as of the Effective Date are listed in **Appendix 1**.
 - 1.2. “**Additional Task(s)**” means interoperating with Covered Windows Servers to provide the data services identified in Exhibit A.
 - 1.3. “**Covered Windows Servers**” means the Windows NT Server 4.0, Windows 2000 Server Standard Edition, Windows Server 2003 Standard Edition, and Windows Server 2008 server operating system products, successors to those products, and Updates to those products and their successors.
2. **Treatment of Additional Protocols.** The Additional Protocols will be deemed “**Protocols**” under the Agreement.
3. **Treatment of Additional Tasks.** The Additional Tasks will be deemed “**Tasks**” under the Agreement.
4. **Distribution to MCP Licensees.** The provisions of **Section 2.3** of the Agreement will not apply to Implementations of Additional Protocols unless the recipient MCP Licensee has also entered into an agreement providing a license for those Additional Protocols.

5. **Third Party IP Claims.** The claims identified in Appendix 2 to this Addendum (if any) are Third Party IP Claims under the Agreement.
6. **Fees.** Licensee will pay the additional Royalties indicated in Exhibit A if Implementations perform Additional Tasks. These Royalties will be in addition to those owed under the Agreement. For example, an Implementation that implements Protocols to interoperate with both Clients and Covered Windows Servers to provide File services will have a Royalty Rate of 0.2% (0.1% under the Agreement and 0.1% under this Agreement).
7. **Miscellaneous.** All rights not expressly granted in this Addendum are reserved by Microsoft. No additional rights are granted by implication or estoppel or otherwise. This Addendum (including its Exhibits) constitutes the entire agreement between the parties with respect to its subject matter and merges all prior and contemporaneous communications on such subject matter. No modifications of this Addendum are effective unless contained in a subsequent written agreement that expressly references this Addendum and its intent to modify its terms, and is signed by duly authorized representatives of Licensee and Microsoft.

EXHIBIT A

Tasks and Royalty Rates

By marking a box(es), Licensee elects the Task(s) indicated below:

Per Unit Royalty Tasks						
<u>Task Description</u>				<u>Fee</u>		
<input type="checkbox"/>	Proxy/Firewall/NAT – web traffic filtering and forwarding services, such as firewall and web proxy services, but explicitly not including any of the other server services described in this <u>Exhibit A</u>			\$0.40		
<input type="checkbox"/>	Domain Controller Interaction – authenticating an Implementation (such as a file server) to a Windows Domain Controller			\$1.20		
Net Revenue Royalty Tasks						
<u>Task Description</u>				<u>Royalty</u>	<u>Min.</u>	<u>Max.</u>
<input type="checkbox"/>	Authentication – authentication, authorization and access control, policy enforcement, or usage accounting and audit services, analogous to the domain controller functionality in Covered Windows Servers			0.30%	\$2.40	\$39.00
<input type="checkbox"/>	File – file management and delivery services, analogous to the network file server functionality in Covered Windows Servers			0.10%	\$1.00	\$20.00
<input type="checkbox"/>	Rights Management – services to allow user access and/or interaction with rights management protected content, analogous to the enterprise rights management functionality in Covered Windows Servers			0.10%	\$0.80	\$12.00
<input type="checkbox"/>	Windows Update – software update services, analogous to the Windows Update functionality in Windows Servers			0.10%	\$0.40	\$6.00
<input type="checkbox"/>	Network Access Protection – services for validating and issuing certificates in response to client requests for access to a network based on client health status, such as anti-virus currency, patch level, etc., analogous to the Network Access Protection Server, Network Policy Server or DHCP – NAP functionality in Covered Windows Servers			0.10%	\$0.80	\$12.00
<input type="checkbox"/>	General – all of the above Tasks, together with any server services not otherwise covered in a Task			0.35%	\$1.20	\$30.00

Flat Fee Tasks

The Proxy/Firewall/NAT Task may also be licensed as a fully paid up license for \$10,000, if Licensee agrees to issue a press release, approved by Microsoft, announcing support for the Protocols, and also agrees to provide a reference to customers, other vendors and government authorities regarding their planned support for the licensed Protocols. Upon request, Microsoft will provide a quote from an appropriate spokesperson (to be selected by Microsoft at its sole discretion) for the Licensee press release.

APPENDIX 1

List of Current Additional Protocols

(Updated January 2008)

The Additional Protocols are the versions of the following protocols as implemented in the Covered Windows Servers.

Bold indicates protocols **new** to Windows Server 2008

Italics indicate protocols *modified* for Windows Server 2008

Protocol	Technical Documentation Title
Distributed File System: Replication (DFS-R) Protocol	[MS-BKUP]: Microsoft NT Backup File Structure Specification
Distributed File System: Replication Helper Protocol (DFS-R Helper)	[MS-DFSRH]: DFS Replication Helper Protocol Specification
Distributed Link Tracking: Central Store Protocol	[MS-DLTCS]: Distributed Link Tracking Central Store Protocol Specification
File Replication Service (FRS) Protocol	[MS-FRS1]: File Replication Service Protocol Specification
Distributed File System: Replication (DFS-R) Protocol	[MS-FRS2]: SD Microsoft Distributed File System Replication Protocol Specification
Remote Differential Compression (RDC)	[MS-RDC]: Remote Differential Compression Protocol Specification
Rights Management Services (RMS): Server-Server Protocol	[MS-RMPRS]: Rights Management Services (RMS): Server-to-Server Protocol Specification
SMTP Replication Protocol Extensions	[MS-SRPL]: Directory Replication Service (DRS) Protocol Extensions for SMTP
Tabular Data Stream Protocol	[MS-TDS]: Tabular Data Stream Protocol Specification
Web Distributed Authoring and Versioning (WebDAV) Protocol: Microsoft Extensions	[MS-WDVRN]: World Wide Distributed Authoring and Versioning (WebDAV) Noroot Depth Protocol Specification
Web Distributed Authoring and Versioning (WebDAV) Protocol: Microsoft Extensions	[MS-WDVRV]: World Wide Distributed Authoring and Versioning (WebDAV) MS-Author-Via Protocol Specification
Windows Internet Naming Service (WINS) Replication and Autodiscovery Protocol	[MS-WINSRA]: Windows Internet Naming Service (WINS) Replication and Autodiscovery Protocol Specification
Windows Internet Naming Service (WINS) Replication and Autodiscovery Protocol	[MS-WINSRA]: Windows Internet Naming Service (WINS) Replication and Autodiscovery Protocol Specification
Windows SharePoint Services (WSS): File Operations Database Communications Protocol	[MS-WSSFO]: Windows SharePoint Services (WSS): File Operations Database Communications Protocol Specification [MS-WSSO]: Windows SharePoint Services (WSS) Protocol Overview
Windows Server Update Services: Server-Server Protocol	[MS-WSUSSS]: Windows Update Services: Server-Server Protocol Specification

APPENDIX 2
Third Party IP Claims
(Updated January 2008)