

Skills Package Canada

1. Scope

Under the service described below, Sun will provide Customer with a purchasing account that allows Customer to set aside money up-front to purchase Sun educational and training materials corresponding to the Sun technology owned or used by Customer ("Skills Package" or the "Service"). Skill Packages are sold in a minimum amount of one thousand dollars (\$1,000) and can be purchased in any increment greater than said minimum. Customer will select and pay Sun for the desired amount for their Skills Package ("Funds"), and Sun will create an account ("Skills Package Account") for Customer to use for purchase of Sun educational products and services in the amount of the Funds. Customer's Funds for the Skills Package may be applicable for discount. All orders are subject to acceptance by Sun.

2. Application of Discount. If a discount applies to the Skills Package, the Customer will pay Sun the amount of the Funds selected minus the discount, and Sun will create a Skills Package Account for Customer in the amount of the Funds. The discount may not be combined with any other discounts or promotion.

3. Tasks and Deliverables

- **Qualified Educational Products and Services.** Customer may apply the Skills Package Account only towards the purchase of Sun's educational products and services and only for delivery in the country in which Customer purchased the Skills Package. The qualified Sun educational products and services available for purchase with the Skills Package are limited to those products and services listed in the current Sun Course Catalog located at: <http://sun.com/training>. All third-party or non-Sun technology courses, including but not limited to Red Hat, Symantec, Global Knowledge, EMC, Brocade, and ITIL courses, are excluded from use in the Skills Package and are not qualified products or services under this Service.
- **Changes in Prices, Policies and Course Schedules:** Prices for Sun educational products and services, policies and course schedules are subject to change without notice.
- **Payment.** Customer will submit payment for the entire amount of the Skills Package at the time of purchase. All payments will be made in the local currency.
- **Term for the Account.** The Skills Package Account will be opened up in Customer's name on the date of purchase (i.e., the date Sun's Account Receivable department receives payment from Customer) and will terminate twelve (12) months thereafter (the "Term"). Customer will use the Funds in its Skills Package Account during the Term. Any unused Funds remaining in Skills Package Account at the expiration of the Term are nonrefundable, non-transferable and cannot be used for future purchases.
- **Additional Provisions.** This Service is subject to Customer's existing services agreement with Sun that governs the delivery of Services. If Customer does not have a services agreement with Sun that would govern the delivery of Services, then Sun's delivery of Services shall be subject to the terms located at www.sun.com/sales/salesterms. This Service Listing does not constitute an offer by

Sun. The Services described above are subject to availability and unless otherwise stated, are only available within the above-referenced country. Any reference to "Customer" in this Service Listing entitled to receive the Services. All other defined terms in this Service Listing correspond to the definitions found in Customer's existing services agreement with Sun or the sales terms located at www.sun.com/sales/salesterms, whichever applies.

Last Revised: October 2009