

**SUPPLEMENTAL TERMS AND CONDITIONS FOR
SAP APPLICATION MANAGEMENT SERVICES
("SUPPLEMENT")**

1. Definitions. The capitalized terms below have the meanings indicated for purposes of this Supplement. Capitalized terms used in this Supplement but not defined herein have the meanings assigned to them in the applicable Order Form.

1st Level AM Services	1 st Level AM Services consists of gathering Customer's information regarding a disruption of service or a service request. For a disruption of service, 1 st Level AM personnel will analyze the issue and attempt to identify a solution or work-around, or pass it to the next service level	
2nd Level AM Services	2 nd Level AM Services personnel have specialized knowledge about applications, how they work and the most common problems encountered by users. 2 nd Level AM personnel confirm the validity of the issue/problem, provide in-depth help, and correct configuration and other serious problems. AM services will interface with and embed the respective SAP Enterprise Support services (or respective support provided by other software product manufacturers) as applicable.	
Application Management Services or AMS or AM Services)	The post implementation application management as described in this Supplement for a Customer's AMS Environment. AMS consists of various service components listed below. Customer receives only those AMS service components purchased by Customer, as set forth in the applicable Order Form.	
AMS Environment	The applications and related computing environment and/or processes to be supported through the AMS services, as defined in the applicable Order Form.	
AMS Reporting Dashboard	An online reporting dashboard which provides reporting capabilities for all AMS specific requests and services with a customer-specific view. .	
Audit	An assessment of the internal controls of the entire process landscape and fulfillment of the process requirements. It is also used to communicate new legal requirements which could lead to the implementation or change of controls, as needed.	
Categorization	Identification of a Ticket according to the following category groupings: Categorization Level 1: AMS Categorization Level 2: appropriate process (<i>Incident Management, Problem Management, Change Management, Request Fulfillment, Event Management</i>) Categorization Level 3: type of request (e.g. <i>Incident with/without Change, Problem with/without Change, Request for Change, Service Request, Priority, Component</i>)	
	Ticket Categorization Level 2	Ticket Categorization Level 3
	Event Management	AMS Manual Monitoring
	Incident Management	AMS Incident without Change AMS Incident with Change

	Problem Management	AMS Problem without Change AMS Problem with Change
	Change Management	AMS Request for Change
	Request Fulfillment	AMS Continuous Operations AMS Standard Change AMS Service Request
Change Management	<p>A process that defines the procedure through which a change of the business process is authorized, planned and deployed into Customer's PRD systems within the AMS Environment.</p> <p>All changes in the Customer's AMS Environment which are not caused by an Incident or Problem or agreed as a Standard Change are considered a Request for Change. Change Management does not only include the implementation procedure, but the holistic process from the requirement to the deployment. Changes are classified by their potential impact to the productive system (Regular Change and Emergency Change). Depending on the potential impact a certain approval level is required.</p>	
Change Implementation	<p>A sub-process of Change Management that defines the procedure through which to control the deployment of a change into a PRD system in order to minimize the risks of failure. This includes proper unit testing in the QAS system within the AMS Environment and another validation test done by Customer. Finally the import into the PRD environment has to be executed as planned with Customer.</p>	
Continuous Operations	<p>A request category for all recurring/ periodical tickets that contain some kind of continuous AM support for an extended time period. They can be used to record:</p> <p>Proactive AM support (except monitoring) based on Customer contract or separate agreements, Continued consulting or minor maintenance tasks on request of Customer if Customer does not want to create a separate ticket for each task.</p> <p>Continuous Operations requests are processed in compliance with the Request Fulfillment process.</p> <p>See also Service Request, Standard Change</p>	
Core Team	<p>SAP consultants who provided AMS and are appointed to process tickets for Customer. These consultants are familiar with the AMS Environment, Customer's business processes and have a close collaboration with Customer's Key Users.</p>	
Customer Approval	<p>See Quality Gate</p>	
Dispatching	<p>Forwarding of an incoming request / ticket to the responsible Core Team.</p>	
Effort Estimation	<p>An estimate of the time it will take an AMS representative to process and resolve a Request. <i>Key User</i></p>	
End User	<p>A Customer's employee or other personnel authorized by Customer and permitted by the terms of the Agreement who accesses and uses the AMS Environment.</p>	

Engagement Manager	<p>An SAP project manager during implementation and ongoing operation of the AMS services.</p> <p>The Engagement Manager coordinates and monitors the implementation phase and manages the ongoing provision of the services to verify compliance with the Agreement.</p> <p>The Engagement Manager is a dedicated named person and serves as the single point of responsibility and contact for Customer for all AMS matters and escalations.</p>
Emergency Change	An Incident with change and <i>Request for Change</i> that has highest urgency and therefore must be imported to PRD system as soon as possible, therefore outside any regular release or maintenance window.
Event	Any automatic or manual occurrence that is reported and is within the scope AMS.
Event Management	<p>Long-term monitoring of a system or system landscapes within the AMS Environment to identify critical system states at an early stage.</p> <p>Event Management defines the procedure to identify an Event, to evaluate whether or not the Event is within AMS scope, and to find an appropriate reaction method.</p>
Generic User	An account used to log into a system which is used by more than one person. For security reasons, use of Generic Users is not recommended by SAP.
Incident	The unplanned outage of parts or of a whole business process within the AMS Environment. Incident requests are processed in compliance with the Incident Management process.
Incident Management	The procedure used to restore the business process. An Incident can be resolved by either providing a workaround or by finding and eliminating the root cause (Problem). Once the Incident is solved it may be required to find the root cause (Problem) of the Incident. If such is identified, an approach how to prevent the Problem from occurring again should be found and presented to the Customer.
Initial Reaction Time	The time between the receipt of a support Ticket (time stamp of Ticket status "open") and the first action taken by SAP person (time stamp of Ticket status "in process"), familiar with the AMS Environment, to repair an Incident or process an Service Request or Change Request. If the priority of a support ticket is being changed, the Initial Response Time restarts from this point.
ISAE3402	<p>International Standard on Assurance Engagements No. 3402. This standard defines the professional standards used by a service auditor to assess the internal controls of a service organization and to publish a service auditor's report.</p> <p>The ISAE 3402 Quality Assurance Report consist of different parts:</p> <p>One part is used by SAP AMS's auditors to gain an understanding of the internal controls in operation at the service organization,</p> <p>Another part is available for SAP AMS customers to check and review if the quality assurance criteria and Quality Gates were met.</p>

ITIL	Information Technology Infrastructure Library. A set of concepts and policies for managing IT services. It encompasses concepts referred to as Service Strategy, Design, Transition, Operation and Continual Improvement and provides adaptable best practice procedures.
Key Performance Indicators or KPI	Parameters that are used for the measurement of business performance.
Key User	A Customer's contact person who has special business process and SAP knowledge and <i>Key User</i> is authorized to initiate Requests. See also Specific Key User
Named Users	An account to log into a system which, for security reasons, is used only by one person. Named Users may also be technical systems and their users that exchange information with SAP systems. See also Generic User
Problem	A Problem is the underlying root cause of an Incident. A Problem can cause multiple Incidents.
Problem Management	The procedure through which a root cause is identified and steps taken to prevent the Problem from happening again.
Quality Gate (Q-Gate)	A formal step to verify the quality of a process step before the next process step is released for execution. A Quality Gate defines the minimum requirements that must be fulfilled within an agreed upon time period in order for the Request to continue being processed. The minimum requirements and time period must be agreed upon by Customer upon completion of the Effort Estimation for the Request. If the minimum requirements are not met within the agreed upon time period for the Quality Gate, then the AMS representative must obtain the <i>Key User's</i> approval to continue processing the Request. If the Key User does not grant approval, then the Request Ticket will be closed.
Request	A question or a task that is addressed to AMS. A Request can be classified as Incident, Request for Change or Service Request.
Request for Change or RfC	A request for and description of a desired business process change within the AMS Environment. Requests for Change are processed in compliance with the Change Management process.
Request Fulfillment	Service Requests are handled using the Request Fulfillment process if they do not match the prerequisites for any other of the predefined AMS processes (Event Management, Incident Management, Problem Management or Change Management). These Service Requests will be further separated into one of the following categories: Standard Change, Request for Continuous Operations, or other Service Request.

Service Desk	<p>A centralized function servicing the single point-of-entry for all AMS Requests and Tickets. The Service Desk handles Tickets in compliance with the Service Desk process described below:</p> <ul style="list-style-type: none"> • Ticket acceptance / rejection (contract, SLA, Key User check), • Ticket monitoring (see SLA), • Ticket dispatching to the AMS <i>core team</i> consultants. <p>The Service Desk process describes the workflow and tasks of the Service Desk function, including</p> <ul style="list-style-type: none"> • Request / Ticket reception, • Ticket creation (received by phone), • Ticket monitoring, • Ticket dispatching and • Reporting.
Service Level Agreement or SLA	<p>The Service Level Agreement describes the quality (e.g. Initial Reaction Time) and quantity (e.g. monthly support volume in hours) of agreed services between the Customer and SAP for AMS.</p>
SAP Service Market Place ("SMP") / SAP Support Portal	<p>As part of the Global Support Backbone (included in SAP Enterprise Support), the SAP Service Marketplace is SAP's knowledge database and SAP's extranet for knowledge sharing on which SAP makes available content and services to customers and partners of SAP only.</p> <p>Thereby, the SAP Support Portal found at https://support.sap.com/home.html is SAP's central portal for all application based support requests via creation of support Tickets.</p>
Service Request	<p>A Service Request is any request which is no Request for Change and no Incident. Service Requests are processed in compliance with the Request Fulfillment process.</p> <p>See also Standard Change, Continuous Operations</p>
Service Time	<p>Times during which SAP provides Customer with the defined AMS services according to the defined SLA.</p>
Solution Time or ST	<p>The time between when processing of Ticket begins (time stamp of Ticket status "in process") until the first solution is provided to Customer (time stamp of Ticket status "SAP Proposed Solution" (can be set manually in case of a workaround)). The status "SAP Proposed Solution" means SAP has provided a corrective action or a solution proposal.</p> <p>The Solution Time does not include the time when the Ticket is handed over to Customer (Ticket status "customer action") or SAP's product support (Ticket status "Sent to SAP") for processing.</p> <p>The Solution Time SLA only applies to Incident Management Tickets and if specified in the Order Form for AMS services.</p>
Specific Key User	<p>A Customer's contact person who is authorized to request, to approve or to reject user administration related Tickets (component BC-SEC).</p> <p>See also End User, Key User</p>
Standard Change	<p>Low-impact changes that are pre-defined and pre-authorized. Standard Changes are processed in compliance with the Request Fulfillment process.</p> <p>See also Service Request, Continuous Operations</p>

Super-Administrator	A Customer's contact person who is authorized to create, change and deactivate Customer's S-Users for Service Market Place.
S-User	User authorized to log into the SAP Service Market Place.
Ticket	<p>The electronic documentation of any support request addressed by Customer to SAP. Each Ticket is given a number at the point of time it is created. The Ticket number will be the single reference to the Customer's request.</p> <p>All tickets must be created in SAP Support Portal only. Tickets are checked in compliance with the Service Desk process and will only be processed by SAP if they are created in the SAP Support Portal.</p>
Ticket Processor	SAP personnel who are responsible for Ticket handling, documentation, processing and solving in compliance with the appropriate processes.
Ticket Status	<p>Designation of the current activity and/or progress at any given point in time of a particular Ticket. Ticket Status provides a basic overview on the Ticket processing progress as well as information regarding the next activity and who is responsible for that next activity. The main ticket states are:</p> <ul style="list-style-type: none"> • Open, • In Process, • Customer Action, • Sent to SAP, • Solution Proposed to Customer, • Confirmed by Customer, • Procedure Ended. <p>As soon as the Ticket status Confirmed by Customer is set, any further required activities must be handled and documented in another new Ticket.</p>
User	<p>An account to log into a system.</p> <p>See Generic User, Named User.</p>
Workaround	A workaround is a temporary solution aimed at reducing or eliminating the impact of an Incident for which a full resolution is not yet available

2. Application Management Services. AMS consists of various service components listed and described below. SAP shall provide to Customer only those service components of AMS purchased by Customer as indicated in the applicable Order Form between SAP and Customer. SAP's provision of AMS is subject to Customer fulfilling its responsibilities described in the AM Services Roles and Responsibilities Matrix incorporated into the Agreement by the applicable Order Form.

- **Incident Management** means accepting Tickets from Key Users according to defined SLA's, analysis and resolution of Incidents according to the defined scope of applications to which AMS applies and SLA's, recommendations on application- and system optimization, ticket-based documentation and if required: request involvement of product support.
- **Problem Management** means accepting Tickets from Key Users according to defined SLA's, root cause analysis and resolution of problems according to defined AMS scope, recommendations on application- and system optimization, ticket-based documentation and if required: request involvement of product support.
- **Change Management** means accepting Tickets from Key Users according to defined SLA's, analysis of Requests for Change according to defined AMS scope and SLA's, scope definition, commercial validation and creation of requests for change with customer project manager; for requests for change in the scope defined in this section: Ticket-based documentation, planning and deployment of Requests for Change according to defined AMS scope and SLA's and if required: request involvement of product support.

- **Request Fulfillment** means accepting Tickets from Key Users according to defined SLA's, implementation of service request, request for continuous operations and agreed standard change according to defined AMS scope and SLA's, Ticket-based documentation.
- **Proactive Event Management (Monitoring)** means monitoring activities as specified in the monitoring concept and creation of Incident Tickets for identified issues; monitoring alerts, categorization of alerts according to criticality, and creation of Incident Tickets for critical alerts, taking corrective actions by processing the Incident Tickets, proactive adjustment to relevant parameter to avoid further issues, Ticket-based documentation and if required: request involvement of product support,
- **Proactive Services for SAP Applications** means specific service activities defined for the AMS Environment to be carried in proactive mode as specified in the Order Form.

SAP will provide the above AM Service components selected by Customer as documented in the Order Form for up to the agreed upon number of person hours per month designated in the Order Form. As part of the engagement, SAP will provide the selected AM services (as indicated in the Order Form) only for the AMS Environment. The nature and type of AM activities are defined in the Annex AMS Roles and Responsibilities. Some services will require tasks to be performed by both Customer and SAP personnel for the successful completion of the service.

Unless purchased by Customer as expressly stated in the Order Form, 1st Level AM Services (user help desk) for the processes of the IT solution and the supported AMS Environment is not part of AM Services and will have to be provided by Customer. SAP will respond to tickets routed to the SAP Service Desk by Customers in accordance with the Incident priority levels defined in this document. Under the AM Services, SAP will also forward the queries to the relevant parties responsible for technical product support and monitor the progress towards resolution as part of the incident management process.

3. Engagement Approach for Application Management Services

a. Engagement Methodology

a1. Transition

SAP will provide a support structure to ensure that the resources required to provide the Application Management Services are available and that they have the necessary industry and Customer-specific knowledge of the supported applications that will be used.

This includes in particular:

- Appointing SAP Engagement Manager
- Integration into the processes of SAP's Service Desk
- Expertise transfer to the SAP team concerning the Customer-specific AMS Environment.

To establish Customer-specific knowledge in the SAP team, the expertise transfer phase will form part of the set-up of the Application Management Services. The intensity and manner of the expertise transfer depends on the Customer's IT organization or implementation partner of Customer, if applicable, and the complexity of Customer supported AMS Environment (number of systems, application scenarios, business processes and modifications within the AMS Environment, the number of non-SAP applications and interfaces, and so on).

The expertise transfer phase will be coordinated by the Engagement Manager for SAP with strong cooperation of Customer or the responsible contact partner of Customer if applicable, and also with the project manager responsible for the implementation, if applicable. The expertise transfer will focus on the business processes listed in the Service Level Agreement.

The expertise transfer will provide the SAP team with the necessary knowledge required for the provision of the services, which may, as appropriate include information, records, documents, test scripts and data pertaining to SAP's delivering its in-scope services to the Customer.

The main steps in the Transition phase are as follows:

Transition Planning	Planning and Preparation	Detailed workshops between Customer and SAP (including skills requirements gathering for staffing, knowledge transfer planning, etc.), team on-boarding (Customer related, cultural, etc.), defining responsibility matrix and governance models.
	Setup	Request and provisioning of infrastructure and application accesses and other resources necessary to support Customer. Setting up and testing of ticketing tool.
Transition Execution	Knowledge Acquisition	SAP to attend expertise transfer sessions led by Customer or responsible contact partner of Customer, if applicable, gather, update and/or prepare documentation, if necessary.
	Finalize Transition Phase	SAP to perform final Operations Readiness checks and move on to coordinate cutover activities
Stabilization	Shadowing	SAP to observe and assist Customer team on-site (locations to be determined) where work is carried out.
	Reverse Shadowing	SAP to perform the work while Customer team to support, as escalation contacts.

Customer's Key Users will support the SAP team in consolidating the expertise regarding the supported business processes. In addition, Customer will provide access to the system landscape to be supported, the relevant engagement documentation required for Application Management Services, and any other documents, as necessary.

A joint project plan will be drafted in detailed discussions with Customer during the initial stages of the transition and will be used to track all deliverables throughout this phase.

a2. Operations

The services during live operation are provided remotely by SAP and will be documented in a Ticket which has to be processed in compliance with the Event-, Incident-, Problem-, Change Management or Request Fulfillment Process.

If necessary, SAP will also provide AM Services onsite for up to an agreed number of days per event as designated in the Order Form for AMS. Services provided onsite require prior notification irrespective of the priority of the issue at hand. Onsite services can be documented in a Ticket which has to be processed in compliance with the Event-, Incident-, Problem-, Change Management or Request Fulfillment Process.

Onsite services at Customer's request that exceed the given time requirements require at least one month's notice and must be submitted in a Change Order in accordance with the Change Order Procedure. SAP cannot guarantee that it will be able to provide resources for these services.

a3. Closure

SAP will hand over all documentations and provide support to the expertise transition sessions as may be requested by the Customer during this engagement closure phase.

b. Service Levels

Service Levels for Application Management Services can be defined as following

- Initial Reaction Time
- Solution Time (if agreed in the Order Form)
- Service Time

The specific values for each of the above Service Levels will be specified in the relevant Order Form.

c. Ticket Priorities

The following priority levels apply to all Incidents (such priority to be assigned by Customer, and which may be re-assigned by SAP based on the criteria below and acting reasonably):

Very High: An Incident should be categorized with the priority "Very High" if the incident reported has very serious consequences for normal business processes or IT processes related to core business processes, and urgent work cannot be performed. This is generally caused by the following circumstances:

- A production system is completely down.
- The imminent go-live or upgrade is jeopardized.

- The core business processes of Customer are seriously affected.
- A workaround is not available.

The incident requires immediate processing because the malfunction may cause serious losses.

High: An Incident should be categorized with the priority "High" if normal business processes are seriously affected. Necessary tasks cannot be performed. This is caused by incorrect or inoperable functions in the AMS Environment that are required immediately. The Incident is to be processed as quickly as possible because a continuing malfunction can seriously disrupt the entire productive business flow.

Medium: An Incident should be categorized with the priority "Medium" if normal business processes are affected. The problem is caused by incorrect or inoperable functions in the AMS Environment. The Customer orders a change to or a service for an existing critical business process.

Low: An incident should be categorized with the priority "Low" if the problem has little or no effect on normal business processes. The problem is caused by incorrect or inoperable functions in the AMS Environment that are not required daily, or are rarely used. This priority is also used for any other service request.

d. Service Reporting for AMS

SAP will create a monthly AMS report providing Customer with information about the services provided in the previous month. The AMS report will be made available online via the AMS Reporting Dashboard for the last reporting month and as downloadable PDF document for last twelve (12) reporting months and will include the following information for the in the respective reporting period:

- Overview of the supported applications within the AMS Environment in scope of the services provided
- Management summary / recommendations for continuous improvement
- Total number of Tickets received including break down per service category, per priority, per location, per application
- Total number of completed / not completed Tickets including break down per application

In addition a real time Ticket reporting is available online via the AMS Reporting Dashboard providing detailed information (including ticket ID, priority, application, service category, status) on tickets for AMS.

e. Organizational Change Management Approach

Organizational Change Management includes, but is not limited to the following: business readiness for go-live, design and roll-out of end-user training, day-to-day backfill for Customer engagement team members, SAP system management, coordination with remote sites, and engagement communication to the company. Customer is responsible for all organizational change management activities.

f. SAP and Customer Roles and Responsibilities

SAP and Customer will execute the key engagement activities as follows:

Key Engagement Tasks	SAP Role	Customer Role
Prepare Engagement	A/R	C
Kick-off Workshop	A/R	C
Transition and hand over (in accordance with XXX)	C	A/R
Application Management Services (as scoped in this document)	A/R	C
Operate Application	C	A/R

(R) Responsible	Has responsibility, at a tactical level, for the execution of the task. This is the "Doer". Answers to the 'Accountable' person.
(A) Accountable	Has approval authority. Provides guidance and strategic direction in the execution of a task through delegation to the 'Responsible' person; may

	contribute, but does not necessarily execute the task.
(C) Consulted	Has the opportunity to provide input when a decision affects his/her area. Will be conferred with prior to decisions being made or approval being granted, but does not make the final decision or grant approval.
(I) Informed	Is notified after any decision has been made, yet before action has been taken.
(A/R) Accountable/Responsible	Has approval authority and tactical responsibility. Provides guidance and strategic direction in the execution of a task and executes the task. The "Doer" as well as the "Approver"

g. Engagement Governance

To ensure effective communication between SAP and the Customer, SAP and Customer will regularly conduct a status meeting, to clarify open issues and answer questions, according to the frequency defined in the table below:

Meeting	Attendees	Time & Date)	Purpose	Frequency	Typical Method
Customer and SAP weekly meeting	<ul style="list-style-type: none"> Customer SME, Customer Delivery Manager & SAP Engagement Manager 	1 hour date and time TBD	<ul style="list-style-type: none"> Weekly status update Review open items Discuss risks & issues and agree resolutions Review open or breached incidents/problems or configuration requests 	Weekly	Face to Face and/or Tele conference or Video Conference
Customer and SAP Steering Committee Meeting	<ul style="list-style-type: none"> Steering Committee Management, Customer Delivery Manager & SAP Engagement Manager 	2 hours date and time TBD	<ul style="list-style-type: none"> Review Transition progress Review financials, timelines & deliverables Review risks and issues Resolve action items Gather feedback 	Quarterly	Face to Face
Customer and SAP Bi-Annual Contract Review session	<ul style="list-style-type: none"> Management Customer Delivery Manager & SAP Edgemont Manager 	1 day Date and time TBD	<ul style="list-style-type: none"> Review Scope Document timeline, scope, service hours, number of resources Review SLA Review performance review deliverables 	Yearly	Face to Face

h. Engagement Deliverables

Customer Deliverables

The following are the engagement deliverables to be delivered by Customer:

1. Software installed and functioning (continuous operation)
2. Transition and hand over

SAP Deliverables

In addition to SAP's monthly provision of Application Management Services the following deliverables will be provided by SAP:

1. Initial kick off workshop
2. Monthly report
3. ISAE 3402 Quality Assurance Report twice a year

i. General Engagement Assumptions

- (i) Anything not specified as in-scope is deemed out-of-scope, is not part of this engagement and would require additional consulting services through a Change Request or a separate statement of work.
- (ii) AMS does not include any changes to the AMS Environment or computing environment.

- (iii) SAP will document possibilities for improvement in the scope of the daily AM tasks. SAP will also analyze calls for assistance to determine if other areas are available for improvement. This information will be discussed in communications between Customer's representatives and the SAP team. When SAP has identified an area for improvement, SAP may make a formal cost and expense assessment, and will analyze the consequences of the change on the existing landscape and system operation. SAP will submit the recommendation to the appropriate Customer's representative in the form of a Change Request. If approved by Customer and SAP, the change will be implemented and any applicable additional fees charged to Customer via the approved Change Request.
 - (iv) Customer will be fully responsible for the project management, design, scope, delivery execution, and user acceptance of application changes. SAP's role in enhancements will be on a staff augmentation basis by making reasonable efforts to staff requested resources within the functional or technical skill sets and consulting level requested.
 - (v) Customer will maintain a representative who will be Customer's primary point of contact in dealing with SAP and will have the authority and power to make decisions with respect to any action to be taken by Customer under this schedule.
- j. Customer's additional responsibilities including Collaboration and cooperative duties**
- (i) AM Services will be provided only after a Ticket has been issued to SAP detailing the request in the SAP Support Portal.
 - (ii) Customer will ensure that SAP has access to the supported systems within Customer's AMS Environment and will bear any expenses required for this purpose.
 - (iii) Customer is responsible to ensure that non-SAP Support parties reasonably cooperate in their timely receipt and handling of queries and tickets forwarded from SAP.
 - (iv) Customer is responsible for all data stored into the systems. Customer is responsible for backing up its data. Except where otherwise expressly indicated in writing by Customer, SAP is always entitled to act on the assumption that all of Customer's data is backed up.
 - (v) Customer will ensure that the release of any new or upgrade to Software complies with the interface requirements of the scope of applications that are the subject of the AMS services and will notify SAP at least eight (8) weeks prior to the release of any new or upgrade to the Software.
 - (vi) During the Term, Customer names and maintains a representative who will be Customers' primary point of contact in dealing with SAP and will have the authority and power to make decisions with respect to any action to be taken by Customer under this contract.
 - (vii) Two weeks before start of AMS, Customer will make technical documentation, end-user documentation and business process documentation available to SAP in English language. In case Customer fails to provide this documentation on time or if the documentation does not have the required level of detail, the AMS start might be delayed and support efforts by SAP and fees chargeable to Customer might increase.
 - (viii) During the Term, Customer is accountable to provide SAP reasonable and sufficient documentation of its business processes in order for SAP to perform its responsibilities.
 - (ix) Customer informs SAP in a timely manner, i.e. with a minimum lead time of three (3) months about changes to the required AM services in terms of volume, languages and service times.
 - (x) Customer provides SAP, free of charge, for the semi-annual audits a user with all necessary authorizations. This is required for all systems in which SAP has responsibility for transportation management (managing the technical deployment of changes from DEV systems to PRD systems). Customer also confirms that its transportation management can be checked for audit purposes and that information is also made available to the respective auditors. This is only applicable if during the set up phase it is agreed that SAP will be responsible for transports to PRD.
 - (xi) During the agreed service times Customer will ensure the availability of a sufficient number of Key Users who have the required technical-, application and business process expertise and sufficient skills to communicate with SAP's AMS Consultants in the agreed support

language and will provide to SAP a list of the Key Users and any third party resources assigned by Customer, including name, function, phone number, fax number and email address. Customer will ensure that all Key Users are familiar with the support process including ticket creation and processing via the SAP Service Market Place / SAP Support Portal.

- (xii) Customer will designate at least one Customer user as an OSS user with the authorization to open the OSS connection to the SAP systems and to set up Tickets.
- (xiii) If Customer fails or partially fails to comply with these collaborative and cooperative duties or if Customer fails to comply with these collaborative and cooperative duties in the right quality or if Customer fails to comply on, SAP can request adjustments of the schedule and/ or charge additional fees to address increased SAP costs resulting from the Customer's non-compliance.
- (xiv) SAP reserves the right to, in its sole discretion; replace any assigned SAP AMS Consultant with an SAP AMS Consultant with equivalent skills.
- (xv) Customer and SAP will promptly replace inappropriately skilled team members or vacated team slots as deemed necessary during the engagement.
- (xvi) The Customer S-Users are capable of accepting the first call from the end-user community and address it internally or understand how to route it, as necessary, to the SAP Service Market Place.