

# OUR CUSTOMER TERMS CLOUD SERVICES – VMWARE HORIZON AIR

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Certain words are used with the specific meanings set out below or in the [General Terms section of Our Customer Terms](#).

### 1 ABOUT THE VMWARE HORIZON AIR SECTION

- 1.1 This is the VMware Horizon Air section of Our Customer Terms.
- 1.2 Provisions in other parts of the Cloud Services section also apply. See section one of the General Terms of the Cloud Services section at <https://www.telstra.com.au/customer-terms/business-government/cloud-services> for more detail on how the various parts of the Cloud Services section are to be read together.
- 1.3 Unless you have entered into a separate agreement with us which excludes them, the General Terms section of Our Customer Terms also applies. See section one of the General Terms of Our Customer Terms at <http://www.telstra.com.au/customer-terms/business-government/index.htm> for more detail on how the various sections of Our Customer Terms are to be read together.

### 2 VMWARE HORIZON AIR

#### What is VMware Horizon Air?

- 2.1 VMware Horizon Air is a desktop-as-a-service offering operated and managed by VMware.
- 2.2 You can choose from three core VMware Horizon Air products:
  - (a) VMware Horizon Air Desktops – enables you to deliver virtual desktops as a monthly subscription service to your end users, including full Windows Client desktops, shared desktops and Server Client Desktops. The minimum number of VMware Horizon Air Desktops which can be purchased is 50 and they can be purchased in multiples of 50;
  - (b) VMware Horizon Air Apps – enables host capacity for your specific, Microsoft built windows applications, presented to VMware Horizon Air Desktops, physical desktops or via an Airwatch client. VMware Horizon Air Apps can be purchased in quantities of 5 server packs; and
  - (c) VMware Horizon Air Desktop DR - enables you, in the event of a disaster, to provide end users with secure emergency desktop connected to your corporate resources. The minimum number of VMware Horizon Air Desktop DR seats which can be purchased is 50.
- 2.3 The VMware Horizon Air Desktops and VMware Horizon Air Apps are available in four main service models: Standard Desktop, Advanced Desktop, Enterprise Desktop and Hosted Apps Server.
- 2.4 In addition to the core VMware Horizon Air products, you can add additional components or functionality ("**Add-ons**"). Third party software applications and application templates are also available to you as optional services for

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use in connection with the VMware Horizon Air products (“**Third Party Applications**”).

### Eligibility

- 2.5 To be able to use the VMware Horizon Air products, you must accept and comply with:
- (a) the VMware terms of Service available at <http://www.vmware.com/au/download/eula/horizon-air-terms-of-service.html> (“VMware Terms of Service”); [and
  - (b) with respect to any Third Party Applications, the third party terms available at <http://www.vmware.com/files/pdf/support/horizon-air-third-party-terms.pdf> (“Third Party Terms”).

### 3 SERVICE FEATURES

- 3.1 The full description of the VMware Horizon Air products and their features is set out on VMware’s website at <http://www.vmware.com/files/pdf/support/horizon-air-service-description.pdf>, and in the VMware Terms of Service and Third Party Terms.

### 4 SERVICE LEVELS

- 4.1 The service levels for the VMware Horizon Air products are set out on VMware’s website at <http://www.vmware.com/au/download/eula/horizon-air-service-license-agreement.html>.

### 5 PLANS AND CHARGES

- 5.1 VMware Horizon Air products can currently only be purchased from us using SPP Credits (see the clause below for further information).
- 5.2 The pricing for the various VMware Horizon Air products is set out in the Telstra Cloud Services portal.
- 5.3 The VMware Horizon Air products are available with a choice of minimum term (such as 1, 12, 24 or 36 months). Details of the available plans are set out in the Telstra Cloud Services portal.
- 5.4 The term for each Add-on you select will end at the same time as your initial minimum term.
- 5.5 You can upgrade or downgrade between service models, unless you have prepaid. If you have prepaid, you cannot downgrade service models.
- 5.6 You can migrate from a casual (monthly) plan to an annual plan on the same service model or higher.
- 5.7 You can migrate from an annual plan to a casual plan on the same service model, however you will forfeit any remaining months on your annual plan.
- 5.8 Unless you have selected manual renewal, at the end of your minimum term your VMware Horizon Air products will automatically renew for a period the

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same as your minimum term and on the then-current pricing, unless either party notifies the other that it does not wish to automatically renew in accordance with clause 5.10..

- 5.9 If you select manual renewal, you may be contacted before the end of the minimum term to discuss your renewal options. If you wish to modify your VMware Horizon Air product configuration (e.g. contract term or Add-on quantities), you can only do this during the renewal period and within the Telstra Cloud Services portal. You must do this within 30 days of your contract renewal date. We will notify you when your modify option becomes available. These changes will take effect upon renewal. If you do not make any changes to your current VMware Horizon Air plans by the deadline in the clause below, your plan will automatically renew.
- 5.10 If you wish to cancel your VMware Horizon Air product(s), you need give us 35 days advance notice.

### Early termination charges

- 5.11 Selected VMware Horizon Air plans are eligible for early termination for convenience (pre-paid subscriptions are not eligible). To be eligible, your VMware Horizon Air plan must:
- (a) be paid:
    - (i) monthly with a minimum term or at least 12 months; or
    - (ii) annually with a minimum term of at least 24 months; and
  - (b) at least 3 months of the minimum term have elapsed.
- 5.12 Please contact us if you wish to cancel a plan eligible for early termination for convenience. Termination of your plan will be effective on the last day of your next subscription billing period, although certain metered charges may take up to 90 days to appear on your bill following cancellation.

For example: if your subscription billing period ends on the 15<sup>th</sup> of each month (please note this may vary from your billing date), you must notify us by the 10<sup>th</sup> of April to terminate your VMware Horizon Air products with effect from 15<sup>th</sup> May (45 days before the renewal date). If notice is provided on 11 April, termination will be effective on 15<sup>th</sup> June.

- 5.13 If your plan is eligible for early termination for convenience and your plan is cancelled before your minimum term has ended, an Early Termination Charge (ETC) applies. The ETC is calculated as a fee equal to one month's fees (including Add-on fees) for every 12 month period remaining in your fixed term plan as at the date of termination. For example:

Months remaining of fixed term at the date of termination		ETC amount
3 – 12 months		Equal to 1 months fees (including Add-ons)
13 – 24 months		Equal to 2 months fees (including Add-ons)
25 – 36 months		Equal to 3 months fees (including Add-ons)

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### 6 SUBSCRIPTION PURCHASING PROGRAM

- 6.1 As part of VMware's Subscription Purchasing Program (SPP), you can acquire subscription services credits (SPP Credits) to redeem against selected eligible VMware Horizon Air services. Details of eligible VMware Horizon Air services are at [www.vmware.com/go/purchasenow](http://www.vmware.com/go/purchasenow).
- 6.2 Your participation and purchase of SPP Credits is subject to the terms outlined in the SPP Program Guide at [www.vmware.com/go/purchasenow](http://www.vmware.com/go/purchasenow).
- 6.3 You can purchase SPP Credits within our Cloud Services Store. You can log in to the My VMware portal to view, manage and redeem your SPP Credits.
- 6.4 Each purchase of SPP Credits is a single transaction, and the total cost will appear on your next Telstra bill as a one-time fee. Your Telstra bill will not include any VMware Horizon Air Services for which you are redeeming SPP Credits.
- 6.5 You may only elect to pay for your VMware Horizon Air Services using SPP Credits at the start of your plan term or when renewing your plan. Moving from payment by SPP Credits to cash (i.e. your Telstra bill) is not currently supported.
- 6.6 If you have insufficient SPP Credits to pay for your VMware Horizon Air services, VMware may suspend and ultimately terminate your VMware Horizon Air services if you do not acquire additional SPP Credits. An ETC may apply to termination of your VMware Horizon Air services in this circumstance.