



October 20, 2011

Ms. Christine Liu  
Kingston Technology Company, Inc.  
17600 Newhope Street  
Fountain Valley, CA 92708

*Subject: International Technical Support Agreement No. MV01068*

The following information outlines service provided by IBM for Kingston Technology Company, Inc. products in the United States and Puerto Rico. It supersedes previous communications, both oral and written. The service described will be subject to change with IBM's business practices and any amended contract.

IBM and Kingston Technology Company, Inc. entered into the subject International Technical Support Agreement (the "Agreement"), effective December 2, 1998. The Agreement allows IBM to provide service on Kingston Technology Company, Inc. products sold after the effective date of the Agreement and installed in or attached to IBM machines in the United States and Puerto Rico.

In accordance with the terms of the Agreement, during the Kingston Technology Company, Inc. warranty period, IBM will provide service to replace Kingston Technology Company, Inc. products which are eligible for service under the Agreement, have an IBM-approved field replaceable unit ("FRU") label attached, and are installed in or attached to IBM machines covered by an IBM maintenance agreement or a purchased upgrade to an IBM machine warranty. The IBM machines are AMD-based and Intel-based servers.

The Agreement between IBM and Kingston Technology Company, Inc. in no way constitutes or implies an IBM guarantee as to the quality or performance of the Kingston Technology Company, Inc. product or the machine's performance in which it is installed. IBM's agreement with Kingston Technology Company, Inc.'s product is limited to the replacement of Kingston Technology Company, Inc.'s product during the specified Kingston Technology Company, Inc. warranty period and conditions. IBM is not liable for any performance failures or machine performance problems if such failures or problems should occur as a result of the end user's use of any non-IBM product. IBM's hardware product warranty to the customer remains unchanged and does not cover the Kingston Technology Company, Inc. product.

Should you have any questions, please feel free to contact Mr. Curt Burman (Project Manager, IBM Global Technology Services) at 720-396-5123.

Sincerely,

*Edward S. Nocitra*

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