



January 10, 2011

Mr. Keith Carpenter
Chief Executive Officer
Axiom Memory Solutions
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Irvine, CA 92618

Subject: International Technical Support Agreement No. MW00373

The following information outlines service provided by IBM for Axiom Memory Solutions 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 Axiom Memory Solutions entered into the subject International Technical Support Agreement (the "Agreement"), effective July 21, 2006. The Agreement allows IBM to provide service on Axiom Memory Solutions 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 Axiom Memory Solutions warranty period, IBM will provide service to replace Axiom Memory Solutions products which are eligible for service under the Agreement, have an IBM-approved FRU label attached, and are installed in or attached to IBM machines covered by either an IBM maintenance agreement or a purchased upgrade to an IBM machine warranty. The IBM machines are AMD-based and Intel-based: desktops, mobile devices, and servers.

The Agreement between IBM and Axiom Memory Solutions in no way constitutes or implies an IBM guarantee as to the quality or performance of the Axiom Memory Solutions product or the machine's performance in which it is installed. IBM's agreement with Axiom Memory Solutions' product is limited to the replacement of Axiom Memory Solutions' product during the specified Axiom Memory Solutions 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 Axiom Memory Solutions product.

Should you have any questions, please feel free to contact Mr. Al Dunkel (Project Manager, IBM Global Technology Services) at 720-396-6642.

Sincerely,

Edward S. Nocitra

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