



## Service Description

### IBM US Secure Support

Upon acceptance of client's order, this Service Description applies to the Acceleration Services to support Client's use of an IBM software program. The applicable order documents provide pricing and additional details about Client's order.

#### 1. Acceleration Service

Acceleration Services are expert services, as described in this SD, and are provided remotely to Client. For the purpose of this SD, if the base agreement references Cloud Services, then all such references apply to Acceleration Services, as applicable, and that base agreement shall govern the terms of this SD.

##### 1.1 Services

The Client may select from the following available services.

This Service provides Client with standard IBM Software Subscription and Support delivered through a secure US team.

Client must have IBM Software Subscription and Support in effect for the IBM US Secure Support ('Secure Support') to be active. While Secure Support is in effect:

- IBM provides Secure Support via electronic cases or via telephone, only to Client's designated information systems (IS) technical support personnel.
- IBM provides Secure Support coverage 24x7.
- US Secure Support will ensure only a US Citizen will manage and handle cases opened by Client's designated information systems (IS) technical support personnel.
- US Secure Support will ensure data requested is maintained on US soil.
- The Client must coordinate with the US Secure Support Team to set up and designate an appropriate Secure Support location.
- Any communications not set up and designated through the US Secure Support Team will be handled through the standard IBM Support process.
- During the support handling process, the Secure Support team may seek assistance from non-US citizens in IBM development, support, services, etc., however, Client data will not be released outside of the Secure Support team.

Offering tiers are based on the overall spend of S&S installed on a per site basis in accordance with the following table:

Offering Name	Spend of S&S Installed per Site
IBM Cloud US Secure Support Standard	\$0 – \$100,000
IBM Cloud US Secure Support Advanced	\$100,000 – \$500,000
IBM Cloud US Secure Support Enterprise	\$500,000 – \$1,000,000

#### 2. Data Processing and Protection Data Sheets

IBM's Data Processing Addendum at <http://ibm.com/dpa> (DPA) and the Data Processing and Protection Data Sheet(s) (referred to as data sheet(s) or DPA Exhibit(s)) in the links below provide additional data protection information for the Cloud Services and its options regarding the types of Content that may be processed, the processing activities involved, the data protection features, and specifics on retention and return of Content. The DPA applies to personal data contained in Content, if and to the extent i) the European General Data Protection Regulation (EU/2016/679) (GDPR); or ii) other data protection laws identified at <http://www.ibm.com/dpa/dpl> apply.

<http://www.ibm.com/software/sla/sladb.nsf/sla/sd-dpa-labor>

#### 3. Service Levels and Technical Support

No Service Level Agreement or Technical Support is available for this Service Description.

## **4. Entitlement and Billing Information**

### **4.1 Charge Metrics**

The Acceleration Service is available under the charge metric specified in the Transaction Document:

- Engagement is a professional or training service related to the Cloud Services.

## **5. Additional Terms**

For Cloud Service Agreements (or equivalent base cloud agreements) executed prior to January 1, 2019, the terms available at <https://www.ibm.com/acs> apply.

### **5.1 Materials**

Materials created by IBM in the performance of these offerings and delivered to Client (excluding any preexisting works on which those materials may be based) are works made for hire, to the extent permitted under applicable law, and are owned by Client. Client grants to IBM an irrevocable, perpetual, nonexclusive, worldwide, paid-up license to use, execute, reproduce, display, perform, sublicense, distribute, and prepare derivative works based on those materials.