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Service Availability Commitments for Software as a Service (SaaS) Applications

With respect to Applications stored either at PDF Solutions' site(s) or any third-party service provider engaged by PDF Solutions to provide such services to Customer (each, a "TPS"), PDF Solutions commits to make the Applications available to Customer through the Customer Page except for as follows:

Unscheduled down time:

- 1) no more than 1% during the hours of 8 a.m. to 6 p.m. Pacific Time, Monday through Friday; and,
- 2) no more than 2.5% during the hours of 6 p.m. to 8 a.m., seven days a week.

Scheduled down time:

- 1) Nightly from 1:00 am to 1:30 am Pacific Standard Daylight Time for data back-ups.
- 2) Up to six hours over 3 months during the hours from 6 p.m. to 8 a.m. on Saturdays or Sundays, if/as scheduled in advance with at least 1 week and 48 hour prior notifications for system software, equipment or network maintenance and upgrades as required.

In the event that the Applications are not available to Customer in accordance with the above, then, subject to Customer's report of such event, PDF Solutions will take immediate action to facilitate the correction of the loss of availability and assign resources until remedied, keeping Customer updated on the issue and timeframe for resolution.