

# NetApp H2FY24 Flash Incentive

## Requirements & Conditions

## Overview:

- **Incentive Name** : Flash Incentive (hereinafter, the “Incentive”).
- **Incentive effective dates** : This Incentive runs from NetApp Q3 FY’24 through Q4 FY’24, beginning on 28 October 2023 and ending on 26 April 2024 (the “Incentive Period”).
- **Partner eligibility**: Partner must be a Prestige, Preferred or Approved partner in NetApp Partner Sphere program.
- **Incentive overview** : The incentive is designed to drive Flash revenue in NetApp H2FY24 and rewards Partners for closing eligible NetApp® C-Series and high-performance Flash Deals (A-series and ASA).
- **Deal eligibility**: Partner must have an approved Deal registration in accordance with the Deal Registration Program. Deal registration approval is at NetApp’s sole discretion and is nonnegotiable.
- **Eligible solutions**: all products from Capacity Flash family and High-Performance Flash family.

## Flash Incentive Prize eligibility

- Partner company can only win one of the Flash Incentive Prizes offered. Incentive Prizes are not stackable.
- In case of equal performance between two or several companies to win a Flash Incentive Prize, an additional criteria will be considered to select the Incentive Prize winner between them – See the below table.

Equal performance between several partners on	Additional criteria to select the winning companies between several
• <b>Flash Incentive Prize #1</b> : Highest number of Flash deals closed in quantity during the Incentive period	• Highest Flash growth percentage in bookings end of H2FY24 versus H1FY24
• <b>Flash Incentive Prize #2</b> : Highest Flash growth percentage in bookings end of H2FY24 versus H1FY24	• Highest number of Flash deals closed in quantity during the Incentive period
• <b>Flash Incentive Prize #3</b> : The most Customer New Logos won with Flash during the incentive period	• Highest Flash growth percentage in bookings end of H2FY24 versus H1FY24

## Deal eligibility

- Partner must have an approved Deal registration in accordance with the Deal Registration Program. Deal registration approval is at NetApp's sole discretion and is nonnegotiable.
- Deal must be booked during the incentive period
- The minimum net deal value (distribution purchase prize) is at least: 25,000 EUR / 25,000 CHF.
- Deal must include a Flash Controller (A-Series, C-Series, ASA)
- Deals with public customers are excluded from the Flash incentive program
- Deal must be a non-Renewals transaction.
- Sell-Through and Sell-To transactions are eligible.
- Eligible solutions: all products from Capacity Flash family and High-Performance Flash family.

## Key definition

- **Deal:** One or more qualified sales orders, associated with a single customer opportunity, for which the submitting Partner has been awarded the NetApp Deal registration. The Partner may not split purchase orders into multiple opportunities to claim multiple Incentives for the same Deal or to avoid Incentive payout caps.
- **Bookings:** Orders that include NetApp Flash branded hardware (must include Flash controller), software, services, and subscriptions. The order must be free of any contingencies on the date of placing the order with NetApp or with the NetApp Authorized Distributor. For purposes of this provision, the term "contingencies" means a right of return; an order without a valid end-user purchase order or without some other legally binding confirmation that a valid end-user purchase order has been obtained; a future product order; or a circumstance similar to any of the foregoing.
- **New Customer Logo:** Account Segmentation based on End Customer Domestic Parent – Cumulative Bookings and Lookback Period based on End Customer Company Level: cumulative Bookings amount for all NetApp products that is less than US\$15,000 during a rolling 36-month lookback period.

## Flash Incentive Terms and Conditions

- Deals are subject to verification by NetApp, whose decisions as to the validity of claims are final.
- By participating in the NetApp Flash Incentive, Individual Participants and Company Participants warrant (a) that they are eligible to participate under their country's Relevant Laws, including those governing prizes and awards and (b) participation in, and performance of activities under, the Flash Incentive is consistent with the policies of the Company for which the Individual Participants works.
- The Flash Incentive is offered at the Partner company level.
- Each partner company decides which of their employees can participate in the Flash Incentive.
- Each winning partner company has the responsibility to identify which of their employees can benefit from the final Incentive Prize.
- Each winning partner company that receives a Flash Incentive Prize is responsible for pay-roll and tax implications.
- The Flash Incentive Prize is not transferable; it is in particular not allowed to transfer the Flash Incentive Prize to end users.
- Sales to public customers are excluded from the Flash Incentive program.
- Employees who receive the Flash Incentive Prize are directly responsible for accounting for and paying to their local tax offices any tax liability and NI contributions or other local taxation arising on their prize. Distributors and NetApp will not accept any liability for tax and related claims. You will indemnify and hold harmless Distributor and NetApp for all such claims from Yourself, Your employees and from (tax) authorities.

# Terms and Conditions of Participation

## 1. Requirements for Participation

All persons with unlimited legal capacity who work in a «NetApp registered Partner» company or who are Focus or Scale Partners of TD SYNEX are eligible to participate. They participate on behalf of their respective company. The incentive will be evaluated at the company level.

1.1 In order to take part in the competition the customer must register on the website: NetApp Flash Incentive Race to Ducati in Bologna.

## 2. Procedure

2.1 Participation is free of charge.

2.2 NetApp partners with the **highest number of completed flash deals** (in volume and not sales) during the incentive period.

2.3 NetApp partners with the **highest flash growth percentage** in the incentive term compared to the first NetApp half-year (1 May 2023 – 30 October 2023).

2.4 NetApp partners with the **most new customers** acquired with Flash during the incentive period.

*2.5 The evaluations of TD SYNEX Switzerland GmbH shall be decisive for determining the most successful participants.*

## 3. Term

The promotional period is from **28 October 2023 until 26 April 2024**

## 4. Incentive Prize

4.1 Any assignment of claim to the prize shall be excluded. A cash payment or payment in kind as well as an exchange shall not be possible.

## 5. Notification

5.1 The most successful participants will be notified in writing by TD SYNEX Switzerland GmbH.

## 6. General Provisions

6.1 TD SYNEX Switzerland GmbH and NetApp reserve the right to modify or terminate the promotion without notice.

6.2 Legal recourse shall be excluded.

6.3 The General Terms and Conditions and the data protection information of TD SYNEX Switzerland GmbH shall apply.

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