

Product Description

Amplify Engage: The terms set forth below shall apply to this Axway product provided to Customer under the following product category and pricing model:

Product Category: Customer Managed and SaaS

Pricing Model: API Services, Connected Environments

1. **Subscription Start Date.** For purposes of the start date of the Customer's subscription, Customer's subscription shall start the date of delivery of the software keys to Customer (or End User) for Customer Managed components.
2. **DEFINITIONS.** As used in this Order Form, the following capitalized terms shall have the following meanings:
 - **"API Service"** means an API or other API related resource registered in the Service Registry.
 - **"Connected Environment"** – means a gateway, design repository, or other type of environment registered in the Topology section of Amplify Engage for discovery purposes.
 - **"Environment"** means the combination of one (1) or more Instances that act like a single Instance to perform a single set of operations.
 - **"Disaster Recovery (DR) Environment"** means an inactive Environment which starts executing when the Production Environment fails. For clarification and the avoidance of doubt, if the Disaster Recovery Environment is used for Production use, use of the Disaster Recovery Environment will be considered Production use.
 - **"Non-Production Environment"** means an Environment used for processing data for other purposes than Production processing. Examples of these are: Development, Test, UAT, QA, Integration Testing.
 - **"Production Environment"** means an Environment used to perform Production processing. Production Environments are typically connected to Production Instances of other software and/or external business partners, for business data exchange.
 - **"Instance"** means software running as a single occurrence loaded in memory
 - **"Marketplace Instance"** means a marketplace created in Amplify Engage in which a customer can publish content.
 - **"Organization"** means an account where multiple users can share resources including applications and Environments.
 - **"Production Organization"** means an Organization used to perform Production processing.
 - **"Non-Production Organization"** means an Organization used for processing data for other purposes than Production processing.
 - **"Production"** means use to support the actual business processes of Customer.
 - **"Service Registry"** means the catalog in which all API Services are registered.
 - **"Tenant"** means a customer or Organization that uses an Axway SaaS product.
 - **"Topology"** means the section in the Amplify Engage solution in which the various elements of the customer's API landscape can be registered.
3. **ENTITLEMENT INFORMATION AND RESTRICTIONS.** Customer's entitlements are in all cases limited to the applicable Usage Metrics specified in the Order Form and any restrictions or other limitations specified herein.
 - a. **Included Entitlements.** Unless otherwise specified in this Subscription Order Form, Customer subscription shall include the following:
 - i. **API Services / Connected Environments / Marketplace Instances.** If set forth in the applicable order form, Customer is entitled the right to use Amplify Engage up to: (a) the number of API Services, and (b) the Connected Environments, and (c) the number of Marketplace Instances.

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- ii. **Environments.** Unless otherwise specified herein, the following Environments are included in Customer's subscription:
 - **SaaS Environments**
 - One (1) Tenant definition in the SaaS Environment for both Production and Non-Production.
 - iii. **Customer Managed Components (On-Premises)**
 - **Agent SDK**
 - **Discovery & Traceability Agents**
4. **EXCESS USE FEES.** In the event of Excess Use, the below calculation method will be used to calculate Excess Use Fees for each of the following Usage Metrics:
- a. **Applicable Usage Metrics**
 - i. API Services
 - ii. Connected Environments
 - b. **Calculation Method**
 - i. ((Total Subscription Services fees during the Excess Use Measurement Period divided by the entitled number of the Usage Metric during the Excess Use Measurement Period) multiplied by the amount the Usage Metric is in Excess Use during the Excess Use Measurement Period (from the entitled amount of the Usage Metric during the Excess Use Measurement Period)) multiplied by 1.15