

VMware vSphere Management Study
PROMOTIONAL DRAWING
TERMS & CONDITIONS
Drawing June 17th – August 3, 2009

NO PURCHASE NECESSARY TO ENTER OR WIN. Void in Quebec and where prohibited. All federal, state, provincial and local laws and regulations apply. Promotion commences at 11:59 PM PST on June 17th, 2009 and ends Monday August 3rd, 2009 10:00 PM CST. To enter, complete the survey and entry form and submit as instructed by Monday August 3rd, 2009 10:00 PM CST. Sponsor's computer is the official time-keeping device for the promotion. One entry person/email address per survey. Multiple participants are not permitted to share the same email address. Any attempt by any participant to obtain more than the stated number of entries by using multiple/different email addresses, identities, registrations and logins, or any other methods will void that participant's entries and that participant may be disqualified. Use of any automated system to participate is prohibited and will result in disqualification. Participation constitutes entrant's full and unconditional agreement to these Terms and Conditions, and VMware's decisions, which are final and binding in all matters related to the promotion. Winning a prize is contingent upon fulfilling all requirements set forth herein. Entries that are lost, late, misdirected, incorrect, garbled, or incompletely received, for any reason, including by reason of hardware, software, browser, or network failure, malfunction, congestion, or incompatibility at VMware's servers or elsewhere, will not be eligible. VMware, in its sole discretion, reserves the right to disqualify any person tampering with the entry process or the operation of the web site. Use of bots or other automated process to enter is prohibited and may result in disqualification at the sole discretion of VMware. VMware further reserves the right to cancel, terminate or modify the promotion for any reason, including inability to complete as planned by reason of infection by computer virus, bugs, tampering, unauthorized intervention, force majeure or technical failures of any sort. In the event of a dispute, entries will be deemed submitted by the account holder of the email address submitted at the time of entry.

Drawing is offered to all natural persons who are at least the age of majority and are legal residents of and physically located in the US, Canada, the Netherlands or Germany for the duration of the promotion. Employees, officers, and directors of VMware its parent and affiliate companies as well as the immediate family (spouse, parents, siblings and children) and household members of each such employee, officer and director are not eligible. The drawing and the rights and obligations of VMware and participants will be governed and controlled by the laws of the State of California, applicable to contracts made and performed therein without reference to the applicable choice of law provisions. All actions, proceedings or litigation relating hereto will be instituted and prosecuted solely within the State of California, Santa Clara County. The parties consent to the jurisdiction of the state courts of California and federal court located within such state and county with respect to any action, dispute or other matter pertaining to or arising out of the promotion.

The Grand Prize winner will be selected by random drawing on or about Friday August 7th 2009 . There will be one (1) Grand Prize winner selected and the winner will receive one (1) VMworld 2009 San Francisco conference pass. Approximate Retail Value ("ARV"): \$2,000 USD. The First Prize winner will be selected by random drawing on or about Friday August 7th 2009 . There will be one (1) First Prize winner selected and the winner will receive one (1) Apple iPod Touch 8 GB. Approximate Retail Value ("ARV"): \$250 USD. Prizes are nontransferable and no substitution will be made except as provided herein at the Sponsor's sole discretion. Sponsor reserves the right to substitute a prize for one of equal or greater

value if the designated prize should become unavailable for any reason. Winners are responsible for all taxes and fees associated with prize receipt and/or use. Odds of winning a promotion prize depends on the number of eligible entries received during the promotion. Total ARV of all prizes: \$2,250.00 USD.

Winners will be announced on the VMware Developer Center Blog on Friday August 7th 2009. <http://vmware.com/developer>. Winners will have 3 business days from notification to accept the prize by email to sdk_legal@vmware.com and or VMware will contact you using information provided by you in the Survey. Each potential winner may be required to show proof of being the authorized account holder. Potential winners may also be required to sign and return to VMware, within ten (10) days of the date notice or attempted notice is sent, an affidavit of eligibility and liability/publicity release (or Declaration of Compliance, if a non-US resident) in order to claim his/her prize. If a potential winner cannot be contacted, fails to sign and return the affidavit of eligibility and liability/publicity release (or Declaration of Compliance, if non-US resident) within the required time period (if applicable), or if prize notification is returned as undeliverable, potential winner forfeits prize. If a Canadian resident, the potential winner will be required to correctly answer a time-limited skill testing question without any assistance in order to be eligible to receive a prize. If the potential winner is a Canadian resident and the question is answered incorrectly, the prize will be forfeited. In the event that a potential winner is disqualified for any reason, VMware will award the applicable prize to an alternate winner by random drawing from among all remaining eligible entries. Only three (3) alternate drawings will be held after which the prize will remain unawarded. For U.S. residents, prizes will be fulfilled 8-10 weeks after the conclusion of the promotion. For Canadian residents, prizes will be fulfilled the latter of 8-10 weeks after the conclusion of the promotion or 2-3 weeks after receipt of the skill testing question.

By entering the promotion or receipt of any prize, each entrant agrees to release and hold harmless VMware and its subsidiaries, affiliates, suppliers, distributors, advertising/promotion agencies, and prize suppliers, and each of their respective parent companies and each such company's officers, directors, employees and agents (collectively, the "Released Parties") from and against any claim or cause of action, including, but not limited to, personal injury, death, or damage to or loss of property, arising out of participation in the promotion or receipt or use or misuse of any prize.

The Released Parties are not responsible for: (1) any incorrect or inaccurate information, whether caused by entrants, printing errors or by any of the equipment or programming associated with or utilized in the promotion; (2) technical failures of any kind, including, but not limited to malfunctions, interruptions, or disconnections in phone lines or network hardware or software; (3) unauthorized human intervention in any part of the entry process or the promotion; (4) technical or human error which may occur in the administration of the promotion or the processing of entries; or (5) any injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from entrant's participation in the promotion or receipt or use or misuse of any prize. If for any reason an entrant's entry is confirmed to have been erroneously deleted, lost, or otherwise destroyed or corrupted, entrant's sole remedy is another entry in the promotion, provided that if it is not possible to award another entry due to discontinuance of the promotion, or any part of it, for any reason, VMware, at its discretion, may elect to hold a random drawing from among all eligible entries received up to the date of discontinuance for any or all of the prizes offered herein. No more than the stated number of prizes will be awarded. The Sponsor of this promotion is VMware, Inc., 3401 Hillview Drive, Palo Alto, CA 94304 U.S.A.

For a list of prize winners and/or a copy of these Official Rules:

<http://vmware.com/developer>

Winner lists requests must be received by October 16, 2009. VT and non-US residents may exclude return postage.