



## Product Bulletin

July 2020

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### Product Bulletin: Brocade Test and Qualification Software Use Policy

#### Revision History:

July 10, 2020 - Initial version

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This product bulletin announces changes regarding compliance for copies of Brocade software.

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#### 1. Summary

Brocade has recently updated its Test and Qualification Software Use Policy. Under the new terms, original equipment manufacturer (OEM) partners are required to remove and destroy any copies of Brocade software files that have been stored or hosted outside Broadcom's site for any purposes other than internal IT or equipment testing and qualification in nonproduction environments.

For the approved use cases, users can obtain Brocade software only through Broadcom's portal. If users don't already have a Broadcom account, they should sign up for one directly with Broadcom at <https://www.broadcom.com/>.

#### 2. What's New

To increase the protection of its intellectual property, Brocade has updated the terms of its Test and Qualification Software Use Policy. These updates are focused on preventing unauthorized use, distribution, or disclosure of Brocade's intellectual property or confidential information that could put their intellectual property at risk.

To ensure that software is accessible only to people with the correct entitlements, Brocade is requiring NetApp® to remove and destroy Brocade software from all online and offline resources controlled by NetApp or its employees so that any copies of Brocade software are used only for internal IT, and for testing and qualification efforts in nonproduction environments. All other use cases are strictly forbidden.

"Brocade software" means any version of Fabric Operating System (FOS), Brocade Network Advisor (BNA), Brocade SANnav, or any other Brocade software.

#### 3. Call to Action

In light of the updated policy, there are two key actions to take.

NetApp employees and partners must remove and destroy any copies of Brocade software used for any reason other than for internal IT, or for testing and qualification efforts in nonproduction environments. This includes copies stored on local and remote backups, laptops, and online resources. Failure to comply will create legal exposure for NetApp including, but not limited

to, termination of access to Broadcom's Customer Support Portal, online support tools, and Brocade FOS upgrades, and other legal remedies that Brocade may pursue.

NetApp employees and partners must proactively advise end-user customers to access Brocade software through Broadcom's site. They must offer this advice early on, before any emergency takes place that requires Brocade software.

#### 4. Additional Information

For access questions, refer to Broadcom's help at <https://www.broadcom.com/mybroadcom/login>.

For further questions, contact [ng-san-brocade-sw@netapp.com](mailto:ng-san-brocade-sw@netapp.com).

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