

## Engineering Sample Disclaimer

Avnet Embedded (previously Avnet Integrated /MSC Technologies) is offering Engineering Sample Devices (ES) which are pre-production products meant to be used by its customers for evaluation, test, development and prototyping prior to the start of the product's volume production at Avnet Embedded (AVE).

If and when using the ES, customers accept the following terms and conditions:

Engineering Sample Devices are made available solely for purposes of research, development and prototyping. All Engineering Sample Devices are sold "as-is" with no warranty of any kind, neither express nor implied. AVE does not warrant that Engineering Sample Devices are fully verified, tested, or will operate in accordance with data sheet specifications. AVE disclaims any obligations for technical support and bug fixes.

AVE shall not be liable for any damages, including, without limitation, direct, indirect, incidental, special, reliance, or consequential damages arising from or in connection with the use of Engineering Sample Devices in any manner whatsoever, even if AVE has been advised of the possibility thereof. AVE makes no representation that Engineering Sample Devices provide any particular functionality, or that Engineering Sample Devices will meet the requirements of a particular user application. AVE does not warrant that Engineering Sample Devices are error-free, nor does AVE make any other representations or warranties, whether express or implied, statutory or otherwise, including, but not limited to, implied warranties of merchantability, fitness for a particular purpose, or non-infringement.

The foregoing states the entire liability of AVE with respect to Engineering Sample Devices.

Customers shall indemnify and hold harmless AVE from all and any claims of Third Parties arising from or in connection with the use of ES in any manner whatsoever, even if AVE has been advised of the possibility thereof.