Pivotal Technology Partner Program Guide
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A Message from the CEO

Pivotal Software drives innovation for the world’s most admired brands. Having shaped the software development culture of Silicon Valley’s most valuable companies for over a decade, Pivotal today leads a global technology movement transforming how the world builds software. Partners are a critical element of Pivotal’s mission to enable enterprises to provide modern, software driven experiences for their customers and workforces.

A central tenet of our company and our partner program is “Do the Right Thing”. This is part of Pivotal’s core values and ensures the actions we take on our journey are transparent, ethical and honorable.

“Doing the right thing” means we contribute our time, technology and know-how to improve the communities where we work and live. It means we are committed to helping our customers succeed—and growing our business—in ways that benefit the environment and society. It means we operate legally and ethically, everywhere we are and in everything we do. We demand high performance and high standards from ourselves and our partners. We all must operate according to applicable laws and regulations, and in accordance with the letter and spirit of those laws.

Our Partner Code of Conduct (the “Code”), as enumerated in the Appendix below, details our expectations that partners will comply with the laws as well as Pivotal’s policies and ethical principles. Our Code applies to team members in all roles, at all levels and in all locations. We also expect our agents and other third parties acting on our partners’ behalf to adhere to equally high standards.

We look forward to working with you and “doing the right thing” as we mutually delight our customers.

Thanks,

Rob Mee
Pivotal Technology Partner Program Guide

The Pivotal technology partner ecosystem collaborates with well-respected, industry-leading technology solutions and independent software providers across all major industries to deliver the best curated cloud-native solutions to our joint customers. Together, we can help enterprises make the digital transformation necessary to compete effectively in the market today.

The mission of the Pivotal Technology Partner Program ("Program") is to aid our partners in jointly developing and marketing integrated solutions around Pivotal technology. The tiered structure is designed for partners to focus on their strengths to best capitalize on the market for add-on services augmenting Pivotal solutions. We offer a streamlined process to help identify, qualify, integrate, launch and successfully promote new partner offerings to Pivotal's customers and channel partners. When you become a Pivotal partner, you have greater possibilities of expanding your reach in the marketplace. You will develop a deep understanding of Pivotal software and the service opportunities surrounding Pivotal Cloud Foundry. Together we can drive IT innovation to our customers across multiple industries where digital transformation presents enormous opportunities.

This Program Guide ("Guide") is intended to help partners engage with Pivotal and derive the greatest possible benefit from our collaboration. It governs the administration and operation of the Program and may be updated by Pivotal from time to time at our discretion.

**PROGRAM OBJECTIVE**

The Program’s primary objective is to provide Pivotal Technology Partners with a structured, responsive and profitable business model using an agile-based collaborative methodology that blends technical expertise with industry-leading go-to-market approaches.

The goals of the Pivotal Technology Partner Program are to:

- **Meet Customer Critical Needs.** At Pivotal we are 100% focused on customer needs. This drives our ecosystem strategy, merging traditional enterprise technologies with new technical leadership from our partner ecosystem to build the next generation of cloud native applications. With a collaborative go-to-market approach, our goal is to join forces with partners in delivering real business value to customers.

- **Create a Mutually Beneficial Ecosystem.** The Pivotal Cloud Foundry ("PCF") suite is the foundation of our technology stack, driving a cloud-native approach for customers to accelerate application delivery. The Pivotal Partner ecosystem expands the capabilities of PCF to deliver a wealth of add-on services, including: analytics, API, audit, performance management, business process management, continuous integration and deployment, content management, databases, data transformation, e-commerce, identity, messaging, mobile, orchestration, security, testing, scalable data services, logging, and more.

  In turn, our partners can leverage our extensive enterprise reach, gain access to Pivotal subject
matter experts, identify and map joint opportunities, utilize discounted training courses, and jointly market solutions to customers including on our PCF Services Marketplace.

- **Onboard and Launch Integrations.** To capitalize on the growing breadth of enterprise customers’ adoption of modern software development practices, our Program facilitates the onboarding, technical integration and launch of new partnerships. From inception to launch, we work together to offer a collaborative go-to-market approach that helps our customers get the best value for their investment and drive mutual demand for Pivotal and partner products and services.

**PROGRAM FOCUS**

We want to create a comprehensive ecosystem of partner add-on services for Pivotal offerings. Our goal is to build a marketplace that lets IT operators offer a consistent suite of secure, managed infrastructure on every cloud. Please contact ISV@pivotal.io to inquire.

**PROGRAM STRUCTURE**

The Program has two tiers designed to accommodate various levels of commitment from ISVs. The program tier and customer demand for an ISV integration determine the benefits a partner receives.

**ISV Registered Tier:** The Program’s “Registered Tier” provides a base set of benefits for ISV partners, as described in Table 1.

**ISV Advanced Tier:** The Program’s “Advanced Tier” includes an expanded set of partner benefits such as outbound marketing, sales enablement and distribution. Partner integrations can be downloaded by customers from Pivotal Network (PivNet) alongside Pivotal software solutions. See Table 1 for a complete list of benefits by partnership tier.¹

¹ Benefits vary depending on membership tier and customer demand.
# PROGRAM BENEFITS BY TIER

Table 1

<table>
<thead>
<tr>
<th>BENEFITS</th>
<th>ISV REGISTERED TIER</th>
<th>ISV ADVANCED TIER</th>
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<td><strong>PARTNER ENABLEMENT</strong></td>
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<tr>
<td>Access to Pivotal Partner Portal</td>
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<td>Not For Resell (NFR) Software</td>
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<td>Consultation with Pivotal Engineering</td>
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<td>ISV Tech Hub</td>
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<td>X</td>
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<tr>
<td>Discounted Instructor-led Training (Select Courses)</td>
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<td>25%</td>
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<td>Pivotal Partnership Tier Badge</td>
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<td><strong>MARKETING (UPON COMPLETION OF INTEGRATION)</strong></td>
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<td>Access to Brand Assets, Marketing Guidelines, and Sales Tools</td>
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<td>Partner Landing Page on pivotal.io</td>
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<td>Recorded Partner Introduction for Pivotal Field</td>
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<td>Joint Collateral Listed on Field-Facing Repository</td>
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<td>Live Introduction and Promotion to Pivotal Field</td>
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<td>Access to Pivotal Partner’s Slack team</td>
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<td>Technical Documentation</td>
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<td>Pivotal Continuous Integration</td>
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<td>Help with Install and Upgrade of PCF from Pivotal Global Support (Upon Receipt of Program Fees)</td>
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Access to the Pivotal Partner Portal

All partners will have access to the Partner Portal (partners.pivotal.io), a single source that partners can use to get program information, GTM resources, sales role/audience profiles and Pivotal product messaging.

Not For Resale (NFR) Software

All partners can download and use Not For Resale (NFR) Pivotal software for evaluation, demonstration and training purposes. This is made available via Pivotal Network. To access Pivotal NFR software, create an account on Pivotal Network with your company email address and download the software. No license keys required.

Consultation with Pivotal Engineering

All partners are eligible for consultation with Pivotal Platform Engineering as soon as the Registered Tier Partnership agreement is signed. The first step will be a “Technical Inception.” After which Pivotal Partners can pair program with Pivotal Platform Engineers in one of the following ways:

- At Pivotal Partner Days in select cities multiple times per year
- Through a dedicated private Slack channel
- Through access to PCF environments managed by Pivotal Engineering (Pivotal Integration Environment)

ISV Tech Hub

All partners have access to the ISV Tech Hub. The Tech Hub is intended for developers who have no experience building integrations with Pivotal Cloud Foundry (PCF), or simply need a refresher on a key topic, these workshops cover Cloud Foundry architecture, pushing applications to Cloud Foundry, services, service brokers, BOSH releases, and Pivotal Container Service (PKS).

Discounted Instructor-Led Training (Select Courses)

All partners are eligible for discounted training for select Pivotal instructor-led classes (Registered: 15%, Advanced: 25%) in the United States. For courses delivered outside the United States, Pivotal will charge according to the localized rate and currency, if applicable, without further discounting.

Alliance Manager

All partners will be assigned an Alliance Manager who will serve as the partner’s primary contact at Pivotal.

Pivotal Partnership Tier Badge

There are two levels of badges that our partners earn — the Pivotal Registered Tier Partner badge and the Pivotal Advanced Tier Partner badge. Partners may display the Program badge pertaining to their tier on partner’s website, other online properties, and offline marketing materials.

Access to Brand Assets, Marketing Guidelines, and Sales Tools

Brand assets, marketing guidelines, and sales tools, for all partners are made available through the Pivotal Partner Portal for self-service access.
Pivotal Brand Assets help you stay in legal compliance when mentioning Pivotal in your marketing content. Brand assets made available to partners include our company overview and description, logos, color swatches for creating co-branded assets and many other tools. These are shared with the goal of helping partners develop messaging used in press releases, blog announcements, collateral and other marketing assets explained in detail within our ISV marketing guidelines.

The ISV Marketing Guidelines provide an overview of the whens, hows, and whos of marketing activities, with a goal of helping partners know what's possible, what's a priority, and what our processes are for getting activities done.

Sales tools such as target persona information, product information, and templates to help create customer-facing and sales-facing content are made available on the Pivotal Partner Portal as well.

**Partner Landing Page on pivotal.io**

All partners can work with Pivotal Product Marketing to publish a landing page on pivotal.io so that partner integrations may be discovered by current and prospective platform users. These pages are ungated, search-engine discoverable, and allow for differentiated messaging, thereby giving valuable exposure to your integration(s) and relationship with Pivotal.

**Recorded Partner Introduction for Pivotal Field**

We're actively engaged in helping our ISV partners serve the requirements of our largest customers. To help the Pivotal sales teams get acquainted with relevant partner integrations, introductory videos are made available via our internal sales-enablement site. Partners in our Advanced Tier are invited to provide a recording that discusses how their integration extends the functionality of our products. Tips and outlines are provided in the ISV Marketing Guidelines to help partners create their recording. They can then work with Pivotal Product Marketing to fine-tune and make this asset available to the Pivotal sales teams.

**Joint Collateral Listed on Field-Facing Repository**

After an integration is published in collaboration with Pivotal, Partners in our Advanced Tier are invited to work with Product Marketing on developing any joint collateral such as a solution brief, battlecard, or sales play. Pivotal has developed a one-page template for partner collateral. Once the content is complete, it can be laid out into either Pivotal's template or use the partner's branding. These will be published for internal consumption on our sales enablement site as well as for external consumption on the partner's landing page on pivotal.io.

**Live Introduction and Promotion to Pivotal Field**

Once your integration has been available to customers, Pivotal evaluates market demand, feedback from sales teams, and customer success with the partner, and invites them to give a live (conference call) presentation and demonstration to the Pivotal sales teams. This resource is designed to support partners in growing their business and reach new customers.
Joint Go-To Market Messaging and Support

Successful adoption of partner integrations is very important to Pivotal. We are always looking for opportunities to grow the partnership and engage in a variety of joint go-to market activities. Based on customer demand, partners in our Advanced Tier are invited to Pivotal-led joint awareness and lead generation activities such as webinars, podcasts, joint speaking engagements, press and analyst briefings, and field events.

Beyond what is enumerated here, we welcome opportunities to support the partner's own marketing activities, and reciprocate social media promotion.

Customer Access to Partner Integration via Pivotal Network (Software Distribution Platform)

Advanced ISV Tier partners may distribute their integration software and documentation through Pivotal Network (PivNet). PivNet is a software distribution platform used by Pivotal customers to keep their environments up to date and secure. Pivotal and partner product teams upload new versions of their software along with relevant legal, compatibility, and documentation metadata to PivNet. Software available on PivNet can be made accessible to both the general public and to sales teams. Users can subscribe to individual products to learn about new releases, and receive alerts on new versions. Customers, field engineers, and internal teams download software as it becomes available and consult the provided metadata to learn more about what they are installing. We offer fine-grained access controls for product file upload and release, and have a fully-isolated S3 account for distributed files.

End Users of software available on PivNet are able to automate their workflows through PivNet's API and Concourse resources. Production teams and partners are able to use PivNet to contact everyone who has downloaded their files in the event of an issue as well as to ensure their customers have a smooth update experience.

Pivnet enforces legal restrictions on access to software in compliance with US Government and other international export restrictions, and ensures that all downloaders of Pivotal and partner software have read and accepted an associated end user license agreement (EULA). Pivotal may review product admins and staged releases to ensure they are safe to distribute and we undergo mandatory SHA256 checksum verifications for every software file uploaded to PivNet.

Pivotal Brokerage Program

Select ISV Advanced Tier partners with sufficient customer demand may be eligible to participate in the Pivotal Brokerage program ("Brokerage"). Brokerage allows customers to procure select ISV partner products on Pivotal paper. Pivotal acts as a “pass-through” agent between the customer and the ISV partner. The transaction is subject to the ISV partner’s terms and conditions, and the ISV assumes all legal liabilities along with any customer support obligations. Pivotal will only broker annual subscriptions that fully invoice upon booking.

Joint Account Mapping

Select ISV Advanced Tier partners may also be eligible to receive joint sales support based on customer demand. This includes aligning account teams and tracking accounts for mutual co-sell
and referral success. The purpose of this activity is to help our partners properly promote, educate, and sell integrated solutions.

**Pivotal Integration Environment (PIE)**

All partners may be granted access to Pivotal's internal integration and test environments. This makes it easier for partners to validate their product offering(s) with PCF without having to install and maintain PCF. We regularly update these environments with the latest version of PCF.

**Participation in Pivotal Partner Days**

All partners are eligible to attend Pivotal Partner Days. This software integration workshop is a hands-on 2-day technical hackathon where partner software engineers will pair with Pivotal platform engineers to collaboratively build, test and deploy software on PCF. Pivotal will provide access to shared CI infrastructure, including pre-release PCF environments. This event is a benefit of the Program and is open to all Pivotal partners with an optional first day of training.

**Access to Pivotal's Partners Slack Team**

All partners are eligible for a private slack channel on the Pivotal Partners Slack team. This is the recommended way for partner engineers to collaborate with Pivotal platform engineers on partner's PCF integration.

**Technical Documentation**

All partners have access to documentation on the process of building and publishing integrations on Pivotal Network.

**Pivotal Continuous Integration**

All ISV Advanced Tier partners with PivNet integrations are automatically enrolled in continuous integration (CI) testing against all current PCF versions on all major supported Infrastructure as a Service (IaaS) variations. They also have early access to PCF release candidates through this CI system.

**Help with Install and Upgrade of PCF from Pivotal Global Support (Upon Receipt of Program Fees)**

All ISV Advanced Tier partners who are current with program fees are eligible to receive assistance from Pivotal Support to troubleshoot issues arising from partner's own installation of PCF. Since Pivotal provides PIE for partners, Pivotal platform engineering will not support partners with their installation and upgrade of their local PCF environments.
PROGRAM WORKFLOW FOR REGISTERED TIER PARTNERS

Please follow the below steps to complete enrollment:

1. Review the PTPP Program Guide and Program Agreement.
2. Electronically sign Registered Tier Agreement with Pivotal on the Pivotal Partner Portal.
3. Receive your Welcome Packet and pay your $500 annual fee by credit card.

Renewals

The Agreement automatically renews annually and Pivotal will send reminders and a link to pay your renewal fee by credit card for the Program Fee. If your billing contact changes, please contact ISV@pivotal.io.

PROGRAM WORKFLOW FOR ADVANCED TIER PARTNERS

Please follow the below steps to complete enrollment:

1. Review the ISV Addendum, PTPP Program Guide and Program Agreement.
2. Electronically sign agreements with Pivotal.
3. Follow the instructions in the Welcome Letter to begin accessing benefits.
4. Pivotal shall issue a $5,000 invoice and Partner shall pay according to the Program Agreement terms and conditions.

Renewals

The Agreement automatically renews annually and Pivotal will send reminders and issue an invoice to your billing contact for the Program Fee. If your billing contact changes, please contact ISV@pivotal.io.

QUESTIONS

Please contact ISV@pivotal.io.
Appendix
Pivotal Partner Code of Conduct

Effective as of November 17th, 2017

1. **APPLICABILITY & GENERAL SCOPE.** This Partner Code of Conduct (“Code”) sets out the expectations of Pivotal Software, Inc., Pivotal Software International, and each of their subsidiaries (“Pivotal”) as to how all Pivotal partners, including their employees, independent contractors, and agents (“Partner” or “You”) will conduct themselves in a legal and ethical manner. Pivotal expects Partners to comply not only with all applicable laws, but also with this Code and the Pivotal policies identified herein. Similarly, Pivotal expects You to avoid engaging in any activity that involves even the appearance of impropriety. Failure to comply with applicable laws or the Code could subject You to severe civil and/or criminal penalties, along with expulsion from Pivotal’s Partner Program (the “Program”).

2. **IMPLEMENTATION OF CODE.** You must have a written company code of business conduct that, at a minimum, requires adherence to all applicable laws. Your code must be publicly available and binding on Your employees and agents. Your suppliers and downstream partners should also be encouraged to comply with the substance of Your code of conduct. With regard to anti-bribery or Foreign Corrupt Practices Act (“FCPA”) provisions, compliance should be required of downstream partners. In addition, You should conduct periodic training to ensure that Your employees and agents are informed regarding Your code of conduct.

3. **ADHERE TO PIVOTAL CORE PRINCIPLES.** Pivotal’s expectations concerning the behavior of its partners do not differ substantially from the personal expectations most companies set for themselves. You are expected to act with integrity. At Pivotal, the expectation is for all of us to:
   a. do the right thing, do what works, and be kind;
   b. act with integrity, and be honest and ethical in all of our dealings;
   c. comply with the law and all Pivotal policies;
   d. be empathetic and be respectful of others; and
   e. be accountable, responsible, and do what we say we are going to do.

4. **COMPLIANCE WITH LAWS, REGULATIONS, & BUSINESS CONDUCT PRACTICES.** Pivotal expects You to be knowledgeable about all of the laws and the Pivotal policies referenced herein. Some of the more important laws and policies are summarized below.
   a. **Anti-Corruption Laws.** Pivotal expects every Partner to uphold the highest standards of integrity in all business interactions. Pivotal has a zero tolerance policy prohibiting any and all forms of bribery, corruption, extortion, kickbacks and embezzlements. Anti-bribery laws, such as the U.S. FCPA, the United Kingdom Bribery Act, and other country-specific laws, make it unlawful to bribe any person for the purpose of obtaining or retaining business or obtaining an unfair advantage in any business dealing or transaction. You must comply with these laws. Neither You nor any of Your agents or employees may offer, pay, promise or authorize any direct or indirect payments or provide anything of value (including, but not limited to, gratuities, gifts, favors, entertainment, loans) to any person, including a government official or employee, for the purpose of obtaining business. The definition of
government official or employee for the purpose of the FCPA includes:

- any person holding an executive, legislative, judicial or administrative office, whether elected or appointed;
- any official or employee of any public international organization, such as the United Nations or World Bank;
- any person acting in any official capacity for or on behalf of a government office, public enterprise or state-owned business;
- any political party or party official, any political candidate or any person or entity whom You know, or have reason to believe, will give part of the payments to any of the previously mentioned categories of people; and
- any employee of a business in which the government asserts any management control over or has an ownership stake (e.g. more than 50%) in the enterprise. Control may be demonstrated by having the ability to hire employees or by appointing board members and key executives.

Additional information regarding the FCPA rules and regulations is set forth at the U.S. Department of Justice’s website at http://www.usdoj.gov/criminal/fraud/fcpa/.

b. Gifts and Courtesies. Gift giving is proper only if reasonable, non-excessive, and done as part of a valid and approved program or promotion when related to Pivotal products and services. You shall not seek special favors, such as favorable treatment in connection with a deal, by offering or providing lavish gifts, kickbacks or things of value which are out of proportion given the situation at hand. It is appropriate to invite customers to education or training seminars sponsored by Pivotal, subject to Pivotal approval; however, it is inappropriate to offer lavish accommodations and/or sightseeing trips to customers attending such training. As always, consider the frequency and timing of any such gift to prevent any perceived impropriety. You must ensure that expenditures on customers and on Pivotal personnel or representatives are reasonable and in the ordinary and proper course of business. A general guideline for evaluating whether a gift or other business courtesy is appropriate is whether public disclosure would be embarrassing to You, to Pivotal, or to the recipient. You must not exceed local gift giving customs and practices, nor violate related laws that may vary in different countries. Regardless of local practice, any payment or gift to a person acting in an official capacity and/or on behalf of the government, where designed to influence that individual’s acts or decisions, is improper.

c. Antitrust and Competition Laws. Pivotal is committed to rigorously observing the applicable antitrust or competition laws of all countries and expects the same from You. Although these laws vary from country to country, they generally prohibit agreements or actions that reduce competition without benefiting consumers. Violations of antitrust or competition laws may result in severe penalties, including large fines and jail terms. You must not agree with any competitors to fix, adjust, or control prices; structure or orchestrate bids to direct a contract to a certain competitor or reseller (bid rigging); boycott suppliers or customers; divide or allocate markets or customers; or limit the production or sale of products or product lines. In addition, You must refrain from discussions, sales tactics, or other arrangements with customers, suppliers, or competitors that unfairly restrain competition. When in doubt, You should always consult with qualified and competent competition counsel.
d. **International Trade Laws; Compliance with Export Regulations.** Pivotal conducts its global business in strict compliance with applicable international trade laws and expects its partners to do the same. Moreover, as a U.S. company, Pivotal must comply with U.S. anti-boycott laws that prohibit U.S. entities, their subsidiaries and affiliates from participating in or otherwise furthering economic boycotts or embargoes imposed by certain other nations that are not sanctioned by the U.S. government (“Unsanctioned Non-U.S. Boycotts”). Pivotal is required to promptly report to the U.S. Government any request to support an Unsanctioned Non-U.S. Boycott or to furnish information regarding a Unsanctioned Non-U.S. Boycott. Examples of improper boycott requests include requests that we refuse to do business with a certain country, its citizens, or with certain companies who do business with the country subject to an Unsanctioned Non-U.S. Boycott. Additionally, Pivotal and our employees may not furnish information concerning Pivotal’s or any other person’s business relationships with a country subject to an Unsanctioned Non-U.S. Boycott or blacklisted company. Partners must comply with applicable government economic sanctions and trade embargoes when acting in the context of any transaction related to Pivotal products and/or services. You must not participate in any economic boycott not sanctioned by the United States Government. United States export control laws govern all exports, re-export, and use of U.S.-origin products, services, and technical data, wherever located. Pivotal requires that You comply fully with all U.S. and applicable foreign and multilateral export laws. This means You may not export, re-export or transship Pivotal products, services or technical data (1) to any destinations subject to U.S. embargoes or trade sanctions; (2) to any entity or individual specified on U.S. government-maintained exclusion lists, or (3) for use directly or indirectly in the design, development, or fabrication of nuclear, chemical, or biological weapons or missile technology. Additional information regarding economic sanctions and trade embargoes can be found at the U.S. Treasury – OFAC website, [www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx](http://www.treasury.gov/resource-center/sanctions/Programs/Pages/Programs.aspx).

e. **Environmental Laws.** Partners must conduct their operations in ways that are environmentally responsible and in compliance with all applicable environmental laws, regulations, and standards.

f. **Human Rights, Labor Laws, and Fair Labor Practices.** Partners must comply, and require each of their suppliers to comply, with all health and safety regulations, laws upholding the rights of persons with disabilities, domestic and international labor laws, and fair labor practices. Partners must observe and comply with international principles relating to human rights, including but not limited to the Trafficking Victims Protection Act and the UK Modern Slavery Act of 2015. Violations of local minimum wage and maximum working hour requirements are unacceptable, as are forced labor scenarios and labor contracts that impose unreasonable legal or practical limitations on the workers’ ability to leave their employment. Child labor is not to be used. The term “child” refers to any person employed under (a) the minimum age for employment under the applicable law, (b) the age for completing compulsory education, or (c) the age of 14, whichever is greatest. The use of legitimate workplace apprenticeship programs, which comply with all laws and regulations, is supported. Finally, Partners must never discriminate illegally based on race, color, age, gender, sexual orientation, ethnicity, religion, disability, union membership, marital status, or political affiliation.

g. **Securities and Insider Trading Laws.** If You possess material, non-public information (also called “Inside Information”), You may not trade in Pivotal securities or the securities of
another company to which the Inside Information pertains. You may not engage in any other action to take advantage of or pass on to others (i.e., “tip”) material information gained through Your relationship with Pivotal until it has been disclosed to the general public. These restrictions also apply to spouses and family members. You should be familiar with these laws and consult qualified counsel for related advice.

h. **Data Protection.** Pivotal expects that its Partners will understand, track and comply with all laws and regulations relating to data protection that are relevant to their actions as a Pivotal Partner. With respect to any data Partner collects or receives by virtue of its Partner status, Partner shall apply at least the same level of data protection as set forth in Pivotal’s Privacy Policy located at [https://pivotal.io/privacy-policy](https://pivotal.io/privacy-policy). Partner must also keep confidential any personal information received from Pivotal, not use such information for any purpose other than as originally intended, and implement the appropriate safeguards to ensure the protection, integrity and security of such personal information.

5. **FINANCIAL INTEGRITY AND ACCURATE RECORD KEEPING.**

a. You must maintain accurate and complete books and records regarding sales of Pivotal products and services and all related transactions, such as for benefit programs. False and misleading accounting practices, slush funds and similar financial practices are prohibited by Pivotal and may violate applicable laws. You must accurately document all transactions related to Your contract for Pivotal products or services, and Your business records must be retained in accordance with record retention policies and all applicable laws and regulations. Documents must not be inappropriately altered or signed by those lacking proper authority.

b. To the extent that You sell goods or services to Pivotal, You must invoice Pivotal for goods and services only after they are delivered, except to the extent that the related purchase agreement expressly permits advance invoicing. If the purchase agreement permits invoicing or payment in advance of delivery, such items will be clearly identified in the invoice line item description using such terms as “deposit,” “prepayment,” or “advance billing.” You may not act as a “pass through” party where the only “service” provided by You is to be an intermediary between Pivotal and a third party. All requests for non-standard discounts must be accurate and for legitimate business purposes. Margins derived from misleading and/or unjustified non-standard discounts are inappropriate, and may not be used to pay or otherwise reward a customer, employee, or other third party. Placing an order with Pivotal without the existence of a corresponding end user agreement (also known as “pre-loading” or “channel stuffing”) is not an acceptable Pivotal business practice and is prohibited.

6. **FAIR MARKETING/SALES PRACTICES; COMPLIANCE WITH CONTRACTUAL OBLIGATIONS.**

a. **Marketing and Sales Practices.** Partners must not engage in any misleading or deceptive practices. All advertising, marketing, or promotional activities that reference or implicate Pivotal, its logo, or products and services in any manner, must comply with all laws, rules, and regulations, as well as all related Pivotal policies, and must be truthful and accurate. Advertising must clearly disclose the material terms and limitations of advertised offers and any pass-through terms if mandated by Pivotal. Partners should not misrepresent products, services, and prices, or make unfair, misleading, inaccurate, exaggerated or false claims about, or comparisons with, competitor offerings.
b. **Conflicts of Interest.** The term “conflict of interest” describes any circumstance that could cast doubt on Your ability to act with total objectivity with regard to the distribution of Pivotal products and services. Pivotal wants its Partners’ loyalty to be free from any conflicts of interest. If You believe that You have an actual or potential conflict with Pivotal or any of its employees, then You must report all pertinent details to Pivotal. You must not ask or encourage Pivotal employees to violate Pivotal’s Business Conduct Guidelines.

c. **Compliance with Contractual Obligations.** Partners must comply with their obligations under all agreements in place with Pivotal and others. Partners should consult with their Program manager or liaison if they have specific questions about the various provisions in their agreements with Pivotal.

d. **Intellectual Property Laws; Confidentiality.** Partners must not infringe on Pivotal’s copyrights, trademarks and other intellectual property rights. Partners are also prohibited from infringing on the intellectual property rights of third parties in any manner. You must not use Pivotal’s patented technology or reproduce copyrighted software, documentation, or other materials without appropriate written permission. You must safeguard confidential information by not transferring, publishing, using, or disclosing it except as in accordance with applicable regulations, contractual requirements, or this Code. Confidential or personal information or information that is protected by privacy standards should be safeguarded, shared internally only with those employees with a need to know, and not misused or disclosed to unauthorized third parties.

e. **Government Sector Sales Rules.** Partners must become familiar with, track, understand, and comply with all laws and regulations relating to sales to government entities and government sector customers that are relevant to their Program status. Partners shall strictly observe the laws, rules, and regulations that govern the acquisition of products and services by any governmental entity of any country and the performance of government contracts.

7. **COMPLIANCE; ENFORCEMENT & REPORTING**

a. Partners must maintain effective policies, documentation and business controls that are capable of preventing and detecting unlawful conduct by their employees, agents and business partners. Partners shall ensure that their business controls contain the following components: (i) periodic risk assessments that lead to adjustments to existing policies and practices, when necessary; (ii) a written code of conduct that expressly confirms Partners’ commitment to, and states objectives for, their compliance and ethics program; (iii) a designated company representative responsible for overseeing and implementing such compliance and ethics program; and (iv) clearly communicated mechanisms for employees to report misconduct or seek guidance without fear of retaliation.

b. In addition, all Partners must complete all Program due diligence screenings mandated by Pivotal, including, but not limited to, certifying on at least an annual basis, so that such Partner is in compliance with anti-bribery and other applicable laws.

c. Partners must provide reasonable assistance to any investigation by Pivotal of a violation of this Code or applicable laws, and will allow Pivotal reasonable access to all facilities, records and documentation concerning their compliance with this Code and laws applicable to their sale and distribution of Pivotal products and services.

d. Partners should contact their Program manager or liaison if they have any questions regarding Pivotal’s policies or this Partner Code of Conduct. You also may report any
conduct by Your employees, independent contractors and agents, and representatives that You have reason to believe constitutes an actual, apparent, or potential violation of this Code, Pivotal’s Business Conduct Guidelines, or applicable laws relating to the sale or distribution of Pivotal products/services.

e. **Complaint Procedure.** If You know or suspect of a violation of applicable laws or regulations, this Code, or any Pivotal policy, You should promptly report such violation, and You can do so in any of the following ways:

   - Contact Pivotal management
   - Contact the Office of the General Counsel by e-mail at GeneralCounsel@Pivotal.io or by telephone at 510.340.6474, including if the report relates to accounting, internal controls, audit, anti-bribery, government investigation, or any other legal matter.
   - Contact the Audit Committee of the Pivotal Board of Directors by e-mail at AuditCommittee@Pivotal.io.
   - Alternatively, You may report violations to Pivotal’s third party ethics hotline reporting company, EthicsPoint. You may contact the EthicsPoint hotline by telephone at 1.855.729.4278 in the US, and 1.855.729.4277 outside the US, or at http://Pivotal.Ethicspoint.com.

Such reports may be made anonymously, where local law permits. If You are located outside the United States, the laws and procedures for reporting violations vary from country to country. Any reported violation will be kept confidential to the maximum extent allowed under applicable laws. The data collected shall be retained no longer than required or permitted, and otherwise handled consistent with applicable law. Pivotal will not retaliate against any person or partner who uses this procedure in good faith.