

## Test Materials Addendum to Adopter Agreement

Whereas, in relation to the Certification Testing requirements of the Adopter Agreement (see Section 3.1 of the Adopter Agreement), AACCS LA is making available materials concerning Certification Testing required for products that Adopter markets, or plans to market, as Licensed Products.

Whereas, Adopter desires to receive such materials in order to perform its own internal testing in advance of submitting its products to the Certification Testing process as required under the Adopter Agreement,

NOW, THEREFORE, Adopter and AACCS LA do hereby agree as follows:

### 1. Test Disc

- a. AACCS LA has prepared a Blu-ray Disc containing audio-visual content with various bit states representing the possible settings that require compliance pursuant to the AACCS Compliance Rules (“Test Disc”). Upon payment by Adopter of the fee indicated below, AACCS LA will supply Adopter with one copy of the Test Disc solely for use as provided in this Addendum.
- b. Adopter agrees that it will use the Test Disc solely for its own internal testing to evaluate its own products with regard to their compliance with the testing requirements as set forth in the Test Scenario Document. For the avoidance of doubt, Adopter shall not duplicate the Test Disc or the contents of the Test Disc and shall not transfer it to any party other than AACCS LA (or an agent of AACCS LA) or Adopter’s Affiliates. If Adopter wishes to obtain an additional copy of the Test Disc, AACCS LA will supply such additional copy upon payment by Adopter of an additional fee indicated below.

### 2. Test Documentation

- a. AACCS LA has prepared a document containing a description of tests that will be required pursuant to the Certification Testing requirements of the Adopter Agreement (“Test Scenario Document”) and a related list of equipment to be used to conduct such tests (“Test Equipment List”). Upon payment by Adopter of the fee indicated below, AACCS LA will supply Adopter with one copy of the Test Scenario Document and one copy of the Test Equipment List solely for use as provided in this Addendum.
- b. Adopter agrees it will use the Test Scenario Document and Test Equipment List solely for its own internal testing to evaluate its own products with regard to their compliance with the testing requirements as set forth in the Test Scenario Document. For the avoidance of doubt, Adopter shall not duplicate the Test Scenario Document or the contents of the Test Scenario Document and shall not transfer it to any party other than AACCS LA (or an agent of AACCS LA) or Adopter’s Affiliates. If Adopter wishes to obtain an additional copy of the Test

Scenario Document, AACS LA will supply such additional copy upon payment by Adopter of the additional fee indicated below. Adopter may make additional copies of the Test Equipment List without payment of any additional fee but may not transfer the Test Equipment List to any party other than AACS LA (or an agent of AACS LA) or Adopter's Affiliates.

- 3. **License.** Upon execution of this Addendum and payment by Adopter of applicable fees pursuant to the Test Materials Addendum Fee Schedule, AACS LA hereby extends the license grants in Section 2 of the Adopter Agreement to permit the use of the Test Disc, Test Scenario Document and Test Equipment List solely for the purposes of internal testing to allow Adopter to evaluate its own products with regard to their compliance with the testing requirements as set forth in the Test Scenario Document and to permit reproduction of the Test Equipment List in connection with such internal testing. For the avoidance of doubt, Adopter is licensed to use the Test Disc, Test Scenario Document, and Test Equipment List solely for use with the AACS Player based on payment of fees for that purpose, AACS Managed Copy Machine based on payment of fees for that purpose, or both based on payment of fees for that purpose, and Adopter is not licensed to use, and shall not use, the Test Disc and Test Scenario Document for any purpose for which it has not paid the applicable fees.
- 4. **Fees**
  - a. Upon payment by Adopter of the fees pursuant to the Test Materials Addendum Fee Schedule, AACS LA shall provide Adopter with one or more copies of the Test Disc, Test Scenario Document, and Test Equipment List, according to each order placed by Adopter.
  - b. Adopter need not make any payment in order to obtain or copy the Test Equipment List, provided that AACS LA will not provide the Test Equipment List to any person other than an Adopter that has signed this Addendum and paid the fees for the Test Disc and Test Scenario Document.
- 5. **Application of Adopter Agreement.** To the extent not modified or supplemented by this Addendum, all provisions of the Adopter Agreement shall apply to the materials supplied under this Addendum, including, but not limited to, the definitions, limitations on liability, remedies, term and termination provisions of the Adopter Agreement.

So agreed, effective as of the later date written below.

**AACS LA:**

By:  
Name:  
Title:  
Address: 3855 SW 153rd Drive  
Beaverton, OR 97006  
Date:

**Adopter:**

Company:  
By:  
Name:  
Title:  
Address:  
Date:

## Test Materials Addendum Fee Schedule

### **1. Initial Test Disc, Test Scenario Document and Test Equipment List**

- First Copy: Use of Test Disc, Test Scenario Document, Test Equipment List for AACS Players - \$5,000.
- First Copy: Use of Test Disc, Test Scenario Document, Test Equipment List for AACS Managed Copy Machines – \$5,000
- Additional Copies of Test Disc, Test Scenario Document - \$500 order processing fee, \$250 per copy of Test Disc and Test Scenario Document

NOTE: Until the final versions of the Test Disc, Test Scenario Document, and Test Equipment List are available, Adopter shall be provided with Beta versions of each. At the time final versions are available, AACS LA will provide Adopter with such final versions without additional charge.

### **2. Updated Test Disc, Test Scenario Document, and Test Equipment List**

After final versions of the Test Disc, Test Scenario Document, and Test Equipment List are produced by AACS LA, updates to each may be created by AACS LA from time to time. AACS LA will provide notice (by email or through website posting or other equivalent method) of the availability of such updated materials, and Adopter may order updated versions of the materials according to the following pricing:

- Updated version of Test Disc, Test Scenario Document, and Test Equipment List for use for testing AACS Players only - \$500 order processing fee, \$250 per copy.
- Updated version of Test Disc, Test Scenario Document, and Test Equipment List for use for testing AACS Managed Copy Machines only - \$500 order processing fee, \$250 per copy.