

Guidelines and rules for reproducing data contained in the RISC Analysis and/or AS400info database applications.

Preamble

Over the past several months, we have become increasingly aware of the practice (by a few of our clients), of duplicating data contained in the RISC Analysis and AS400info applications, and reproducing this information for the benefit of non-clients by posting the information to the web or in other media.

This document aims to clarify our position regarding this practice and to state what is and what is not allowed under our Terms of Use.

Part Numbers (PNs), Field Replaceable Units (FRUs) and PN/FRU relationships to Features, Machines and Models

Facts

- Around 85% of the PNs/FRUs identified in our applications are not documented anywhere else in the world, including at IBM.
- From time to time IBM publish limited PN and FRU information for Machines and Models under the pSeries (formerly RS/6000) and iSeries (formerly AS/400) platforms.
- Often, the information published by IBM for the pSeries and iSeries platforms is vague, sometimes wrong, and generally incomplete.
- IBM rarely publish information which specifically links a given Feature Code to its PNs/FRUs.
- IBM never publish information for these platforms which serves to show substitute FRU numbers relating to an original FRU number.
- IBM never publish information for these platforms which groups a set of PNs/FRUs to a specific Feature, Machine or Model.
- Windgate Software LLC has identified and classified PNs and FRUs (whether documented by IBM or undocumented by IBM) and directly related these to their respective Features, Machines and Models.
- Windgate Software LLC has also identified and grouped various substitute and related PNs and FRUs.

Our work in this regard represents a body of knowledge which is unique and not duplicated any where else in the world. This work is both time consuming and expensive. Moreover, the work product represents the basis of intellectual property and proprietary information.

For this reason, we do not allow bulk copying of our data as it applies to PNs/FRUs, Groups of PN/FRUs (including substitute PN/FRUs) and their related Machines, Models and Features. This information is considered proprietary and fully protected as intellectual property under copyright law.

Clients who take our data and re-publish it are responsible for causing significant and serious harm to our ability to retain existing clients and attract new clients. This is why the dissemination of our data to third parties, or the re-publishing of our data without our express permission is strictly forbidden.

Bulk Copying of Data vs. Bona Fide Inventory

It is important to understand the difference between bulk copying of our data and merely using the data in our applications to facilitate advertising an inventory item for sale.

We have always taken the position that we are here to help our clients do business.

We understand that using our data to accurately describe a PN/FRU, and to correctly match a PN/FRU to its Feature, Machine or Model, is a necessary benefit to using our applications.

Where our clients have bona fide inventory items for sale and wish to publish these either on their own web site (or via an On-Line Broker to Broker service), use of our descriptions and data is permitted.

Bulk copying, on the other hand (which is not allowed), is defined as copying our data for no purpose other than republication, or to misrepresent an extensive inventory.

For example, if you have a FC 2555 1.0GB Disk Drive with PN/FRU 45G9467 in stock, it is fully permissible to use our descriptions to identify the item.

However, subsequently associating this item (on a web site or publication) with every other available PN/FRU from our data, when you do not have them in inventory, is not permitted.

It is likewise not permitted to use our data for the purposes of building a search device on a web site, which subsequently returns our proprietary information to non subscribers of our services, or other unauthorized users.

Policing the Policy

The last thing we want to do is spend valuable time looking at client web sites for infringements. For the most part, we rely heavily on the ethics, common sense and good will of our clients. This element of trust is aided by the knowledge that most of our clients realize it is counter productive to republish our data on the web. After all, why give the competition valuable trade secrets?

We believe we offer generous leeway as it applies to this issue and we do trust our clients not to abuse our service.

In the event we do come across an example of possible infringement, we will request clarification and ask that the offending material be removed.

Although we reserve the right to immediately terminate any client not in compliance with our terms and conditions, we will endeavor to resolve any issues in a spirit of goodwill.

However, in the event of serious or repeated abuse, we will use every legal remedy available to us, and prosecute to the fullest extent of the law.

Q & A

Can I publish a big list of PN/FRUs from RISC Analysis or AS400info for each Feature or Machine or Model?

No. Because over 85% of the data which cross references the PN/FRUs to their various Machines, Models and Features did not exist before we created and published it. It still does not exist anywhere else in the world (absent a few inventory listings based on our data). Therefore, if you copy our data just for the sake of republishing it, then you are essentially stealing our work.

Can I use a basic description such as "Ethernet Card" and then list all of the PN/FRUs and substitute PN/FRUs from RISC Analysis or AS400info for that particular FC?

No. Because you are essentially taking three aspects of our work:

We had to find the PN/FRU.

We had to associate the PN/FRU with a specific item.

We defined and grouped the PN/FRUs and substitute numbers.

Unless you did all the work yourself, or found it in a manner not derived from our work, you can not reproduce it without our permission.

I want search engines to point to our site based on a PN/FRU hit. Can I publish a web page with just a list of PN/FRUs Only - with No Descriptions, Feature Codes, Machine or Model numbers?

Absolutely. We will even give you a list of PNs Only.

Can I publish a web page with a list of Features, using the FC description from RISC Analysis or AS400info?

Yes, as long as it does not include PN/FRU data.