



AT&T

1988?

O. L. Wilson
Manager - UNIX[®] Software Licensing
Information Systems

P.O. Box 25000
Greensboro, NC 27420
Phone (919) 855-2720

REGENTS OF THE UNIVERSITY OF CALIFORNIA
Berkeley, California 947091

Gentlemen:

AT&T has decided to publish, subject to suitable copyright restrictions, a portion of AT&T's source code known as CPIO software and described in Appendix A attached to this letter agreement.

Confirming our previous understanding and subject to your written concurrence as indicated below, the University ("Berkeley") shall undertake to distribute copies of the copyrighted source code of the CPIO software to its licensees.

Each such distributed copy of the CPIO software shall bear a legally sufficient copyright notice identifying AT&T as the copyright proprietor and 1988 as the year of publication. Such notice shall be electronically embedded in the software in a manner to appear conspicuously at the start of each source code file, and shall also be conspicuously placed on the packaging of the software copy.

Berkeley understands that the decision by AT&T to so publish the CPIO software in no way affects the trade secret status of any other AT&T source code licensed by AT&T to Berkeley or Berkeley's corresponding obligations of confidentiality with respect to such other source code.

A tape containing the CPIO software will be sent to you upon the execution of this Agreement.

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BSD

Please indicate your concurrence to the above conditions by signing and dating the attached copy of this letter agreement, and returning such signed copy to me.

Very truly yours,

AT&T INFORMATION SYSTEMS INC.

By _____

ACCEPTED AND AGREED TO:

THE REGENTS OF THE
UNIVERSITY OF CALIFORNIA

By _____

Printed Name _____

Title _____

Date _____

Each such distributed copy of the CP10 software shall be accompanied by a copy of this letter agreement. The copyright notice identifying AT&T as the copyright proprietor and 1988 as the year of publication. Such notice shall be electronically embedded in the software in a manner to appear conspicuously at the start of each source code file, and shall also be conspicuously placed on the packaging of the software copy. Berkeley understands that the decision by AT&T to so publish the CP10 software in no way affects the trade secret status of any other AT&T source code licensed by AT&T to Berkeley or Berkeley's corresponding obligations of confidentiality with respect to such other source code. A tape containing the CP10 software will be sent to you upon the execution of this Agreement.

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AT&T
UNIX System Laboratories, Inc.
A Division of AT&T

S. S. Edson
Manager, Licensing

APPENDIX A
Office of Technology Licensing
JUN - 2 1988
Schedule for
CPIO Software
January 29, 1988

P.O. Box 26000
Cary, NC 27513
1-800-822-UNIX

MAY 2 1988

1. FEES
Provided on a no-fee basis

2. CPIO is provided in the following sub-directories and associated lower level sub-directories:

src
libgen

This Letter Agreement amends and modifies the above referenced Agreement as follows:

Section 7.05(a) line 3, after "form, to" delete the words "third parties", and insert the following:

to a third party who is a U.S. LICENSEE or (a SUBSIDIARY of such other LICENSEE)....

Section 7.05(b), amend to add the following at the end of the paragraph:

For purposes of this Section 7.05(b), a SUBSIDIARY of a LICENSEE is a corporation or other legal entity (i) the majority of whose shares or other security entitled to vote for directors or other managing authority is now or hereafter controlled by such LICENSEE either directly or indirectly; or (ii) the majority of the equity interest in which is now or hereafter owned and controlled by such LICENSEE either directly or indirectly; but any such corporation or other legal entity shall be deemed to be a SUBSIDIARY of such LICENSEE only so long as such control or such ownership and control exists.

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AT&T agreements and software
have been assumed by, and
are being administered by, the
UNIX System Laboratories, Inc.