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<u>Network Interface Card Product (NIC) for Model 3C905CX - Counterfeits with:</u> <u>Serial Number Prefix HKS1 & Board Assembly No. 03-0247-000 (''HKS1 -000 Units''),</u> <u>and Serial Number Prefix HSZR and Board Assembly No. 03-0247-200 (''HSZR -200</u> <u>Units'')</u>

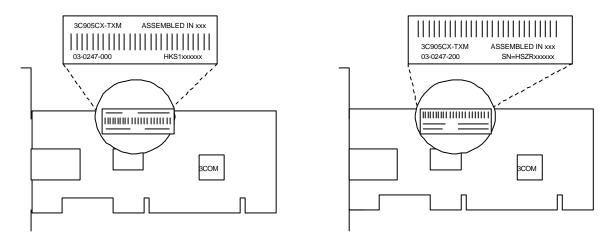
Dear Channel Partner:

This letter is part of 3Com's continuing effort to update our channel partners and provide new information on counterfeit NIC products that are found in the marketplace.

We begin and end this letter with the same message to you - the best way to ensure that you are dealing with genuine 3Com NIC products is to purchase your 3Com NIC products solely and exclusively directly from 3Com and/or, in the case of our reseller channel partners, only from each 3Com authorized distributor who is willing to provide you written confirmation that it sourced the 3Com NIC products you are purchasing directly from 3Com. Any products bought from other than these sources may be suspect.

3Com has recently discovered a number of 3C905CX counterfeit NIC product units in the marketplace that contain a significant quality issue.

How to Identify the Counterfeit NICs.



There are genuine 3Com model 3C905CX NICs that use either an "HKS1" or "HSZR" serial number prefix. To determine if you have one of the counterfeit HKS1 -000 Units or

HSZR -200 Units covered by this letter, **you need to look at 3 things on the NIC**. Where those three things are located on the NIC are shown on the above diagrams. Those 3 things are also listed here.

For the HKS1 -000 Units, look for:

- "**3C905CX**" on the NIC
- Serial number prefix: **HKS1**xxxxx, **MATCHED TO**
- A Board Assembly Number on the counterfeit unit of: 03-0247-000.

For the HSZR -200 Units, look for:

- "**3C905CX**" on the NIC
- Serial number prefix: HSZRxxxxxx, MATCHED TO
- A Board Assembly Number on the counterfeit unit of: 03-0247-200.

<u>What's the quality problem that occurs with the counterfeit units?</u> For the HKS1 - 000 Units or HSZR -200 Units, as it tried to create an illegal imitation of 3Com's genuine Model 3C905CX NIC product, the counterfeiter deliberately used the wrong network interface chip for the job and intentionally remarked the chip label to hide what it had done.

The results of testing on sample counterfeit units performed by 3Com engineers revealed that the counterfeit NIC cards contain the following characteristics:

- There is a counterfeit network interface chip on the counterfeit network interface card that in combination does not contain the power management system present in a genuine 3Com 3C905CX series NIC that uses the proper network interface chip.
- The absence of the power management system means that when a desktop personal computer the counterfeit NIC is installed in is in auxiliary power mode (e.g., in some computers, that mode means when the computer is in Hibernate or Standby mode), the counterfeit NIC can draw electrical current well in excess of industry standards causing the counterfeit chip to heat up, in some cases to temperatures far in excess of that allowed by a properly designed genuine 3Com network interface chip and NIC. This can lead to significantly reduced operational life span for the counterfeit chip and the counterfeit network interface card due to the chip overheating condition, and, may prevent a desktop computer from booting.

It is each trading company's responsibility to determine that it is purchasing and reselling genuine, not counterfeit, products. If you have any of the HKS1 -000 Units or HSZR -200 Units in your inventory, be advised that it is illegal to trade in any counterfeit product. We must insist that you not sell or otherwise distribute counterfeit NIC products in the marketplace, including taking whatever steps are necessary such that you prevent submitting those counterfeits to (i) 3Com through 3Com product return logistic processes or (ii) your supplier. Among other things, such sales, distribution or returns have the potential of wrongfully deceiving purchasers who think they are buying authentic 3Com product, irreparably harming the 3Com brand, infringing the intellectual property rights of 3Com and others, and contravening any legitimate, commercial agreements or processes relating to the distribution or product return of genuine 3Com products.

3Com Anti-counterfeiting Efforts.

Overall. Around the world, 3Com continues to take steps we deem necessary to protect 3Com's legal rights and interests, and to deal with those who attempt to make or trade in

counterfeit 3Com NIC products. Counterfeit product is an issue faced by many vendors in the technology industry. 3Com continues to tackle the issue face on through appropriate legal action and other means intended to mitigate against the counterfeiting of genuine 3Com NIC product, including, when appropriate, communication to 3Com's channel partners on the topic.

Action Against Trading Companies. During preparation of this letter, 3Com evaluated the propriety of naming each trading company 3Com has pursued or is currently pursuing legally in one form or another for trafficking in counterfeit 3Com goods. For this letter, 3Com has chosen not to do that. But be clear - 3Com has launched legal activities in Europe and elsewhere in the world against a number of those traders.

Action Against Counterfeit Product Makers. In response to complaints that counterfeit 3Com NICs have appeared on the market, 3Com initiated a series of rapid investigation and enforcement initiatives that resulted in enforcement actions being taken against 2 counterfeit factories located in Shenzhen, Guangdong Province, People's Republic of China.

During one of the raids, undertaken by Chinese enforcement officials, a large quantity of counterfeit finished and semi-finished counterfeits of 3Com's popular model 3C905CX NIC were seized including some of the counterfeit HSZR -200 Units that are discussed in this letter.

3Com is working hand in hand with enforcement officials in China to take swift and aggressive action against companies that pirate its products and will press for the maximum deterrent permitted by law.

The Best Way. Genuine 3Com NICs continue to be one of the best performing and highest quality NIC products in the market, a statement endorsed by the fact that over time millions of customers have purchased genuine 3Com NIC products for their networking needs. The best way to ensure that you are dealing with genuine 3Com NIC products is to purchase your 3Com NIC products solely and exclusively directly from 3Com and/or, in the case of our reseller channel partners, only from each 3Com authorized distributor who is willing to provide you written confirmation that it sourced the 3Com NIC products you are purchasing directly from 3Com. Any products bought from other than these sources may be suspect.

In the future, if we deem it appropriate, we will provide you additional information on this topic. We may also consider additional communications with and to other 3Com customers. If you have any questions regarding this communication, please do not hesitate to contact your local account manager.

By and on behalf of 3Com Europe Ltd. Sincerely,

Stanimira Koleva Channel Sales Directo

BNC International, 3Com Europe Ltd. Europe, Middle East & Africa