01/28/14

San Leandro USD
Attn: Mike McLaughlin Ed.D. – Superintendent
14735 Juniper St
San Leandro, CA 94579

RE: Apple's Sole Source Letter

Dear Mr. Mike McLaughlin:

Apple Inc. ("Apple") is, and will continue to be, the sole source of Apple and Macintosh branded hardware, software and service products to you. An Apple or Macintosh branded product is one manufactured or sold by Apple with the Apple logo. Apple is also the sole source for all applications designed to run on the Apple iOS platform, including third party applications and Apple branded applications.

In general, Authorized Apple Resellers are not authorized to sell standard Apple hardware, software and service products to public and private nonprofit educational institutions in the United States, including yours. Exceptions exist, however, including the following: (1) Apple does authorize certain Value Added Resellers ("VARs") to sell standard Apple products to educational institutions if those products are combined with proprietary, added enhancement "Solutions Systems;" (2) a few resellers are allowed to sell consumables (toner cartridges, for example) to educational institutions; (3) certain Apple authorized cellular phone carriers/providers ("Carrier(s)"), like AT&T and Verizon, are authorized to sell the iPhone and iPad to educational institutions in the United States and if a Carrier offers the iPhone or iPad (or service products associated with the iPhone or iPad) in your state, Apple will no longer be considered the sole source for those products in your state; and (4) under very limited circumstances, Apple authorized resellers may be permitted to sell a limited amount of product, usually at the end of the product's commercial life, to education customers. Additionally, a few Authorized Apple Education Agents ("Agents") are allowed to act on behalf of Apple to promote the purchase of Apple products from Apple by select higher education institutions and K-12 schools. In all such cases, the resellers are responsible for establishing their own resale prices. Apple is not involved in their pricing decisions. While the use of Agents and VARs allows Apple to extend its presence in the education community, it does not affect Apple's status as your sole source of Apple products.

In your case, Apple will continue to have a direct sales and purchasing relationship. Apple has no present intention to utilize agents and, except in the cases mentioned above, has not authorized any reseller to provide Apple products and services to you.

Please be reminded that with the few exceptions noted above, Apple authorized resellers are prohibited from selling in the education market by the terms of their contracts with Apple. The sale of products into these markets by anyone other than Apple, generally cannot occur unless an Apple reseller has breached its contract with Apple. You can count on Apple to continue to be your sole source for all of the Apple branded products/services and iOS applications that you purchase in the ordinary course of your product acquisition.

Sincerely,

Austin Contracts

Apple Inc.
1 Infinite Loop
Cupertino, CA 95014