

ADDITIONAL SYSTEM INFORMATION AND DISCLOSURE

Thank you for purchasing our Topcon Tierra™ product. The product contains hardware, which includes on-board data collection devices (“Device”), and web service (collectively the “System”) used to monitor, log and transmit data from off-highway equipment. We wish to remind you of some important information concerning the Device and the System.

User Information

Each user must:

- read and follow the applicable System manuals;
- receive appropriate training before use;
- accurately enter the information required to configure the System for your specific application including matters such as measurement units (e.g., metric or imperial), fleet and vehicle data, input and/or status and/or alarm configurations;
- properly calibrate the System and ensure that the Devices are deployed and used within System/Device specifications (including but not limited to temperature, vibration and moisture conditions); and
- monitor, from time-to-time that the System is performing as intended.

If you do not properly operate and/or calibrate the System, it could transmit incorrect data and erroneous reports.

Battery issues

Let the internal battery recharge for at least 10 hours before the first use. Battery life depends on several factors including temperature, network, signal strength and locator service features used. An internal battery which is not fully charged may cause inconsistent data or report or configuration loss.

Coverage Information

The System is based upon the use of high-level technologies, such as the GPS positioning (Global Positioning System), GPRS mobile communication (General Packet Radio Transfer) and the Google Mapping solution:

- Our coverage maps provide high-level estimates of our coverage area when using your device outdoors under optimal conditions. Coverage is not available everywhere. Estimated future coverage is subject to change.
- Estimating wireless coverage and signal strength is not an exact science. There are gaps in coverage within our estimated coverage areas that along with other factors such as network problems, software, signal strength, a user’s wireless device structures, buildings, weather, geography topography, etc., will result in dropped and blocked connections, slower data speeds, or otherwise impact the quality of services.
- Services that rely on location information depend on your device’s ability to acquire satellite signals (often not available indoors) and network coverage.

GPS Signal Information

For reasons beyond Topcon Tierra's control, the GPS signal may be lost. The loss of the GPS signal will result in the System not working properly or accurately. The impact of the loss of signal includes:

- the actual position of the equipment not being available on the System website;
- the geofence feature not working properly;
- inaccuracies in the Job Costing calculation;
- loss of information about data and hours (if coupled with a loss of battery power);
- an inability of the System to evaluate equipment status and to create Activity and Productivity reports (This will particularly occur if a "status profile based on speed" has been selected). The System website will show the equipment in "Idle" or "Long Idle" status;
- an inability of System to calculate distance;
- an inability of the System to transmit data and reports from the equipment to the server. (Note: however the System stores all the data in the Device's internal disk and transmits the stored data as soon as the GPRS connection is restored);
- an inability of the System to transmit alarms to the server;
- an inability of the System to receive data from the server (e.g., configuration files, firmware upload); and
- inaccurate communication parameters (e.g., APN) that will limit and/or disable communication between the Device and the System server.

Warranty and Limitation of Liability

The Topcon Tierra Warranty Coverage Policy for the Device can be found at the Topcon Tierra website (www.topcontierra.com).

The limitation of liability for Topcon regarding the subscription to the service for the System can be found in the Tierra Subscription Ts & Cs' at the Tierra website.

Topcon's limitation of liability for interruption to, or lack of, service can also be found in the Tierra Subscription Ts & Cs.

Additionally, Topcon is not responsible and has no liability for failure by the user to comply with the above instructions, the instructions set forth in the user's manual or other misuse of the Device or System.