



# Standing up for compliant connectivity.

Legal positioning on the use of  
Third Party Compatibles.

While Small Form Factor Pluggable transceivers (SFP) are commonly associated with fibre optic transmission, there are circumstances where a copper interface is required. In addition to a wide

## Legal acts outlining the use of third party products

### The Sherman Act

"The essential characteristic of an invalid tying arrangement lies in the seller's exploitation of its control over the tying product [here, the computer system] to force the buyer into the purchase of a tied product [here, the memory module sold by the system manufacturer] that the buyer either did not want at all, or might have preferred to purchase elsewhere on different terms. When such "forcing" is present, competition on the merits in the market for the [memory module] is restrained and the Sherman Act is violated." *Jefferson Parish Hospital District No. 2 v. Hyde*, 466 U.S. 2 (1984).

### The Magnuson-Moss Warranty Act

The Magnuson-Moss Warranty Act is the federal law that governs consumer product warranties. Passed by Congress in 1975, the Act requires manufacturers and sellers of consumer products to provide consumers with detailed information about warranty coverage. In addition, it affects both the rights of consumers and the obligations of warrantors under written

warranties. To understand the Act, it is useful to be aware of Congress' intentions in passing it. First, Congress wanted to ensure that consumers could get complete information about warranty terms and conditions. By providing consumers with a way of learning what warranty coverage is offered on a product before they buy, the Act gives consumers a way to know what to expect if something goes wrong, and thus helps to increase customer satisfaction.

Second, Congress wanted to ensure that consumers could compare warranty coverage before buying. By comparing, consumers can choose a product with the best combination of price, features, and warranty coverage to meet their individual needs. Third, Congress intended to promote competition on the basis of warranty coverage. By assuring that consumers can get warranty information, the Act encourages sales promotion on the basis of warranty coverage and competition among companies to meet consumer preferences through various levels of warranty coverage.

Finally, Congress wanted to strengthen existing incentives for companies to perform their warranty obligations in a timely and thorough manner and to resolve any disputes with a minimum of delay and expense to consumers. Thus, the Act makes it easier for consumers to pursue a remedy for breach of warranty in the courts, but it also creates a

framework for companies to set up procedures for resolving disputes inexpensively and informally, without litigation.

<http://www.kingston.com/us/company/magnusonmoss>

## Key OEM Vendor Statements

### Arista

Q. Can a customer use third party QSFP+ to QSFP+ and SFP+ cables?

A. Arista does not restrict the use of third party copper cables. These cables need to comply with the IEEE specifications, to allow them to be correctly recognized by the Arista switch. Interfaces with cables not recognized correctly will be disabled.

[https://www.arista.com/assets/data/pdf/40G\\_FAQ.pdf](https://www.arista.com/assets/data/pdf/40G_FAQ.pdf)

### Brocade

Third party transceivers are allowed. Brocade will provide support for such a system but may require that a Brocade transceiver be used for troubleshooting. Support will not be provided if there is an issue with the third party transceiver.

[http://www1.brocade.com/downloads/documents/html\\_product\\_manu-als/VDX6710\\_QSG\\_03/wwhelp/wwhimpl/common/html/wwhelp.htm#href=53\\_1002338\\_03\\_6710\\_QS.1.28.html&single=true](http://www1.brocade.com/downloads/documents/html_product_manu-als/VDX6710_QSG_03/wwhelp/wwhimpl/common/html/wwhelp.htm#href=53_1002338_03_6710_QS.1.28.html&single=true)

### Cisco

The Cisco guideline for support and warranty services for the use of third-party memory, cables, gigabit interface controllers (GBICs), filters or other non Cisco components is as follows:

When a customer reports a product fault or defect and Cisco believes the fault or defect can be traced to the use of third-party memory products, cables, GBIC's, filters, or other non-Cisco components by a customer or reseller, then, at Cisco's discretion, Cisco may withhold support under warranty or a Cisco support program such as SMARTnet™ service.

When a product fault or defect occurs in the network, and Cisco concludes that the fault or defect is not attributable to the use of third-party memory, cables, GBICs, filters, or other non-Cisco components installed by a customer or reseller, Cisco will continue to provide support for the affected product under warranty or covered by a Cisco support program.



The nature of the defect or error is the key to determining Cisco support obligations

Cisco also reserves the right to charge the customer per then current time and material rates for services provided to the customer when Cisco determines, after having provided such services, that the root cause of the defective product was caused by a third party device.

[http://www.cisco.com/c/en/us/products/prod\\_warranty\\_09186a00800b5594.html](http://www.cisco.com/c/en/us/products/prod_warranty_09186a00800b5594.html)

## Juniper

Caution: If you are having a problem running a Juniper Networks device that is using a third-party optic or cable, the Juniper Networks Technical Assistance Center (JTAC) can help you diagnose the source of the problem. Your JTAC engineer might recommend that you check the third-party optic or cable and potentially replace it with an equivalent Juniper Networks optic or cable that is qualified for the device.

[http://www.juniper.net/documentation/en\\_US/release-independent/junos/topics/reference/specifications/optical-interface-ex4300-support.html](http://www.juniper.net/documentation/en_US/release-independent/junos/topics/reference/specifications/optical-interface-ex4300-support.html)

Visit [www.prolabs.com](http://www.prolabs.com) for more connectivity solutions.