

NOTICE OF NETWORK COMPATIBILITY

This Notice of Network Compatibility (this "Notice") is effective as of 08/02/2019 03:03:45 PM (the "Effective Date") and is issued by AT&T Mobility LLC on behalf of itself and its affiliates (collectively "AT&T") to Particle ("Device Manufacturer") dated 08/02/2019 03:03:45 PM.

This Notice applies only to the following product (the "Product"):

Module:

Manufacturer: u-blox

Model: SARA-R410M-02B

Software:Revision: L0.0.00.00.05.06

Hardware: 306A05

FCC ID: XPY2AGQN4NNN

PTCRB Request #: 66802

Device:

Manufacturer: Particle

Model: E402D

Software: V0.8.0

Hardware: V1.00

FCC ID: XPY2AGQN4NNN

PTCRB Request #: 75672

Onboarding Tool Device ID: BI001020

Category: NR-AM-DO

Release Type: Initial

ODIS/DHIR Compliance Method :

Manual File Upload per DMIG (NOTE: This Notice of Network Compatibility letter is subject to revocation by AT&T if Particle does not provide initial file upload of legacy devices as described in DMIG within 60 days of the issuance of this letter.)

Connection Mgr/ACM Version:

Attachment A: Not Applicable

This Notice only relates to the Product as specifically described herein and any variations from these component versions, no matter how slight, are not covered by this Notice.

Note: Additional conditions for this approval:

- None

1. Testing

AT&T performed applicable testing on the Product (the "Testing"). This includes testing for:

- Negative impacts on AT&T's wireless network.
- Baseline regulatory confirmation.
- RF testing against components in the wireless AT&T network.
- Network selection testing.

2. Testing Results

The device under test was not observed to cause any adverse problems to the AT&T network when activated and used in the lab. The device under test is certified for both CS and PS services (as applicable). Any change to the mode of operation invalidates the AT&T Certification.

3. Limitations

Because of the limited scope of the Testing, AT&T does not make any representations regarding any feature, function or other characteristic of the Product not described herein, including, but not limited to, the following:

1. Data throughput performance.
2. Voice quality performance.
3. Manufacturing/assembly issues.
4. RF Parametric performance beyond PTCRB testing.Voice and Data interaction handling.
5. Consumer handset-based features including Java applications, MMS, SMS.
6. System, component level, or application level security performance.
7. Ability to make Emergency calls (for example to 911) as this is the responsibility of the manufacturer to test and meet the emergency location requirements.

Manufacturer will not identify AT&T or its Affiliates in any advertising, sales material, press release, public disclosure or publicity without prior written authorization by AT&T

Furthermore, AT&T does not make any representation or warranty, express or implied, to any person or entity, including, without limitation, any warranties regarding the performance, desirability, merchantability, suitability, originality, quality, fitness for a particular purpose or otherwise (irrespective of any previous course of dealings between the parties or custom or usage of trade), with respect to the Product. Device Manufacturer may not make any representation to any third party inconsistent with the terms of this Notice.

1. **Particle General Indemnity Obligations.** Particle as Indemnifying Party, will defend, indemnify and hold harmless AT&T, and its Affiliates, directors, officers, and employees from and against any and all third-party claims, including but not limited to End User claims, causes of action, demands, liabilities, damages, losses, judgments, settlements, costs and expenses, including punitive damages, court costs, and reasonable attorneys'

and expert witness' fees before and at trial and on appeal (collectively "Claims") related to or arising out of (i) the use of the Particle E402D; (ii) services delivered by Particle through information services or applications on the Particle E402D; (iii) **the battery in the Particle E402D**; or (iv) personal injury, death or property damage arising out of use of the Particle E402D or the information services and/or applications on or delivered by the Particle E402D except to the extent such Claim arises solely out of the use of the Service and not out of the use of the Particle E402D.

- 2. Disclaimer of Warranties:** EXCEPT AS EXPRESSLY STATED IN THIS NOTICE, EACH PARTY DISCLAIMS ALL WARRANTIES, EITHER EXPRESSED OR IMPLIED, WITH RESPECT TO GOODS OR SERVICES HEREUNDER, INCLUDING, BUT NOT LIMITED TO, IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. AT&T SUPPLIES A SERVICE, NOT GOODS. AT&T DOES NOT GUARANTEE COMPANY OR ANY END USER UNINTERRUPTED SERVICE.

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AT&T Mobility LLC

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