

July 2, 2024

Mr. Bruce Sherbet  
Collin County Election Administrator  
2010 Redbud Blvd., Ste 102 McKinney, TX 75069

**RE: Election Systems & Software, LLC (“ES&S”) Equipment and Software**

Dear Mr. Sherbet:

This letter is in response to the Collin County, Texas (“County”) request for information regarding ES&S’ proprietary election equipment and proprietary election software. This letter provides the County with information on ES&S’ proprietary Model DS200® precinct central count scanner as well as ES&S’ proprietary ExpressVote Printer (the “ES&S Equipment”).

Please be advised that ES&S owns all patents, copyrights and trademarks (“Intellectual Property”) associated with the ES&S Equipment. As such, ES&S is the sole and exclusive developer and manufacturer of the ES&S Equipment and ES&S Software and only ES&S may sell the ES&S Equipment in the marketplace. Further, certain component parts of the ES&S Equipment are proprietary to ES&S and may only be obtained directly from ES&S. As certain component (maintenance) parts of the ES&S Equipment may only be obtained directly from ES&S, only ES&S and ES&S trained technicians can ensure that such ES&S proprietary component parts are installed in the ES&S Equipment. This is important to note as all ES&S Equipment certified at the federal level requires the replacement of the same certified component parts which were included in the ES&S Equipment at the time such ES&S Equipment was certified. By purchasing the ES&S Equipment from ES&S, the County will be assured that all component parts installed in the ES&S Equipment will be in compliance with the federal certified equipment configuration.

With respect to the ES&S Software, please be advised that ES&S is the sole and exclusive developer and licensor of the ES&S Software. As such, ES&S owns all Intellectual Property in its proprietary ES&S Software. Furthermore, only ES&S can provide help desk support services for the ES&S Software, as well as provide any and all upgrades, enhancements, maintenance patches and other changes to the ES&S Software as may be required by ES&S or its customers. No other vendor in the marketplace today is authorized to license or provide maintenance and support services for the ES&S Software. Please let me know if you have any questions or need any additional information.

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Sincerely,

A handwritten signature in black ink, appearing to read "Eric A. Anderson". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Eric A. Anderson  
General Counsel

cc: Chris Moody, ES&S