

## Privacy Policy

(Revised January 2010)

This Privacy Policy ("Policy") applies to Perfect Commerce Holdings, LLC, formerly known as Cormine, LLC, and all of its United States based subsidiaries, including without limitation, Perfect Commerce, LLC, Commerce One, LLC, and Commerce One BPO, LLC (collectively and individually "Perfect"). **You ("User(s)") agree on your own behalf and on behalf of each entity on whose behalf you act, to the terms of this Policy, as amended from time to time, and to the practices for the collection, use, or disclosure of your personal information as described herein.**

With this Policy, Perfect complies with the Safe Harbor Privacy Principles and related Frequently Asked Questions as agreed upon by the U.S. Department of Commerce, and the European Union. By keeping this Policy up to date, Perfect or an appropriate independent third party may certify compliance annually under the Safe Harbor program to the U.S. Department of Commerce. Additionally, Perfect companies are located within the United States and recognize the jurisdiction of the Department of Commerce.

### Collection and Use of Information

Perfect collects, uses, and retains information, including "personal information," ("Information"), about User and "User Companies" through our web site and through hosted on-demand software-as-a-service software applications ("On Demand Applications"), to identify and communicate with User. Perfect collects and uses this information to provide User with products and services and to respond to specific questions from User. Perfect may solicit additional business from User companies on its own behalf or on behalf of other Perfect customers, partners, and affiliates. Perfect may also use this information to comply with certain reporting laws and regulations. Perfect may also use this information to design or improve our products and services, to extend invitations to participate in sourcing events, and to communicate with User regarding our offerings.

As a general policy, Perfect does not automatically collect or store information concerning visitors to our public web site. We will however collect and store general information such as:

- The name of the domain from which User accesses the Internet (for example, msn.com if User connects from the Microsoft Network or aol.com if User connects from America Online).
- The Internet address of the web site from which User linked directly to our site, if any, and if navigating from a search engine site, may collect search information through one or more third party service providers.
- The type of web browsing software User uses to view Perfect sites, such as Microsoft Internet Explorer.
- The date and time User accesses our site.

If User becomes a customer of Perfect, ("Customer"), User will provide Perfect with other information about User in order to facilitate transactions that User or User Companies may initiate through On Demand Applications.

If User initiates a transaction through any On Demand Application, Information that User provides will be used to facilitate the completion of the transaction.

If User subscribes to the Perfect Open Supplier Network (OSN) as a "Supplier," Information may be shared with other Customers that use the OSN as "Buyers" as part of the Perfect trading partner directory unless User exercises the Opt-out procedures below or otherwise restricts authorization of use as part of a signed contract with Perfect. Inclusion in the Perfect trading partner directory means that Information identifying Suppliers will be exposed to all Buyers using the OSN, which will likely include Banks and Financial institutions.

Customers of the Services will be using the Site to host data and information ("Data"). Perfect Commerce will not review, share, distribute, print, or reference any such Data except as provided herein or in the contract agreement with Customer, or as may be required by law. Individual records may at times be viewed or accessed for the purpose of resolving a problem, support issue, or suspected violation of the contract agreement, or as may be required by law. Of course, customers are responsible for maintaining the confidentiality and security of their user registration and password.

### **Maintaining Customer Privacy in Business Relationships with Third Parties**

Perfect does not sell, rent, distribute or provide your personal information to third parties other than to subcontractors as may be necessary to deliver services purchased. Subcontractors having access to personal information are bound by contractual confidentiality provisions and have agreed to meet all applicable privacy laws, specifically including the Safe Harbor Privacy Principles while acting on Perfect's behalf. Perfect does aggregate personal information about Customers and the electronic commerce conducted through the OSN in order to, among other things, compile and distribute statistics and general OSN information about the Customers. Customer email addresses and any personal customer Information will not be distributed or shared with third parties for marketing purposes.

Except as explicitly stated herein, or at the time that Perfect requests information, or as provided for in a written contractual agreement, Perfect does not disclose to third parties the Information provided. All financial and billing information that Perfect collects through the Site is used solely to check the qualifications of prospective customers and to bill for Services. This billing information is not used by Perfect for external marketing or external promotional purposes. Perfect uses an industry recognized standard third-party intermediary to manage credit card processing. This intermediary is solely a link in the distribution chain, and is not permitted to store, retain, or use the Information provided, except for the sole purpose of credit card processing.

### **Collected Information**

Perfect requires customers who register to use the services offered on its Site or On Demand Applications (collectively, the "Service") to give us information which may include: contact name, company name, address, phone number, and e-mail address, and financial qualification and billing information, such as billing name and address, credit card number, and the number of users within the organization that will be using the Service. At the time you express interest in obtaining additional information, or when you register for the Service, we may also ask for additional personal information, such as title, department name, fax number, or additional company information, such as annual revenues, number of employees, or industry. Customers can opt out of providing this or any Information by not entering it when asked or by making a request in accordance with the Opt-out procedures below. Customers with log-in information may also update or remove their personal information at any time by logging into the applications they use and editing their Personal Information within Setup. Customers can view their updated profile to confirm their edits have been made. Each Perfect Commerce On Demand Application contains a user guide that describes how to change user specific information. If this functionality is unavailable with User's specific On Demand Application, or if functionality is otherwise not available, then Information collected may be retrieved and modified upon the reasonable request of the User to [privacy@perfect.com](mailto:privacy@perfect.com). Upon receiving such request, Perfect may demand that User reasonably demonstrate the validity of his or her identity. Perfect shall not require that any Personal Information be transmitted via unsecured email.

### **Opt-Out Policy**

Customers can opt out of being contacted by us, or receiving such information from us, at any time by sending an email to [privacy@perfect.com](mailto:privacy@perfect.com). We will reasonably accommodate your request.

### **Employee Access to Confidential Information**

All Perfect employees are required to follow our employee privacy policy. The employee privacy policy provides that employees are obligated to keep Customer Information confidential and never to discuss or disclose such Information inside or outside of Perfect unless it is required to transact proper Perfect business. This obligation continues once an employee has left the employment of Perfect. Perfect has policies and security procedures to restrict employee access to Personal Information to those employees with a business reason to know such information. Perfect actively educates its employees and subcontractors to recognize the importance of the confidentiality of Customer Information and Perfect is prepared to take appropriate disciplinary measures to enforce these privacy policies.

### **Protection of Information via Established Security Procedures**

Perfect maintains security standards and procedures to help prevent unauthorized access to confidential information about you that is under our control. We update and test our technology to improve the protection of our information about you and to help assure the integrity of our information.

When our On Demand Applications are accessed using browsers such as Microsoft Internet Explorer versions 6.0 or higher, Secure Socket Layer (SSL) technology protects information using both server authentication and data encryption to help ensure that Data is safe, secure, and available only to the User. Perfect Commerce also implements an advanced security method based on dynamic data and encoded session identifications, and hosts the Site in a secure server environment that uses a firewall and other advanced technology to prevent interference or access from outside intruders. Finally, Perfect Commerce provides unique user names and passwords that must be entered each time that a Customer logs on. These safeguards help prevent unauthorized access, maintain data accuracy, and ensure the appropriate use of Data.

### **Cache Storage of Information**

Internet browser software typically stores/caches information from the web site being visited on the hard drive of the User. This means that information viewed or input during a visit to a web site can usually be viewed again by merely hitting the "BACK" button in your browser. Some web sites issue a "no-cache" command to browsers to prevent this temporary storage. To provide better service to Users, we do not send this command to the browser. To better protect your personal information, Users should clear their cache of information from their computers periodically. Instructions for clearing this cache are usually included in the User's browser.

### **Cookies**

To provide better service Perfect may use a "cookie". A cookie is a small bit of information given to a browser by a web site, which can later be retrieved. A cookie is a way for a web site to recognize whether or not you have visited the site before. The cookie cannot be read by a web site other than the one that "set" the cookie. Perfect uses cookies for administrative purposes. Recording cookies at such points makes your online experience easier and faster. Most of Perfect's cookies last only through a single visit. They do not read your hard drive, contain any information that you have not already provided, or contain information that will enable anyone to contact you via telephone or email. Your web browser can be set to inform you when cookies are set or to prevent them from being set.

Standing alone, cookies do not identify you personally. They merely recognize your browser. Unless you choose to identify yourself to Perfect, either by subscribing to our service or responding to a promotional offer, you remain anonymous to Perfect. Cookies come in two flavors: session and persistent-based. Session cookies exist only during an online session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you've closed your browser or turned off your computer. They include such information as a unique identifier for your browser.

Perfect uses session cookies containing encrypted information to allow the system to uniquely identify Users while logged in. This information allows Perfect to process online transactions and requests. Session cookies help Perfect ensure that you are who you say you are after you've logged in. Session cookies are required in order to use Perfect on Demand Applications.

Perfect uses persistent cookies, that only Perfect on Demand Applications can read and use, to identify the fact that you are a Perfect Customer or prior Perfect Website visitor. Perfect is very careful about the security and confidentiality of the information stored in persistent cookies. For example, Perfect does not store account numbers or passwords in persistent cookies. Users who disable their Web browsers' ability to accept cookies will be able to browse the Perfect website but will not be able to successfully use the Perfect on Demand Applications.

### **Third Party Cookies**

Perfect may from time to time engage third parties to track and analyze non-personally identifiable usage and volume statistical information from visitors to our website to help us administer our website and improve its quality. Such third parties may use cookies to help track visitor behavior. Such cookies will not be used to associate individual website visitors to any personally identifiable information. All data collected by such third parties on behalf of Perfect is used only to provide Perfect with information on site usage and is not shared by Perfect with any other third parties.

### **Website Links and Third Party Content**

This policy covers only information that is collected by one of the Perfect websites or through a Perfect Commerce On Demand application and does not cover information collected by a vendor on its own behalf or sites that appear as links on a Perfect Commerce application but are not owned and operated by Perfect Commerce.

Perfect website and On Demand Applications may contain links to other sites, including those of our business partners, vendors and advertisers. While we try to link only to sites that share our high standards and respect for privacy, please understand that we are not responsible for the content of, or the privacy practices employed by, other sites. Customers and visitors will need to check the policy statement of these others web sites to understand their policies. Customers and visitors who access a linked site may be disclosing their private information. It is the responsibility of the user to keep such information private and confidential.

### **Changes to Privacy Policy and Practices**

Perfect reserves the right to make changes to this policy and to our related procedures at any time. As Perfect makes changes to this Policy, this webpage will be updated. Perfect encourages you to review this Policy from time to time. In addition, the terms contained in any contract with a Perfect employee shall take precedence over the terms of this policy.

### **Enforcement of Policy**

If you suspect a violation of this policy, please first address your concerns to Attn: Legal Department at [privacy@perfect.com](mailto:privacy@perfect.com). If you do not receive a response within 30 days, you may seek enforcement of this Policy by initiating a complaint with the [BBBOnline](#). In addition, Users may file a complaint with the U.S. Federal Trade Commission.

### **Email**

If you use email, Perfect will generally preserve the content of your email, your email address, and our response so that we can better serve you. Depending on the content of your email, we may be required by existing laws and regulations to keep this information.

**If you send email to us, please remember that email is not secure against interception. If your email contains information that is very sensitive or includes personal information such as account numbers, charge card or credit card numbers, or social security number, please send this information via postal mail.**

**Contact Information and Internal Procedures**

If you have any questions please contact us at [privacy@perfect.com](mailto:privacy@perfect.com) or call our Headquarters and ask to speak with someone from the Legal Department. A team of legal and information technology personnel will review the Policy annually and will report internally on compliance to the certifying officer for this program prior to recertification to the U.S. Department of Commerce. Perfect reserves the right to modify this Policy at any time.