SAP Ariba Privacy Statement for Cloud Services

Protecting the individual's privacy on the Internet is crucial to the future of Internet-based business. We have created this Privacy Statement to demonstrate our firm commitment to the individual's right to data protection and privacy in the context of the SAP Ariba cloud services. It outlines how we handle information that can be used to directly or indirectly identify an individual ("Personal Data").

When does this statement NOT apply?

- Personal Data submitted by designated supports contacts in their use of the SAP Ariba customer support systems (e.g. SAP Ariba Connect and SAP Ariba Community services) is subject to the terms of use and privacy terms presented to users of such services; and
- SAP is the controller as to customer relationship information (e.g. billing information and relationship contacts) obtained by SAP when a company registers on the Ariba Network or Ariba Discovery services. SAP's responsibilities as a controller for customer relationship information are clarified in the Privacy Statement for SAP Ariba found at http://www.ariba.com/legal/privacy-policy and
- Personal Data provided to SAP Ariba with requests for sales or general product information via the SAP Ariba sales and marketing channels such as the ariba.com website, SAP Ariba marketing events, webinars and similar activities is subject to the Privacy Statement for SAP Ariba found at http://www.ariba.com/legal/privacy-policy

Some other SAP Ariba services and web sites may have alternate privacy statements which will be apparent at the time you register.

A. Overview for this SAP Ariba Privacy Statement

Ariba Inc., an SAP company, with offices at 3410 Hillview Avenue, Palo Alto, CA 94304, and its parent companies and affiliates ("SAP Ariba"), offer products and services for collaborative commerce solutions for the entire purchasing process in the business-to-business market sector (the "Solution"), including:

- The Ariba Network Fulfillment, Ariba Sourcing (use as a Supplier), Ariba Contract Management (use as a Supplier) and Ariba Discovery (use as a Supplier);
- The SAP Ariba Cloud Services and Ariba Discovery services for Buyers;
- and Ariba Hosting Service(s)

SAP Ariba customers may be referred to as "Buyer" or "Seller" throughout this document. Individual users of the Solutions (whether employees of the Buyer or Seller organizations) collectively and individually may be referred to as "you" and "your" throughout this document.

"Trading Partner" means an entity with which a Buyer or Seller transacts using the Solution.

How does this Statement Apply to My Company?

- This statement describes SAP Ariba's practices as a data processor of Personal Data submitted to the SAP Ariba line of cloud services specifically and is complimentary and works in conjunction with the subscription agreement and data processing agreement between SAP Ariba (or other SAP affiliate or reseller) and each customer by offering further detail regarding such data processing activities.
- This statement is also referenced from within some of the Solutions, and from emails sent by the Solution, to provide transparency to individual users and organizations.

Data Controller versus Data Processor

SAP Ariba collects information about an individual as we are providing the Solution and acting as a data processor for our customers, acting on the instructions of our customers within the scope of the services we offer. Except in limited cases identified above under "*When does this Statement NOT apply?*" our customers have the role of the "data controller." Our customers are responsible for making sure that the user's privacy rights are respected and that required consents are obtained before entering Personal Data into the Solution, including ensuring appropriate disclosures about third party data collection and use.

B. General Information

What Personal Data is Involved?
This Privacy Statement applies to Personal Data that customers provide to SAP Ariba when using the Solution (including email notifications sent to and from the Solution) or that customers provide to SAP Ariba service personnel for importation into the Solution, such as a list of Sellers to invite to use the Solution.

The Solution enables customers to submit Personal Data to create users of the solution, to store transaction documents that may include some Personal Data of signatories or business contacts, and to store contact information associated with Trading Partners. Thus the general scope of Personal Data being processed is a person's, name, business email address, and business phone number. Buyers may also allow users to submit home address information for receiving items purchased through the Solution and some of the Solutions enable Buyers to create custom fields to collect Personal Data.

Personal Data submitted to the Solution may not include Sensitive Personal Information unless, as the Solutions are enhanced, some type of Sensitive Personal Information is expressly allowed by us regarding a specific aspect of the Solution and is submitted by a customer only in accordance with the documentation. Business tax identifier and company credit card or other payment identifiers should only be placed in the specific fields designated for such use.

- *"Sensitive Personal Information"* for the purposes of the SAP Ariba Solutions and this policy, means (i) government identification numbers or financial account numbers associated with individual persons (e.g. U.S. Social Security numbers, driver's license numbers, or personal credit card or banking account numbers), (ii) medical records or health care claim information associated with individuals, including claims for payment or reimbursement for any type of medical care for an individual and (iii) data designated as "Sensitive" or "Special Category" or the like requiring extra protective measures under the applicable Data Protection Law (as defined in the Data Processing Agreement between your organization and SAP).

Am I Required to Provide My Personal Data?
As a general principle, your provision of any Personal Data to the Solutions may be required for conducting business for your employer or with a Trading Partner. The data is generally only related to your role at your company, and is not related to you as a private person or as an individual consumer. If you object to providing personal data to the SAP Ariba Solution, please contact your own company for alternatives.

Buyers may use the custom field and form features in the Solution to gather various type of information about Suppliers and some Suppliers are sole proprietors. If you are a sole-proprietor or individual contractor and object to the types of Personal Data being requested from a Buyer, please contact the Buyer directly to investigate options.

Where will my Personal Data be processed?
As part of a global group of companies, SAP Ariba has affiliates and third-party service providers within as well as outside of the European Economic Area (the "EEA"). SAP Ariba directs the operation of the Solution using data centers located mainly in the United States. Certain Solutions are offered to customers utilizing data centers located in other countries or regions upon request, such as the European Union and the Russian Federation. As SAP Ariba adds data centers in more regions, these terms shall apply to SAP Ariba's provision of services in such data centers. Personal Data may be transferred to and from the United States, other Solution operation locations and SAP Ariba's authorized service providers.

EEA Considerations. As a consequence of this global footprint, whenever SAP Ariba is processing an EEA person's Personal Data for the purposes set out in this Privacy Statement, SAP Ariba may transfer the Personal Data to (or access the Personal Data from) countries outside of the EEA including to such countries in which a statutory level of data protection applies that is not comparable to the level of data protection within the EEA. Whenever such transfer occurs, it is based on the Standard Contractual Clauses (according to EU Commission Decision 87/2010/EC or any future replacement) in order to contractually provide that the EEA person's Personal Data is subject to a level of data protection that applies within the EEA. Customers may obtain a redacted copy (from which commercial information and information that is not relevant has been removed) of such Standard Contractual Clauses by sending a request to privacy@sap.com.

- A Data Processing Agreement, incorporating the Standard Contractual Clauses regarding EEA personal data, is part of the Ariba Network Terms of Use (Suppliers) and is a standard attachment for Buyer agreements. If you are a Buyer and do not have a Data Processing Agreement in place with SAP for the Solutions and would like to add one to your agreement, please contact your SAP sales representative.

Data Subjects' Rights.
Individuals have the right to access, modify and delete Personal Data about them although this may require approvals by the individual's employer. To exercise these rights, SAP Ariba has procedures to allow updates to Personal Data in a timely manner. In most Solutions, the administrative contact for your company can directly change Personal Data by logging on to the Solution

and managing your account profile directly. In some Solutions, each individual user can self-administer his/her own user account details or changes may be requested by calling SAP Ariba customer support.

Deletion of your Personal Data may require approval by your employer. Depending on the Solution, requests to delete or anonymize Personal Data must be made to the administrative contact for your company and such steps may require SAP Ariba assistance.

If you are unable to correct, update, or delete your Personal Data because you are no longer an employee of the business that is the account holder, or your account has been terminated, you may contact the SAP Ariba support. In each case, SAP Ariba will take reasonable measures to contact the business that is responsible for the account and accommodate your request or respond in writing with the legal basis for denying the request within thirty (30) days.

Disclosure to Third Parties.
SAP Ariba does not provide your Personal Data to third parties, except as described in our contracts with our customers, unless

- you (or your account administrator acting on your behalf) request or authorize it;
- such disclosure is necessary to process transactions or provide services which you have requested (e.g., PCARD processing with credit card companies);
- SAP Ariba is compelled to do so by a governmental authority, regulatory body, or under subpoena or similar governmental request or to establish or defend a legal claim;
- the third party is acting as our agent or sub-contractor in performing services or legal compliance activities (e.g., SAP Ariba's use of a third-party e-signature provider); or
- you designate your Personal Data to be publicly viewable in the Solution.

Links to other websites.
The Solution may contain links to foreign (meaning non-SAP Group companies) websites although this is rare. SAP Ariba is not responsible for the privacy practices or the content of websites outside the SAP Group of companies. Therefore, we recommend that you carefully read the privacy statements of such foreign sites.

C. Where SAP uses Personal Data

Providing the Solution to Your Organization.
SAP Ariba will use Personal Data for the following limited purposes in relation to the Solution, to:

- facilitate operation of the Solution and its related services;
- enhance use of the Solution and its related web pages;
- perform internal tracking and Solution improvement;
- enable SAP Ariba to contact you;
- process requested transactions through the Solution including the use of templates, document creation and transmission of messages;
- and analyze the volume and history of a company's Solution usage.

SAP Ariba will treat Personal Data as confidential, unless you or your account administrator submits it for public view using features of the Solution, and will process the data according to the lawful and technically feasible instructions of the Buyer or Supplier. The Solution documentation is considered part of such instructions.

Tracking Technologies including Cookies. SAP Ariba gathers certain information automatically and stores it in log files. This information may include Internet protocol (IP) addresses, browser type, Internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. Some of our Solutions utilize cookies or similar technology. If you configure your browser to reject cookies from the Solution, you will not be able to access the Solution. Personal Data you submit while using the Solution is not stored in cookies except where necessary to perform web site security, service functionality and usage analytics. SAP Ariba does not place any third-party advertising tracking cookies on your computer during your use of the Solutions. The web pages you access when using the Solutions do not respond to "do not track" signals sent by your browser. In relation to emails generated by the Solution, we may track the open-rate, click-through rate and/or bounce rate of the messages at the individual level.

Ensuring compliance.
SAP Ariba and its products, technologies, and services are subject to the export laws of various countries including, without limitation, those of the European Union and its member states, and of the United States of America. You acknowledge that, pursuant to the applicable export laws, trade sanctions, and embargoes issued by these countries, SAP is required to take measures to prevent entities, organizations, and parties listed on government-issued sanctioned-party lists from accessing certain products, technologies, and services through SAP's websites or other delivery channels controlled by SAP. Such

measures may include (i) automated checks of any user registration data as set out herein and other information a user provides about his or her identity against applicable sanctioned-party lists; (ii) regular repetition of such checks whenever a sanctioned-party list is updated or when a user updates his or her information; (iii) blocking of access to SAP's services and systems in case of a potential match; and (iv) contacting a user to confirm his or her identity in case of a potential match.

Protecting SAP's Legitimate Interest.
Each of the use cases below constitutes a legitimate interest of SAP to process or use your Personal Data. If you do not agree with this approach, you may object against SAP's processing or use of your Personal Data as set out below.

- Contacting you for billing purposes if you are the administrative contact for a Seller account on the Ariba Network or Ariba Discovery services.
- Sending system and administrative notices to administrative contacts
- Investigating security incidents, disruptions of service or legal disputes

Forwarding your Personal Data to Trading Partners and to the Public.
The Solution helps companies make connections to facilitate business. Depending on the Solution, you or your account administrator may provide your business contact information to Trading Partners, potential Trading Partners, or to the public via the Solution, if you are serving as a company contact for your business. Please refer to the documentation for the Solution to determine your company contact and company profile visibility options. If you are a Seller on the Ariba Network, you expressly agree that SAP Ariba may provide profile and company contact information that you maintain in your Seller profile to your Trading Partners to facilitate your business relationships.

If you submit a reference for a Seller on Ariba Discovery, (1) the text of your reference (but not your identity) will be publicly available, and (2) the Seller's own users will be able to see your Personal Data from within the Ariba Discovery solution.

D. Duration of processing of Personal Data.

SAP Ariba will retain Personal Data in active databases for varying lengths of time depending upon the specific Solution, type of data, choices of the account administrator and applicable law in accordance with the agreement between SAP Ariba and your organization. Customers are provided with user administration features with which they can remove or update elements of User's Personal Data. Personal data being processed by SAP Ariba for Buyers in the Solution is deleted or obfuscated after expiration or termination of the Buyer's agreement for all integrated Solutions with some time delay to confirm termination and allow for log files to be overwritten, unless there is a legal obligation for SAP Ariba to retain the information, retention is required for some time necessary to resolve a dispute, or an alternate approach has been mutually agreed with the Customer. Personal Data stored on the Ariba Network and Ariba Discovery services for Sellers is retained longer due to the requirements for account administration and billing by SAP Ariba, but SAP Ariba will work with the Seller to remove or anonymize Personal Data associated with users if there is no longer a legitimate need for retention. The approaches available to customer for purging and archiving data during a subscription term and the features available for anonymization or deletion of Personal Data are set forth in the documentation for the Solution.

E. Russia-Specific Provisions

If your organization has operations in the Russian Federation, be aware that SAP Ariba may receive from you certain Personal Data of Russian citizens for storing and your organization's own processing. Your organization, or Russian-based affiliated organizations, remain the operators, under the Russian privacy law, of Personal Data of Russian citizens submitted for processing to SAP Ariba and are responsible for determining (i) if you or your organization will be able to comply with applicable Russian privacy laws and regulations in use of Solutions which involve processing of Russian citizens' Personal Data and (ii) whether Solutions can be used inside or outside the Russian Federation.

F. Changes to this Statement

From time to time SAP Ariba will need to make changes to this policy. Some of the changes will be in response to changes in applicable laws and regulations. Changes may also be required if SAP Ariba adds new features and new services to a Solution. If we seek to make a material change to this statement, SAP Ariba will document the change, note the date of the last update at the end of the policy, and send a notice to the administrative contacts on file with SAP Ariba for each Buyer and Supplier.

G. Miscellaneous

The English version of this policy shall govern in the event of any conflict or substantive translation changes into a non-English language.

This document is the SAP Ariba Privacy Statement targeted at individuals who are users of specific SAP Ariba customer products and services. SAP Ariba has a separate Privacy Policy for other sites and services. Certain of SAP Ariba subsidiaries and SAP affiliates also have separate privacy policies related to the services they offer. These other policies are separate and distinct from the activities governed by this statement.

Further Information

If you have questions or concerns regarding this policy, you should first contact your company's administrator for the use of the Solution. If you do not receive acknowledgment of your inquiry or your inquiry has not been satisfactorily addressed or you do not have an active customer relationship with SAP, you should then raise your complaint to SAP Ariba's Privacy Coordinator. To reach Ariba's Privacy Coordinator, please submit a request to SAP Ariba customer support or send a written correspondence to Attn: Ariba Privacy Coordinator, Legal Department, Ariba, Inc., 3410 Hillview Avenue, Palo Alto, CA, 94304 USA.

SAP Ariba Privacy Statement v3.0, May 15, 2018

©1996 – 2018 Ariba, Inc., All Rights Reserved