

SAP Business Network Data Policy

PREVIEW, NOT YET PUBLISHED

This document describes SAP's policy for handling, storing, and otherwise treating transactional and other data of businesses seeking to acquire products or services (each, a **"Buyer"**) with businesses offering such products or services (each, a **"Seller"**, and collectively, **"Trading Partners"**), via the SAP Business Network (**"SAP BN"**), and data associated with individual users and employees of the Buyer and Seller organizations, when sent to SAP as part of Your Business' use of the SAP Business Network. **"SAP"** as used in this document means Ariba, Inc., its parent companies, and affiliates. **"Your Business"** means your business in its access to and use of the SAP Business Network as a Trading Partner. **Capitalized terms used but not defined in this SAP Business Network Data Policy shall have the meaning given to such terms in the SAP Business Network Terms of Use.**

Overview

SAP collects information that Your Business, or another Trading Partner, or other data sources send to the SAP Business Network (such as IP addresses, transaction-related data, and user account information). This data is addressed below in two categories, **"Transaction Data"** (as defined below) and **"Business Contact Information"** (Your Business' data that can identify an individual or that is associated with the identity of an individual). For more information on the processing of personal data by SAP, please refer to the [SAP Business Network Privacy Statement](#). In the event of a conflict between this policy and the [SAP Cloud Data Processing Agreement](#), the [SAP Cloud Data Processing Agreement](#) will prevail.

Transaction Data Handling

SAP understands the sensitive nature of the transaction data Your Business may provide while using the SAP BN. **"Transaction Data"** may include information Your Business provides to SAP or Your Business' Trading Partners during the registration, cataloging, sourcing/negotiating, or ordering processes, or through any e-mail or other communication sent by Your Business to the SAP BN as well as other information that Your Business stores within the SAP BN (such as profile information). It may also include data of transactions sent by Your Business' Trading Partners to Your Business via the SAP BN or by Your Business to Your Business' Trading Partners via the SAP BN. Transaction data may include Business Contact Information addressed more specifically below. Your Business agrees that Your Business' Transaction Data will not include information regulated under the International Traffic in Arms Regulations (U.S. government regulations addressing defense-related articles and services).

If Your Business is a Seller who objects to submitting transaction data to Your Business' Trading Partners via the SAP BN, please contact the Trading Partner directly to investigate options (e.g.

submitting certain proprietary information outside of the SAP BN, using anonymous contact information, etc.).

Business Contact Information

When a representative of a Trading Partner creates a business account on the SAP BN, SAP asks for the name and contact information for a designated account administrator ("**Account Administrator**"). The Account Administrator's information will be used by SAP to contact the Trading Partner with notices, service offerings and for SAP Business Network administration purposes. The Account Administrator for Your Business is given primary control regarding the establishment and maintenance of user accounts and contacts within the SAP BN and may also grant permission for 'sub-users' to maintain contacts. By using the SAP BN, Your Account Administrator details (or Your Business' contacts if designated as "Companywide Assignments" or "Customer Specific Assignments") may be visible to other Users. Please review the documentation for the SAP BN for visibility options, notification options and role-based options that affect how a specific user or company contact's business contact information may be used or is visible within the SAP BN.

Your Business should not submit business contact information to the SAP BN that Your Business wishes to keep private. Individual contact information submitted to the SAP BN should not include private home contact information. Your Business agrees not to enter "Sensitive Personal Information" associated with individual persons into the SAP BN, or to send documents over the SAP BN containing such identifiers.

"**Sensitive Personal Information**" for the purposes of the SAP BN and this Policy, means (i) non-public government identification numbers or financial account numbers associated with individual persons (e.g. U.S. Social Security numbers, national insurance 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 [SAP Cloud Data Processing Agreement](#)).

Individual names and personal information associated with an individual is addressed below as "**Personal Information**".

Data Use By SAP

SAP will treat Your Business' Transaction Data as confidential information and will use it only to: facilitate operation of the SAP BN and related services; optimize and enhance Your Business' use of the SAP BN and its related services; match Your Business with other Trading Partners or prospective Trading Partners who may be interested in transacting with you on the SAP BN; generate insights, evaluations and certifications for Trading Partners on the SAP BN (e.g.,

sustainability scorecard); perform internal tracking and SAP BN improvement; analyze the extent to which Your Business uses the SAP BN (e.g., the volume and history); address security, fraud prevention and data integrity requirements; respond to requests of government authorities; perform aggregated and anonymous analytics; enable SAP or its affiliates to contact Your Business regarding the SAP BN and related services, as well as new services or pre-qualified offers from SAP, SAP SE, or affiliates of SAP under common control of SAP SE; and process Your Business' transactions through the SAP BN. SAP uses the business contact information Your Business provides for similar purposes, as more fully described in the [SAP Business Network Privacy Statement](#).

SAP Business Network Sourcing - In order to increase a Buyer's visibility to potential suppliers, SAP may systematically analyze certain sourcing activity of the Buyer in Sourcing and anonymously seek to match the Buyer with potential new suppliers or highlight suppliers that may be of interest to the Buyer. It is up to the Buyer to decide whether or not it wants to have contact with, or identify itself to, any potential new supplier. No personal information and only anonymous and high-level information about an opportunity will be exposed using these features.

SAP Business Network Discovery Service – a Public Site

The SAP Business Network Discovery Service (“**Discovery**”) is a public exchange of opportunities and capabilities, and the following special terms apply to Discovery:

- **Published RFQ and RFI Postings** - Since Discovery is based on a public model, RFQ and RFI Postings (including but not limited to title, description, territories, company name, commodities, project amount and all attachments) submitted by a Buyer may be forwarded by SAP to, or viewed by, any user of Discovery.
- **Seller Responses** - While the details of a buyer's RFQ or RFI Posting are public if posted on Discovery, the details of a Seller's response, including bid amount, will not be shared by SAP with users other than the buying organization. However, subject to a Buyer's preference, a Seller that has submitted a response may publicly be shown as having submitted a response.
- **Who Viewed Me Feature** - A Seller can view companies who have recently viewed the Seller's SAP profile using a search within Discovery or associated SAP BN services, or from a posting response. If a Buyer clicks on a Seller's profile from the "Supplier's Your Business May Like..." feature, the Buyer's industry may be provided to the Seller. If, while using the buyer-side features in Discovery, Your Business click on the company name of a Seller to view a Seller's public profile, Your Business consents to Your Business' name and/or industry being added to the "Who Viewed Me Feature" available to the Seller (Your Business individual identity will not be revealed in that feature). A Seller may click on a company name in the Who Viewed Me List to see the company's Buyer Profile.

Promoting Your Business Organization

Your Business may be given the opportunity to promote Your Business to other organizations. In addition, other users of the SAP BN may conduct a search on the SAP BN by using various criteria

(e.g. information in Your Business' profile) to find Your Business organization. In the interest of promoting Buyers and Sellers, SAP may supplement SAP Cloud Profiles with statistical data from SAP systems (such as the number of transacting relationships Your Business has, events the Seller has participated in, etc.) or by allowing others to provide feedback on Your Business' organization. If Your Business so chooses, Your Business will be able to opt out of disclosing certain types of this company-level information. SAP may also utilize certain fields of information in Your Business' SAP profile to promote Your Business' capabilities (e.g. seller industry, geographic location) as, for example, in the "Suppliers Your Business May Like" feature visible to Buyers.

Transaction Data and Third Parties

In using the SAP BN, Your Business understands that SAP will send Your Business' Transaction Data to Your Business' Trading Partners (or others that Your Business or Your Business' Trading Partners authorize) and SAP service providers in order to facilitate Your Business' transactions and the services associated with the SAP BN. Your Business's Trading Partner may access statistical reports on Your Business' trading history with that Trading Partner and determine whether Your Business is enabled with other trading organizations.

Trading Partner Analytics and Benchmarking

SAP may use Data to create anonymized and aggregated SAP Business Network Trading Partner insights ("Insights") for the development of new SAP products and services, identification of product usage and industry trends, and the creation of anonymous indices and benchmarking. Insights will be treated as SAP Cloud Materials and will be subject to the Data Processing Agreement. Insights will not identify Your Company or reveal Your Company's Data. These programs enable SAP to offer valuable reviews with customers demonstrating how that customer uses the SAP BN as compared to typical usage of other customers by industry, company size, region or other factors.

SAP's Commitment to Data Security

The SAP BN has been audited for compliance against a rigorous security standard (currently, the AT Section 101, Attest Engagements, of SSAEs (AICPA, Professional Standards, vol. 1) using the Trust Service principles and Criteria for Security, Availability, Processing Integrity, and Confidentiality and under the AICPA Service Organization Control ("SOC") reporting framework). General information on the American Institute of CPA's SOC reporting framework can be found at <http://www.aicpa.org/interestareas/frc/assuranceadvisoryservices/pages/users.aspx>.

SAP takes steps to appropriately safeguard credit card and remittance information using recommended industry encryption methods. SAP services are designed so that these categories of information can only be viewed from within the SAP BN. Your Business can further limit access to only those users who have a need to see such information.

Feedback

Your Business may at its sole discretion and option provide SAP with Feedback. In such instance, SAP, SAP SE and its Affiliates may in their sole discretion retain and freely use, incorporate or otherwise exploit such Feedback without restriction, compensation or attribution to the source of the Feedback. “**Feedback**” means input, comments or suggestions regarding SAP’s business and technology direction, and the possible creation, modification, correction, improvement or enhancement of the SAP BN.

Personal Information Handling and Privacy (the "SAP Privacy Statement")

The current [SAP Business Network Privacy Statement](#) is incorporated into this document and includes important terms regarding SAP's handling of Personal Information in the SAP BN.

Miscellaneous

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

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

Last amended:

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