

# SUPPLEMENTAL TERMS FOR MIRAKL PLATFORM



These terms govern Customer's access to and use of the Mirakl Platform and are made supplemental to the agreement between Mirakl and Customer (the "Agreement") governing Customer's access to and use of the Mirakl Cloud Services. All capitalized terms not defined herein shall have the meaning ascribed to them in the General Terms of Use or, if applicable, in an Order Form.

## 1. DEFINITIONS

Customer Platform means an online e-commerce platform operated by Customer for its own business needs through which Sellers can sell products and/or services to end-customers.

Mirakl Platform means any of the following Cloud Services:

- Mirakl Marketplace Platform (MMP);
- Mirakl Platform for Services (MPS);
- Mirakl Dropship Platform (MDP);
- Mirakl One Creditor (M1C); or
- Mirakl Catalog Manager (MCM).

Seller means a third-party individual or legal entity who may offer and sell products and/or services on the Customer Platform.

## 2. MIRAKL PLATFORM DESCRIPTION

The Mirakl Platform is a SaaS platform software that allows Customer to onboard, manage, and offer third-party products and services through Customer's own e-commerce website and under Customer's exclusive control.

Customer's relationship with all Authorized Users, including Sellers, is exclusively and solely between Customer and such party.

## 3. PAYMENTS

Customer shall be solely and exclusively accountable to Sellers and is responsible for all payments made to Sellers. In this regard, Customer shall ensure consistency between payments received from end-customers and payments made to Sellers based on the data available on the Cloud Services.

## 4. DISCLAIMER

MIRAKL EXPRESSLY EXCLUDES ANY AND ALL LIABILITY FOR ALL PRODUCTS AND/OR SERVICES MANAGED, OFFERED, AND/OR SOLD THROUGH THE MIRAKL PLATFORM.

## 5. MIRAKL DELIVERY MANAGER ADD-ON

Mirakl Delivery Manager enables Customer to activate the "Order status automation" feature. Customer hereby acknowledge and agrees that since tracking information provided by Mirakl Delivery Manager is provided by third-party carriers, Mirakl has no control whatsoever on such information; and therefore, disclaims any warranties with respect to the accuracy of such tracking information. Customer's use of, and reliance upon, such information, remains Customer's sole and exclusive responsibility.