

ServePath

SERVEPATH SAFE HARBOR PRIVACY POLICY

ServePath LLC (hereinafter the "Company") respects individual privacy and values the confidence of their customers, employees, consumers, business partners and others. The Company strives to collect, use and disclose personal information in a manner consistent with the laws of the countries in which they do business, and pride themselves on upholding the highest ethical standards in their business practices. This Safe Harbor Privacy Policy (the "Policy") sets forth the privacy principles that the Company follow with respect to personal information transferred from the European Union (EU) to the United States.

SAFE HARBOR

The United States Department of Commerce and the European Commission have agreed on a set of data protection principles and frequently asked questions (the "Safe Harbor Principles") to enable U.S. Companies to satisfy the requirement under European Union law that adequate protection be given to personal information transferred from the EU to the United States. The EEA also has recognized the U.S. Safe Harbor as providing adequate data protection (OJ L 45, 15.2.2001, p.47). Consistent with its commitment to protect personal privacy, The Company adheres to the Safe Harbor Principles.

SCOPE

This Safe Harbor Privacy Policy (the "Policy") applies to all personal information received by The Company in the United States from the European Economic Area, in any format including electronic, paper or verbal.

DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

"Agent" means any third party that collects or uses personal information under the instructions of, and solely for, the Company or to which the Company disclose personal information for use on their behalf.

"SP" means ServePath ::C a California based Company in the USA.

"Personal information" means any information or set of information that identifies or is used by or on behalf of the Company to identify an individual. Personal information does not include information that is encoded or anonymized, or publicly available information that has not been combined with non-public personal information.

"Sensitive personal information" means personal information that reveals race, ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs, or trade union membership, or that concerns an individual's health. In addition, the Company will treat as sensitive personal information any information received from a third party where that third party treats and identifies the information as sensitive.

"The Company" means ServePath LLC and their respective successors, subsidiaries, divisions and groups in the United States.

PRIVACY PRINCIPLES

The privacy principles in this Policy are based on the Safe Harbor Principles.

NOTICE: Where the Company collects personal information directly from individuals in the EU, it will inform them about the type of personal information collected, the purposes for which it collects and uses the personal information, and the types of non-agent third parties to which the Company discloses or may disclose that information, and the choices and means, if any, the Company offer individuals for limiting the use and disclosure of their personal information. Notice will be provided in clear and conspicuous language when individuals are first asked to provide personal information to the Company, or as soon as practicable thereafter, and in any event before the Company uses or discloses the information for a purpose other than that for which it was originally collected.

Where the Company receives personal information from their subsidiaries, affiliates or other entities in the EU, they will use and disclose such information in accordance with the notices provided by such entities and the choices made by the individuals to whom such personal information relates.

CHOICE: The Company will offer individuals the opportunity to choose (opt-out) whether their personal information is (a) to be disclosed to a non-agent third party, or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

For sensitive personal information, the Company will give individuals the opportunity to affirmatively and explicitly (opt-in) consent to the disclosure of the information to a non-agent third party or the use of the information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

The Company will provide individuals with reasonable mechanisms to exercise their choices.

DATA INTEGRITY: The Company will use personal information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. The Company will take reasonable steps to ensure that personal information is relevant to its intended use, accurate, complete, and current.

TRANSFERS TO AGENTS: The Company will obtain assurances from their agents that they will safeguard personal information consistently with this Policy. Examples of appropriate assurances that may be provided by agents include: a contract obligating the agent to provide at least the same level of protection as is required by the relevant Safe Harbor Principles, being subject to EU Directive 95/46/EC (the EU Data Protection Directive), Safe Harbor certification by the agent, or being subject to another European Commission adequacy finding. Where the Company become aware that an agent is using or disclosing personal information in a manner contrary to this Policy, the Company will take reasonable steps to prevent or stop the use or disclosure.

ACCESS AND CORRECTION: Upon request, the Company will grant individuals reasonable access to personal information that it holds about them. In addition, the Company will take reasonable steps to permit individuals to correct, amend, or delete information that is demonstrated to be inaccurate or incomplete.

SECURITY: The Company will take reasonable precautions to protect personal information in its possession from loss, misuse and unauthorized access, disclosure, alteration and destruction.

ENFORCEMENT: The Company will conduct compliance audits of its relevant privacy practices to verify adherence to this Policy. Any employee that the Company determines is in violation of this policy will be subject to disciplinary action up to and including termination of employment.

DISPUTE RESOLUTION: Any questions or concerns regarding the use or disclosure of personal information should be directed to the Company's Privacy Office at the address given below. The Company will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with the principles contained in this Policy. For complaints that cannot be resolved between the Company and the complainant, the Company have agreed to participate in the dispute resolution procedures of the panel established by the European data protection authorities to resolve disputes pursuant to the Safe Harbor Principles.

LIMITATION ON APPLICATION OF PRINCIPLES

Adherence by the Company to these Safe Harbor Principles may be limited (a) to the extent required to respond to a legal or ethical obligation; and (b) to the extent expressly permitted by an applicable law, rule or regulation.

CONTACT INFORMATION

Questions or comments regarding this Policy should be submitted to the following person by mail as follows:

ServePath LLC
Legal Department
360 Spear St Suite 200
San Francisco, California
Telephone: 415-869-7000
E-mail Address: info@ServePath.com

CHANGES TO THIS SAFE HARBOR PRIVACY POLICY

This Policy may be amended from time to time, consistent with the requirements of the Safe Harbor Principles. A notice will be posted on the Company's web page www.ServePath.com.

EFFECTIVE DATE: November 1st, 2004