

GLOBAL B2C E-COMMERCE TRENDS REPORT 2013

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Global B2C E-Commerce Trends Report 2013

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Global B2C E-Commerce Trends Report 2013

Key Findings

Study on global B2C E-Commerce trends sees more personalization and increased use of mobile devices

A newly released study by the Hamburg based secondary research company yStats points to trends expected to affect the B2C E-Commerce market in the coming years. Online shopping is likely to become more personalized, with retailers customizing their services and integrating online sales channels such as websites and social networks on any device that will connect to the Internet. M-Commerce is expected to play an ever larger role in the future, with over half a billion customers following the trend to shop via mobile devices by 2016. Moreover, throughout the world, online shoppers are forecasted to increasingly prefer to pay online when buying over the Internet, causing the online and mobile payment markets to grow strongly, especially in Asia.

Worldwide B2C E-Commerce growth will be led by large increases in the Asia-Pacific region

As current trends continue, Asia-Pacific is expected to overtake North America as the region with the highest B2C E-Commerce sales in 2013 and to account for over a third of global B2C E-Commerce revenues. By 2016, the Asia-Pacific region's share is likely to increase further, while the North America and Western Europe shares of world total B2C E-Commerce are expected to steadily erode. Still, in 2013 USA is projected to remain by far the largest B2C E-Commerce market worldwide. One of the major trends there is expected to be growth of M-Commerce, reflected in triple-digit growth rates of mobile payments in the years to 2016. The Asia-Pacific region's growth is expected to be led by China, with the number of online shoppers there projected to reach almost 2.5 times the number in the USA by 2016. M-Commerce is gaining popularity in China as well, with mobile sales on total B2C E-Commerce sales projected to triple by 2015. The online sales of luxury goods such as health and beauty products, apparel and watches has led the recent surge in B2C E-Commerce in China. New delivery systems and payment methods are being implemented in that country as well, helping to tap into the great potential for online commerce.

Intense growth foreseen in other nations

The other BRIC countries, Brazil, Russia and India, are also projected to see their B2C E-Commerce markets boom in the coming years. In India B2C E-Commerce is expected to see intense growth as soon as the payment environment is improved, since the current cash-on-delivery method of payment is seen as a hindrance to growth. The growth of Russian B2C E-Commerce is driven by the increasing Internet audience, already the largest in Europe, and increased online sales are anticipated as the challenge of product fulfillment is overcome. In Brazil online shopping benefits from growing mobile Internet penetration and social commerce. In Mexico B2C E-Commerce is forecasted to grow at double-digit rates in the years to 2015, with online travel sales leading the market. Another emerging B2C E-Commerce market is Africa. Growing smartphone penetration, especially in South Africa, is expected to boost M-Commerce and mobile payment markets on the continent.

Another trend influencing worldwide growth in online sales is the concept of group buying. In the Middle East particularly, group buying and daily deals websites have boosted B2C E-Commerce. Sales of Groupon in one nation in the region were so strong last year that the vendor could not keep up with the demand.

Growth expected in travel and gaming sectors

Among other trends highlighted in the yStats report, social media are forecasted to play an increasing role in the travel segment of the global B2C E-Commerce market, by helping customers research information for a trip. Moreover, the demand for travel arrangements adjusted for use on smartphones is likely to grow. Another market segment, online gambling, is expected to undergo a change in the years to 2015, with sports betting losing some of its share to lottery and casino.





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Samples

SAMPLE OUTPUT: STATISTIC

RESEARCH ON INTERNATIONAL MARKETS
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International Trends Sales Shares Products **Users / Shoppers** Players

The number of mobile Internet users in Japan is estimated to increase to 93 million in 2016, up from 66 million in 2012.

Japan: Mobile Internet Users, in millions and in % of Country Population, 2010-2016f

Year	Number of Mobile Internet Users (millions)	Percentage of Country Population
2010	55	44%
2011	60	47%
2012f	66	52%
2013f	74	58%
2014f	80	63%
2015f	87	69%
2016f	93	74%

Definition: mobile phone users of any age, who access the Internet from a mobile browser or an installed application at least once per month; excludes SMS, MMS, IM
Source: to be mentioned in the report

SAMPLE OUTPUT: COMPANY PROFILE

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International Trends Sales Shares Products Users / Shoppers **Players**

In Q3 2012, multi-channel mass merchant Magazine Luiza generated 12% of its total revenues through online sales.

Brazil: Profile of Magazine Luiza

Name of Company	Magazine Luiza S.A.
Headquarters	Franca, Sao Paulo, Brazil
Major Online Shop	www.magazineluiza.com.br
Company Type	Multi-Channel Retailer
Product Range	Mass Merchant
Financial Data	<ul style="list-style-type: none"> Consolidated gross revenues of BRL 2.2 billion in Q3 2012, up by +16.2% from Q3 2011 Online sales of BRL 269 million in Q3 2012, up by +25.5% from Q3 2011
E-Commerce related News	<ul style="list-style-type: none"> Magazine Luiza launched its improved online shop in November 2012, which aims at ensuring customer responsiveness through close contact. On the new website, product categories are organized by color and stores. Furthermore, customers receive recommendations based on their browsing and purchasing behavior. The new website also features higher browser and mobile device compatibility and claims to be faster than any other E-Commerce site in Brazil. In November 2012, Magazine Luiza diversified its online offering by opening a virtual forest. Besides buying flowers for specific categories such as birthdays and apologies, customers can order additions such as chocolates and books to go with the flowers. In Q3 2012, online sales accounted for 12% of total revenues of Magazine Luiza.

Source: to be mentioned in the report

SAMPLE OUTPUT: RANKING

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International Trends Sales Shares Products **Users / Shoppers** Players

Morocco (49%) was the African country with the highest Internet penetration in December 2011, followed by the Seychelles and Tunisia.

Africa: Top Internet Countries, Rank 1-10, by Internet Penetration, in % of Population, December 2011

Country	Internet Penetration (% of Population)
Morocco	49.0%
Seychelles	38.0%
Tunisia	36.3%
Reunion (FR)	35.0%
Nigeria	29.0%
Cape Verde	28.8%
Egypt	26.4%
Kenya	25.5%
Mauritius	24.8%
Sao Tome & Principe	17.3%

Source: to be mentioned in the report

SAMPLE OUTPUT: TRENDS

RESEARCH ON INTERNATIONAL MARKETS
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International Trends **Sales** Shares Products Users / Shoppers Players

French online travel revenue (+16%) grew stronger between January and September 2011 than French B2C E-Commerce revenue (+12%).

France: Online Travel Trends, 2011

- Between January and September 2011, **online travel revenue** in France increased by +16%, which is a stronger growth than that of B2C E-Commerce as a whole (+12%). Growth in French online travel was mainly driven by Voyages-ancf.com, as reported by I. Esche: Tourislog.
- In Q1 2011, travel sales had increased by +12% and +20% in Q2, followed by a growth of +15% in Q3 2011, despite the financial crisis and the Arab Spring. In total 2011, **online travel sales** in France amounted to EUR 12 billion, up from EUR 10.7 billion in 2010.
- The **Internet** was very popular among French travelers in 2011. 59% of them gather information online before booking a trip. 56% of French travelers bought travel services online, while 22% exclusively purchased their travel services online, according to Fevad.
- The average **travel-related online shopping basket** was EUR 291 in France, three times higher than the average E-Commerce basket in the country.
- 35% of French online travel shoppers bought train tickets and 23% booked tickets for other transportation services. A further 31% also made online reservations for hotels and other accommodations, while 20% used the Internet to find rental services.
- Furthermore, "Travel and Holiday Accommodation" was the leading sector in **French B2C E-Commerce** in 2011, reaching higher sales than the next four top sectors combined.
- After Malaysia, France was the market with the second highest **growth in reach of airlines category**, reaching 12.2% growth in February 2011.

Source: to be mentioned in the report



Global B2C E-Commerce Trends Report 2013

Methodology

General Methodology of our Market Reports:

- The reports include the results of secondary market research: By using various sources we ensure maximum objectivity for all obtained data. As a result companies get a precise and unbiased impression of the market situation.
- Cross referencing of data was conducted in order to ensure validity and reliability.
- The reports contain a Management Summary, summarizing the main information provided in each chapter.
- Besides providing information on the specific topic, every chart contains an Action Title, which summarizes the main statement of the chart and a Sub Title, which gives information about the country, the topic, the unit or currency, and the time period the data on the chart refers to.
- Furthermore, the source of information and its release date are provided on every chart. It is possible that the information included in one chart is derived from several sources. Then, all sources are mentioned on the chart.
- If available, additional information about the data collection, for example the time of survey and number of people asked, is provided in the form of a note. In some cases, the note (also) contains additional information needed to fully understand the contents of the respective data.
- When providing information about amounts of money, local currencies were mostly used. When referencing them in the Action Title, the EUR values are also provided in brackets. The conversions are always made using the average currency exchange rate for the respective time period. Should the currency figure be in the future, the average exchange rate of the past 12 months is used.
- The reports include mainly data from the last 12 months. The exact publication dates are mentioned in every chart.

Methodology for our B2C E-Commerce Market Reports:

- The reports cover the B2C E-Commerce market. They take into account a wide definition of B2C E-Commerce, and might include mobile commerce and social commerce. B2B E-Commerce and C2C E-Commerce are not included, unless stated otherwise.
- In a country report, major trends in the B2C E-Commerce market, sales figures, shares of B2C E-Commerce sales on the total retail market, main B2C E-Commerce product categories, and relevant information about Internet users and online shoppers were included. Furthermore, major players in the B2C E-Commerce market were identified and presented. Players include Internet pure players and multi-channel retailers also selling their products online.
- The reports start with an international comparison, where the relevant country is compared to other countries worldwide in terms of Internet users, Internet shoppers and B2C E-Commerce sales.
- The trend section includes trends about the B2C E-Commerce market. Mainly, it contains qualitative information about Internet and B2C E-Commerce market, but also about related topics such as Online Payment, Online Travel, E-Commerce Delivery, etc. The information included in this chapter allows the reader to identify future trends.
- The section "sales" includes the development of B2C E-Commerce sales in the relevant country. If available, we included different sales developments from different sources in order to ensure maximum objectivity. In the "sales" section, special attention is paid to the topic of definitions. If the original source of a statistic on B2C E-Commerce sales also mentioned a definition (for example on the included product/service categories), we included it as well.
- In the shares section, the report shows the share of B2C E-Commerce on the total retail market. Often, this information is calculated using different sources.
- Afterwards, a product section shows the leading product (and service) categories among consumers in the relevant country. The product/service categories included might differ from country to country, due to different definitions. For example, some of these statistics might include travel, while it could be excluded in other statistics.
- In the users / shoppers section, we included a review of the development of the Internet users in the relevant country, as well as the development of Internet shoppers. Furthermore, more in-depth information about users and shoppers is included, such as for example breakdowns by age or gender. The definition of the user / shopper base (for example regarding age and frequency of usage) might differ across countries.
- The player section includes information about the leading B2C E-Commerce players. Besides overview charts with names of the leading players (and further information), player profiles are included. In the player profiles, name of company, headquarters, major online shop, company type, product range, B2C E-Commerce sales (if available), and E-Commerce news were listed. In certain cases, fast-growing B2C E-Commerce players are also included.





Global B2C E-Commerce Trends Report 2013

Frequently Asked Questions

WHAT IS THE TARGET AUDIENCE FOR THE MARKET REPORTS?

The target group of our B2C E-Commerce reports are decision makers in top-management, for example from the departments E-Commerce, Business Development, Strategy, Marketing, etc. from large corporations worldwide.

WHAT TYPE OF RESEARCHERS ARE FINDING THE INFORMATION FOR OUR MARKET REPORTS?

yStats.com employs multilingual researchers that research and filter all sources and translate the relevant information into English. This ensures that the content of the original sources is correctly interpreted.

WHERE CAN I SEE WHAT KIND OF INFORMATION IS INCLUDED IN THE MARKET REPORTS?

For every market report, a detailed Table of Contents is available, clearly stating what information is included. All Table of Contents can be found on our homepage and in the product brochures of the market reports.

HOW DO I ORDER A MARKET REPORT?

If you would like to order, please fill out the report order form for the market report included in the relevant product brochure. Afterwards, please sign it and send it back to us by fax or by e-mail.

HOW LONG DOES IT TAKE ME TO GAIN ACCESS TO THE REPORT?

In general, potential clients gain access to the report within a few hours after sending out the report order form.

HOW CAN I PAY FOR THE MARKET REPORT?

An invoice issued by yStats.com can be paid either by bank transfer or by PayPal. Bank transfer usually takes a few working days, while with PayPal, the money is transferred immediately.

IS IT POSSIBLE TO PURCHASE ONLY SELECTED PARTS FROM A MARKET REPORT?

In general, the market reports are only sold as a whole. However, if you are only interested in parts of the report, please contact us.

HOW MANY EMPLOYEES OF MY COMPANY HAVE ACCESS TO THE REPORTS?

We offer different licensing options. Single User Licenses mean that only one user from an organization can access the report. A Site License, allowing all users within a given geographical location to access the report, is available for double the price. Global Site Licenses, allowing access to all worldwide users of an organization, are available for triple the price.

DO YOU OFFER AN ANNUAL SUBSCRIPTION OF THE MARKET REPORTS?

Yes. Our product "Full Access Global E-Commerce Reports" gives customers access to all our E-Commerce market reports. Furthermore, access to all the market reports we publish during the subscription period is guaranteed.

WHAT SOURCES ARE USED FOR THE MARKET REPORTS?

The reports are all based on reliable sources including national and international statistical offices, industry and trade associations, business reports, business and company databases, journals, company registries, news portals and many other sources.

WHAT TYPE OF ANALYSTS ARE WRITING THE MARKET REPORTS?

After the information is researched, it is further analyzed by our international team of research analysts. These analysts have a long experience in the field of E-Commerce research, and they understand the specifications of the market.

IS THE INFORMATION IN THE MARKET REPORTS COMPARABLE FROM COUNTRY TO COUNTRY?

Due to the fact that the information included in the market reports is derived from different sources, some information is not comparable across countries. Different sources mostly have different definitions.

IN WHAT FORMAT ARE THE MARKET REPORTS DELIVERED?

The market reports are delivered in PowerPoint and PDF format. If a different format is needed, please contact us before the purchase. It would also be possible to order printed versions of the reports for a slightly higher price.

IS THE REPORT SENT TO ME BY E-MAIL?

In general, we provide customers with access to our website. After logging in, the customer can download the report as PowerPoint and PDF files.

DO I HAVE TO PAY TAX IF I PURCHASE A REPORT?

Customers from Germany have to pay an additional tax rate of 19%. Customers from the European Union (EU) do not have to pay tax if they enter a valid VAT Identification Number into the report order form. Customers from non-EU countries do not have to pay tax. Moreover, tax has to be paid for all private purchases from the EU.

REGARDING THE TIMING, WHEN WILL AN UPDATE OF A MARKET REPORT BE PUBLISHED?

In general, the market reports are published on a yearly basis. For further information, please take a look at the report overview, which includes a list of the reports we plan to publish in 2013. If you would like to be informed as soon as the update is published, please inform us.

I HAVE A RESEARCH REQUEST THAT CANNOT BE ANSWERED THROUGH THE MARKET REPORTS. ARE THERE ANY FURTHER PRODUCTS?

If you require further information, we also offer „Customized Research“ on all sectors and countries worldwide. After a detailed briefing, we conduct pre-research and provide potential customers with an offer.

DO YOU OFFER DISCOUNTS?

Yes. "Report Bundle" offers 5 reports of your choice for only EUR 8,900. This means that you can save more than 50%. Furthermore, another option offers a discount of 5% if the customer buys 1 report, and 20% if the customer buys 2 reports. If 3 reports are purchased, a discount of 30% is offered.



Global B2C E-Commerce Trends Report 2013

Selected Reports

Report	Publication Date	Price (excl. VAT)*
Global B2C E-Commerce Market Report 2013	March 2013	€ 5,450
Latin America B2C E-Commerce Report 2012	December 2012	€ 3,450
Europe B2C E-Commerce Report 2012	December 2012	€ 3,950
Asia B2C E-Commerce Report 2013	February 2013	€ 4,450
Middle East Internet & B2C E-Commerce Report 2012	June 2012	€ 2,765
Africa Internet & B2C E-Commerce Report 2012	May 2012	€ 2,415
Global Online Payment Methods 2012	August 2012	€ 4,450
Global Mobile Payment Methods 2012	October 2012	€ 3,450
Global Mobile and M-Commerce Report 2012	November 2012	€ 3,950
Global Online Travel Report 2012	March 2012	€ 2,765

* Single User License

Selected References

Internet, Retail, Consulting, Finance and Other Companies

Internet Companies:

- Google
- Amazon
- eBay
- Avira
- Skype
- Digital River
- First Data
- Citrix Online
- Wirecard
- 1 & 1
- Skrill / Moneybookers
- Deutsche Telekom
- CyberSource
- bwin Interactive Entertainment
- Brightcove

Retail Companies:

- OTTO Group
- Costco
- Tchibo direct
- Diesel

Consulting Companies:

- Deloitte
- Boston Consulting Group
- Accenture
- Bain & Company

Finance Companies:

- Credit Suisse
- Morgan Stanley
- Bank of America Merrill Lynch
- Goldman Sachs
- Citigroup
- Oppenheimer & Co.

Other Companies:




- BASF
- Red Bull
- Lego
- Beiersdorf
- Xerox



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Report Order Form

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1) Site Licenses, allowing all users within a given geographical location of an organization to access the report, are available for double the price.
2) Global Site Licenses, allowing all worldwide users of an organization to access the report, are available for triple the price.



Global B2C E-Commerce Trends Report 2013

Terms and Conditions

- 1. SCOPE**
 - 1.1** The following terms and conditions apply to our entire contract (the "Contract") between yStats.com GmbH & Co. KG (hereinafter also referred to as "we" or "us") with our customers regarding (i) research services, (ii) the purchase of reports, and (iii) any other contracts between us and our customers executed by reference to these terms and conditions (any reports and other services and products which we may make available to the customer under a Contract hereinafter the "Products").
 - 1.2** Any terms and conditions of our customers are hereby expressly rejected. Agreements contrary to these terms and conditions require our written confirmation. In case of deviations between these terms and conditions and the contents of the Order Forms, the contents of the Order Form shall prevail.
- 2. OFFERS, ORDERS**
 - 2.1** With respect to research services, we usually submit an offer to the customer in the form of a "Research Order Form" accompanied with a proposal stating the nature of the issue to be researched, the services to be rendered, the time required for the study and the fee due.
 - 2.2** With respect to the purchase of reports, we usually submit an offer to the customer in the form of a "Report Order Form" accompanied with product brochure stating the contents of the report and the fee due. In this respect, our customers may choose between two types of Products, namely (i) our Product "Market Reports" and (ii) our Product "Full Access Global E-Commerce Reports".
 - 2.3** If a customer orders our Product "Market Reports", the customer gets access to the ordered report as identified in the Report Order Form and the customer may use that report in accordance with Section 4.3 below and the other provisions of the Contract.
 - 2.4** If a customer orders our Product "Full Access Global E-Commerce Reports", the customer gets access to any standard reports (for the avoidance of doubt excluding reports published in connection with any research services) focussed on the "Internet & E-Commerce" industry as generally published by us during the twelve (12) months prior to the execution of the Contract and during the subscription term as identified in the "Report Order Form" as of the date of the execution of the Contract (i.e. one, two or three years), and the customer may use those reports as a "Global Site License" in accordance with Section 4.3 below and the other provisions of the Contract.
 - 2.5** Unless expressly agreed otherwise in writing, the contents of our offers may not be made available in whole or in part to any third party outside the organization of the customer without our prior written consent.
 - 2.6** Our offers are not binding and subject to change without notice until acceptance by the customer. Our orders will become legally binding upon acceptance by the customer. A valid acceptance requires the execution of our "Research Order Form" or our "Report Order Form" respectively (each such document hereinafter the "Order Form") by a duly authorized representative of the customer and the submission of the Order Form to us via facsimile or email with pdf-attachment. We will provide the customer with the access data required to access the ordered Product(s) with two (2) days as of the execution of the Contract.
- 3. TERMS OF PAYMENT**
 - 3.1** The contractually negotiated prices are to be derived exclusively from the Order Form and/or the documents referenced therein.
 - 3.2** All prices are net and without transportation costs, if applicable. Value Added Tax, if applicable, at the statutory rate shall be added to all fees payable hereunder.
 - 3.3** We may demand an additional fee for services that go beyond the scope as agreed under the Order Form in case such additional Products are requested by the customer.
 - 3.4** We will send our invoice to the customer upon execution of the Contract, unless agreed otherwise in the Order Form. In the event that the customer orders our Product "Full Access Global E-Commerce Reports", we will send our invoice for the first contract year upon execution of the Contract and the invoice(s) for any subsequent contract year(s), if any, upon commencement of any subsequent contract year.
 - 3.5** All payments shall be due and payable within thirty (30) days following the date of our invoice without any deductions. The customer will be in default one day after the expiry date without any further warning notice being required.
 - 3.6** All customers' rights of retention or set-off are hereby excluded to the extent that they are not based on the same contractual relationship. Retentions or set-offs are allowed only if the customer's claim is undisputed or has become unappealable.
 - 3.7** In the event of a customer's default in payment or other apparent credit unworthiness, all remaining claims against that customer shall become immediately due and payable in full. We shall then be entitled to rescind payment terms previously agreed upon and to demand payment in advance or other appropriate security with respect to pending deliveries. A customer shall be deemed unworthy of credit in particular when he files a petition in bankruptcy or composition proceedings.
- 4. INTELLECTUAL PROPERTY RIGHTS AND INDEMNITIES**
 - 4.1** All copyrights and other intellectual property rights in connection with our Products remain with us. All data carriers remain our property. The customer may not modify, publish, transmit, transfer or sell, reproduce, create derivative works from, distribute, perform, display, or in any way exploit any of the Products made available by us, in whole or in part, except as expressly permitted under the Contract.
 - 4.2** Upon delivery of the Products to the customer and payment of the agreed fee, the customer obtains a non-exclusive, non-transferable, perpetual, worldwide right to use the Products provided to the customer for its internal purposes or any additional purposes set out in the Order Form. A right to resell our Products requires our prior written approval.
 - 4.3** In the event that the parties agree on a "Single User License" under the Order Form, this means that only one individually named user of an organization shall be entitled to access the report. In the event that the parties agree on a "Site License" under the Order Form, this means that all users within a given geographical location (as specified in the Order Form) of an organization shall be entitled to access the report. In the event that the parties agree on a "Global Site License", this means that all worldwide users of an organization shall be entitled to access the report. In both cases, the term "organization" refers to the company of the specific customer only and excludes any third parties including affiliates.
- 4.4** We must expressly be named as the author of any data the customer processes further as contractually negotiated.
- 5. TECHNICAL INFORMATION**
 - 5.1** We shall provide our Products in standardized data formats.
 - 5.2** The customer must ensure that he has the corresponding technical resources to make use of these data. The customer may not derive any claims in this connection on grounds of breach of obligation.
- 6. DEFECTS AS TO QUALITY**
 - 6.1** No claims for defects as to quality are triggered by insignificant discrepancies between our products and services and the warranted quality or fitness for use.
 - 6.2** Likewise, no claims for defects as to quality may be derived from entrepreneurial risks – e.g., with regard to questions of entrepreneurial discretion, an erroneous assessment of the market situation or the failure to recognize a business action's merit.
 - 6.3** Defect-based claims are further excluded in cases of excessive or improper use or in connection with damages caused by extraordinary conditions not reflected in the Order Form. This is also true in cases of subsequent changes made by the customers or third parties unless such changes do not affect the analysis and removal of a given defect.
 - 6.4** Claims for defects as to quality expire within one year from the commencement of the legal statute of limitation. This limitation does not apply to the extent that applicable law stipulates a longer period in cases of intentional or grossly negligent breaches of duty on the part of us, fraudulent concealment of a defect and injuries to life, body and health.
- 6.5** Claims for damages and the reimbursement of expenditures are further subject to Section 8.
- 7. LEGAL DEFECTS**
 - 7.1** We are liable for products and services infringing on third-party rights only if and to the extent that our products and services are used in accordance with the agreed contractual requirements.
 - 7.2** Unless agreed otherwise, our liability for the infringement on third-party rights is limited to the territory of the European Union and the European Economic Area as well as the place of its services' proper use as agreed under the applicable Order.
 - 7.3** In the event that a third party asserts claims against the customer, alleging that a service performed by us violates its rights, the customer shall promptly notify us. If a service rendered by us violates thirdparty rights, we shall choose one of the below actions, duly taking into consideration the customer's interests:
 - a) procuring for the customer the right to use the service;
 - b) revising the service to render it free of legal violations; or
 - c) withdrawing the service and refunding to the customer any related compensation paid, as adjusted by an adequate user fee, if we cannot effect another remedy at a reasonable expense.
 - 7.4** Upon our request, the Customer shall assist us with the defense against claims according to this section 7, with us reimbursing the Customer for any expenditures and costs incurred as a result, although each of the Parties bears the costs of the use of its own personnel.
 - 7.5** Claims the Customer may hold for legal defects expire in accordance with Section 6.4.
 - 7.6** Claims for damages and the reimbursement of expenditures are further subject to Section 8.
- 8. LIABILITY**
 - 8.1** In cases of intentional misconduct and gross negligence, we are fully liable pursuant to applicable law.
 - 8.2** Our liability in cases of simple negligence is limited as follows: we are liable only if and to the extent that we violated a material contractual obligation (cardinal obligation) – i.e., an obligation that (i) the Customer reasonably relied upon at execution of the applicable Order Form and (ii) was of critical significance to the outcome of performance. As regards property damage and financial loss, such liability is limited to typical and foreseeable damages; in no event will we be liable for any incidental, special, punitive or consequential damages, loss of profits or loss of data in such case.
 - 8.3** Our liability for damages under warranties (Beschaffenheitsgarantien) is limited to instances in which the warranty expressly includes such liability.
 - 8.4** Claims for the reimbursement of expenditures and other liability claims asserted by the Customer against us are subject to sections 8.1 through 8.3.
- 9. CONFIDENTIALITY**
 - 9.1** The Parties shall hold in strict confidence for an indefinite period of time all data and information materials of which they gain knowledge as part of a Contract, be it orally, in writing or otherwise, directly or indirectly, provided that such data or information materials are designated confidential or must be considered confidential based on their nature, and shall use them exclusively as part of the services covered by the relevant Order. This duty of confidentiality excludes data and information materials that:
 - a) were already known or accessible to any third party at the time of disclosure;
 - b) one of the parties legitimately receives from a third party following disclosure, and such third party is not bound by a duty of confidentiality in relations with the other Party;
 - c) must be disclosed by order of and to a government agency or another competent third party; and
 - d) must be disclosed to legal or tax advisors of the contractual customer in question for consulting purposes.
 In the cases of Sections c) and d), the parties shall (i) promptly inform each other about a given request and prior to disclosing confidential information, and (ii) limit the disclosure of confidential information to the minimum required.
 - 9.2** We may use the Customer as a reference so long as no contractual details are divulged.
- 10. JURISDICTION, GOVERNING LAW, MISCELLANEOUS**
 - 10.1** Place of payment is Hamburg, Germany.
 - 10.2** All disputes arising from or in connection with any Contract between the parties shall be resolved through the courts of Hamburg. Governing law is German law.