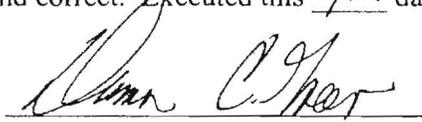


## **EXHIBIT A**



not received any documents or information from Onyx to renew its self-certification.  
Onyx is still in "not current" status on the Commerce website.

I declare under penalty of perjury under the Laws of the United States of America that  
the foregoing is true and correct. Executed this 9~~th~~ day of June, 2009, in Washington, D.C.

A handwritten signature in black ink, appearing to read "Damon C. Greer", is written over a horizontal line.

Damon C. Greer  
Associate Director for Electronic Commerce  
Office of Technology and Electronic Commerce  
U.S. Department of Commerce

**EXHIBIT B**



|                      |
|----------------------|
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## ONYX Graphics, Inc. Legal, Online Privacy and Security statements

ONYX Graphics, Inc. understands that you may have concerns with how information we obtain about you is used and shared, as well as the security of this information. We would like to assure you that we will use any information you provide us with care. Because we gather certain types of information about the users on the ONYX Graphics, Inc. website, we feel you should fully understand the terms and conditions surrounding our acquisition and use of that information. ONYX Graphics, Inc. is committed to protecting your privacy on our website and has created this privacy statement in order to demonstrate our firm commitment. The following information describes our information gathering process, how we use the information, and what we do to secure it.

### Copyright

All Web site materials, including, without limitation, the ONYX logo, design, text, graphics, other files, and the selection and arrangement thereof are ALL RIGHTS RESERVED Copyright © ONYX Graphics, Inc. You may electronically copy and print to hard copy portions of this Web site for the sole purpose of using materials it contains for informational and non-commercial personal use only. Any other use of the materials in this Web site-including any commercial use, reproduction for purposes other than described above, modification, distribution, republication, display, or performance-without the prior written permission of ONYX Graphics, Inc. is strictly prohibited.

### Logos, Trademarks and Registered Trademarks

ONYX and specific ONYX Graphics, Inc. products referenced herein, are trademarks of ONYX Graphics, Inc. and may be registered in certain jurisdictions. Other product names, company names, marks, logos, and symbols referenced herein may be the trademarks or registered trademarks of their respective owners.

### Information Automatically Logged

We use your IP address to help diagnose problems with our server and to administer our Web site.

### Use of Cookies

A cookie is a file fed to your computer when you visit a certain website. Should you return to the same site, the cookie allows the website to identify you as a return visitor. The ONYX Graphics, Inc. website uses cookies to save your password so you don't have to re-enter it each time you visit our site (where applicable). We also use cookies to track traffic to our website and for a variety of useful Internet applications. While you can disable cookies in your browser, we recommend that you leave them turned on to best experience our website and much of the Internet.

### Your Information

Our site's registration form requires you to provide us with your contact information (such as your name, email, and postal address), and demographic information (such as your zip code, age, or income level). The contact information we obtain from order forms is used to ship purchases and to get in touch with you when necessary. You may opt-out of receiving future mailings - see the [choose/opt-out](#) section below. Financial information that is collected is used to bill the user for products and services.

Please note that we do not sell bills, and we do not provide your information to third parties.

### External Links

This site contains links to other sites. ONYX Graphics, Inc. is not responsible for the privacy practices or the content of such Web sites.

### Choice/Opt-Out

Our site provides you the opportunity to opt-out of receiving promotional/marketing information from us.

### Data Quality/Access

This site gives you the following options for changing and modifying information you previously provided:

- You can send mail to the following postal address: [webmaster@onyxgfx.com](mailto:webmaster@onyxgfx.com)
- You can call the following telephone number: 801-568-9900 and ask to speak to the Web Master.

### Contacting the Web Site

If you have any questions about this privacy statement, the practices of this site, or your dealings with this Web site, you can contact: [webmaster@onyxgfx.com](mailto:webmaster@onyxgfx.com) in a reasonable time frame, customers can contact the Federal Trade Commission at [www.ftc.gov/fc/complaint.htm](http://www.ftc.gov/fc/complaint.htm), or via phone at 202-382-4357.

### Safe Harbor Certified

ONYX is Safe Harbor Certified. For ONYX Safe Harbor Agreement, [click here](#). For more information on being Safe Harbor Compliant, [click here](#).

### Contacting the Web Site

If you have any questions about this privacy statement, the practices of this site, or your dealings with this Web site, you can contact [webmaster@onyxgfx.com](mailto:webmaster@onyxgfx.com).

## **EXHIBIT C**

Onyx Safe Harbor Statement - Rev C (Final Sep 1 2006-Corrected Aug 3, 2007)

### **Introduction**

Onyx Graphics, Inc. is strongly committed to protecting the privacy of those who entrust us with their personal information. Our customers and workers have certain expectations and trust in relation to the way we protect their personal information. We are pleased to provide you with this information to inform you of the Onyx' practices with respect to the collection and use of personal information received from the European Economic Area (EEA) and the transfer of such information from countries in the EEA to the United States.

Onyx has self-certified its privacy practices as consistent with U.S.-E.U. Safe Harbor principles as published by the US Department of Commerce (the "Principles"). These include: Notice, Choice, Onward Transfer, Access and Accuracy, Security, and Oversight/Enforcement. More information about the U.S. Department of Commerce Safe Harbor Program can be found at <http://www.export.gov/safeharbor/>.

### **Personal Data**

This statement applies to all personal information we handle (except as noted below), including on-line, off-line, and manually processed data. For purposes of this statement, "personal information" means information that:

- is transferred from the EU to the United States;
- is recorded in any form;
- is about, or pertains to, a specific individual; and
- can be linked to that individual.

It does not include information that pertains to a specific individual, but from which that individual could not reasonably be identified. This is known as "aggregate data" and is not tied to a specific individual.

### **Principles Protecting Individuals' Privacy**

#### *Notice and Choice*

In accordance with Safe Harbor principles, we may process personal information in the course of providing professional services to our customers without the knowledge of individuals involved. Where we collect personal information directly from individuals in the E.U., we inform them about the types of personal information we collect from them, the purposes for which we collect and use it, and the types of non-agent third parties to which we disclose that information. We also inform those individuals about the choices and means, if any, we offer individuals for limiting the use or disclosure of their information.

#### *Disclosures and Transfers*

ONYX will not disclose an individual's personal information to third parties, except when one or more of the following conditions is true:

- We have the individual's permission to make the disclosure;
- The disclosure is required by law or professional standards;
- The disclosure is reasonably related to the sale or disposition of all or part of our business;
- The information in question is publicly available;
- The disclosure is reasonably necessary for the establishment or defense of legal claims; or
- The disclosure is to another Onyx entity or to persons or entities providing services on our or the individual's behalf (each a "transferee"), consistent with the purpose for which the information was obtained, if the transferee, with respect to the information in question:
  - is subject to law providing an adequate level of privacy protection; or,
  - has agreed in writing to provide an adequate level of privacy protection; or
  - subscribes to the Principles.

Permitted transfers of information, either to third parties or within Onyx include the transfer of data from one jurisdiction to another, including transfers to and from the United States of America. Because privacy laws vary from one jurisdiction to another, personal information may be transferred to a jurisdiction where the laws provide less or different protection than the jurisdiction in which the information originated.

#### *Data Security*

Onyx takes your security seriously and takes reasonable steps to protect your information. To prevent unauthorized access or disclosure, maintain data accuracy, and ensure the appropriate use and confidentiality of information, either for its own purposes or on behalf of our customers, Onyx has put in place appropriate physical, electronic, and managerial procedures to safeguard and secure the information we process. However, we cannot guarantee the security of information on or transmitted via the Internet.

#### *Data Integrity*

We process personal information only in ways compatible with the purpose for which it was collected or subsequently authorized by the individual. To the extent necessary for such purposes, we take reasonable steps to make sure that personal information is accurate, complete, current, and otherwise reliable with regard to its intended use.

#### *Access and Correction*

If an individual becomes aware that information we maintain about that individual is inaccurate, or if an individual would like to update or review his or her information, the individual may contact us using the contact information below. We will take reasonable steps to permit individuals to correct, amend, or delete information that is demonstrated to be inaccurate. The individual will need to provide sufficient identifying information, such as name, address, birth date, and/or a password. We may request additional identifying information as a security precaution. In addition, we may limit or deny access to personal information where providing such access would be unreasonably burdensome or expensive in the circumstances, or where we are otherwise permitted by the Safe Harbor Principles to do so. In some circumstances, we may charge a reasonable fee, where warranted, for access to personal information.

#### *Enforcement and Dispute Resolution*

Onyx utilizes the self-assessment approach to assure its compliance with our privacy statement. Onyx periodically verifies that the policy is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented, and in conformity with the Principles. We encourage interested persons to raise any concerns with us using the contact information below. We 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.

With respect to any complaints relating to this policy that cannot be resolved through our internal processes, we have agreed to participate in the dispute resolution procedures of the panel established by the EU data protection authorities to resolve disputes pursuant to the Safe Harbor Principles. In the event that we or such authorities determine that we did not comply with this policy, we will take appropriate steps to address any adverse effects and to promote future compliance.

#### *Privacy Statement Changes*

This privacy statement may be changed from time to time, consistent with the requirements of the Safe Harbor. We will post any revised policy on this Web site, or a similar Web site that replaces this Web site.

#### *Information Subject to Other Policies*

We are committed to following the Principles for all personal information within the scope of the Safe Harbor Agreement. However, certain information is subject to policies of the company that may differ in some respects from the general policies set forth in this statement.

Information obtained from or relating to customers or former customers is further subject to the terms of any privacy notice to the customer, any engagement letter or letters with the customer, and applicable laws and professional standards.

*How to Contact Us*

Questions, comments or complaints about Onyx's Safe Harbor Data Privacy Statement or data collection and processing practices can be e-mailed to [privacyoffice@onyxgfx.com](mailto:privacyoffice@onyxgfx.com), mailed to Privacy Office, Onyx Graphics, 6915 High Tech Drive, Salt Lake City, UT, 84047.

*EFFECTIVE DATE: September 1 2006*