

BEST BUY MARKETPLACE SECONDARY PRODUCTS GUIDELINES

The following additional terms apply to Sellers providing Secondary Products on the Best Buy Marketplace:

Definitions:

“Refurbished Product” means Product that was previously purchased, opened, and operated by an end user and then subsequently returned for various reasons that could include but are not limited to buyer’s remorse and/or functionality. Refurbished Products have been sent back to the original equipment manufacturer (“OEM”) or other refurbishment or repair center where they have undergone troubleshooting and repair by professional technicians.

“Pre-Owned Product” means Product that was previously purchased, opened, and operated by an end user and then subsequently returned for various reasons that could include but are not limited to buyer’s remorse and/or functionality. Seller has rigorously tested such products for power and functionality to ensure proper working condition prior to making them available for sale.

“Secondary Products” means Pre-Owned and/or Refurbished Products, as applicable.

Representations and Warranties; Requirements

In addition to the warranties and indemnities provided to Products, Seller represents and warrants that all Secondary Products: (a) do not contain any customer information or personally identifiable information of any person (b) have not been altered against the manufacturer’s guidelines except to the extent required by law to prepare the Secondary Products for resale, (c) contain no misrepresentations on any associated Secondary Product packaging or materials, (d) contain an intact serial number, and (e) are not affected under a product recall. If Seller provides a reference price for a Secondary Product, Seller warrants that substantial actual sales have occurred at the reference price.

Secondary Children’s Products are NOT permitted to be sold on Best Buy Marketplace.

Refurbished Product Requirements. Seller shall ensure Refurbished Products comply with the following requirements:

Best Buy accepts A-Grade “excellent” Grade refurbished products on Marketplace—also commonly graded as 9/10, or above physical condition that has been processed and re-inspected to look and perform in like-new condition and functionality in accordance with the original equipment manufacturer (“OEM”) specifications without any visible imperfections.

To achieve A-Grade(excellent) status any products sold must adhere to the following:

- Go through an actual refurbishing process performed by professional technicians.
- Functions well and only contains minor cosmetic imperfections.
- Refurbishing must involve a full inspection of the product for functionality, blemishes, missing parts, damage or blemished parts or surfaces, or a full cosmetic restoration so they look and function as close to new as possible.
- If the product has a screen, it must meet OEM requirements for color, brightness, and dead or stuck pixels. Pixel requirements are based on the manufacturer’s warranty and are stated as a maximum number per screen.
- Only Refurbished Products that have been repaired by the OEM (or a third party authorized by the OEM to refurbish such products on its behalf) may be labeled as “factory refurbished” products. If OEM parts are not available, third-party parts may be used provided they do not infringe on third party rights or are equivalent or better in quality, function, and appearance.

- Refurbished Product must be identified and labeled as refurbished product, restored to original factory settings, and may not be sold as new or original product.
- Sellers must also self-audit to make sure products in these categories always meet minimum quality standards and grading requirements. Best Buy monitors customer complaints and has a quality control program in place to perform audits on Sellers. If a Seller doesn't comply with the standards and grading requirements, Best Buy reserves the right to suspend or terminate Seller's participation in the Program.

Seller must provide Best Buy a description of Seller's Refurbished Product program (i.e., how products are selected and the process for refurbishing) together with all relevant terms and conditions specific to the Refurbished Products, including any product warranty information.

Pre-Owned Product Requirements. Seller shall ensure Pre-Owned Products comply with the following requirements:

- As part of the Pre-Owned Product description, Seller must: assign a product grade; document any missing parts and/or accessories; and note any cosmetic blemishes and imperfections.
- Pre-Owned Product must be identified and labeled as pre-owned product and must contain the same original UPC used by the OEM for the same product in new condition; such product may not be sold as new, original, or refurbished product.
- Seller must provide Best Buy a description of Seller's Pre-Owned Product program (i.e., how products are selected and the process for testing their functionality) together with all relevant terms and conditions specific to the Refurbished Products, including any product warranty information.

Secondary Products are required to carry a 90-day parts and labor warranty.