

<To be printed on Rs. 300/- stamp paper>

eBay India Private Limited,
14th Floor, North Block, R-TECH Park,
Western Express Highway,
Goregaon (East), Mumbai 400063

[Date:]

Subject: Letter of Undertaking

Dear Sir,

I am a registered member (ID _____) on your site www.ebay.in (the "Site") and am desirous of listing [DVD/VCD/VHS/Cassette/Audio CD] item(s). In this connection I hereby represent, warrant and undertake as follows:

(a) I confirm that I have fully read and understood the standard terms and conditions as contained in the eBay User Agreement and Privacy Policy provided on the Site (collectively referred to as the "Terms and Conditions") and agree to abide by them.

(b) I confirm that I am 18 years of age or above and am competent to contract within the meaning of the Indian Contract Act, 1871. Further, I shall not permit any minors, undischarged insolvents or any person who is not 'competent to contract' to list/ display/sell or transmit either directly or indirectly the Product(s) from my computer and /or computer network.

(c) The listing and sale of the Product(s) on the Site shall not, result in the breach of any of the Terms and Conditions, constitute default under the laws of India, violate any Central or State Government rule, regulation, notification or any order, judgment or decree of any court, tribunal or government body. In particular, the listing, sale of the Product(s) shall not violate any of the provisions of the Cinematograph Act, 1952, the Indecent Representation of Women (Prohibition) Act 1986, the Indian Copyright Act 1957, or any statutory modifications thereof including any rules and notifications issued there under.

(d) I am the owner of the Product(s) and have full legal right, title and interest over the same. I have the legal right to sell the Product (s) on the Site and the sale of the Product(s) via the Site does/do not infringe the intellectual property or other rights of third parties.

(e) I shall not list/display/sell any Product(s), without following the procedure prescribed by eBay India Private Limited for listing/displaying/selling such items on the Site.

(f) I shall not list/display/sell or cause to be listed/displayed/sold any Product(s) which might be pornographic, obscene or deemed pornographic in nature on www.ebay.in.

(g) I shall be solely responsible in respect of any actions, proceedings, costs, awards, claims and damages however arising, whether civil or criminal as a result of my listing and selling the Product(s) on the Site and eBay India Private Limited shall not be liable for any such actions, proceedings, costs, awards, claims and damages in any manner whatsoever. Further, I shall at all times indemnify, defend and hold harmless and agree to keep eBay India Private Limited fully indemnified from and against any actions, proceedings, costs, awards, claims and damages however incurred by or arising, whether civil or criminal against eBay India Private Limited as a result of my listing and selling the Product(s) on the Site.

I confirm that this Letter of Undertaking read with the Terms and Conditions form the entire agreement between myself and eBay India Private Limited.

Regards,

Signature of seller

[Name of Seller]

[eBay User ID of Seller]

Company seal: