

## Confidentiality and Non-Disclosure Agreement for Providers.AchievementsES.com:

### **Applicants:**

I agree to hold in confidence and keep confidential any and all confidential information that I receive from the Company, the Company's customers, and prospective customers (including students, institutions, companies, and other entities). I agree to not disclose any confidential information to any third party (including other applicants, potential applicants or independent contractors, or the general public) and agree to not use such information for any purpose except to assist any student during session. I agree to compensate the Company for losses it incurs as a result of my negligence, or intentional disclosure of Confidential Information, meaning that I will pay for any damages I cause, including legal costs.

### **Confidential information includes:**

- i. Any information, idea or concept, in any form (tangible or intangible), whether disclosed to me or learned by me concerning students, patrons, teachers, learners, employees, and other applicants, independent contractors, or guests using the service including but not limited to information concerning their age, gender, ethnicity, national origin, ancestry, disability, or other personally identifiable information.
- ii. All information of a competitively sensitive nature, including trade secrets or confidential or proprietary information of any sort, including, without limitation, information relating to subject exams and subject exam questions, writing sample questions, products, processes, policies and procedures, designs, formulas, developmental or experimental work, computer programs, databases, or other original works of authorship, customer lists, business plans, financial information or other subject matter pertaining to any business of the Company.
- iii. Confidential information also includes all information concerning Company policies, strategies, finances, pricing, legal documents, pay rates, use of independent contractors, and the nature of relationships between corporate management and its service providers, customers, and end users -including the specific questions such users ask while using the Company's services.
- iv. For the purposes of this Agreement, the term "keep confidential" includes sharing confidential information verbally, in written form or posting information on the web.