



EU-US Safe Harbor Ruling and Certain IBM Cloud Offerings

Clients may ask how the European Court of Justice's recent ruling concerning the EU-US Safe Harbor impacts IBM's cloud offerings. A number of IBM's cloud offerings – listed below – have been Safe Harbor certified. The Safe Harbor is only relevant to the listed offerings. It is *not* relevant to any IBM offerings not on the list including on-premises software offerings, hardware offerings, or to any cloud offerings not included on this list.

If you have relied on IBM's Safe Harbor certification for any of the listed cloud offerings, we can continue to enable transfers of personal data from Europe to the United States through a European Model Clauses agreement instead, the standard contractual clauses approved by the European Commission. For more than ten years, IBM has entered into unmodified European Model Clauses with its clients, especially for offerings and services which were not Safe Harbor certified. Our standard European Model Clauses agreement for Software-as-a-Service offerings is available [here](#). Please contact our team at eu-mc@ie.ibm.com to put one in place, and with any additional questions you may have.

Please bear in mind that the security and privacy practices applicable to these offerings remain unchanged. You may read more about the practices and principles we use to safeguard the confidentiality, integrity and availability of the data you provide to IBM in the context of our Software-as-a-Service offerings [here](#).

Requesting European Model Clauses in Light of the European Court of Justice's October 2015 Decision on the US-EU Safe Harbor program:

The following offerings are certified under the Safe Harbor agreement affected by the European Court of Justice's decision on October 6, 2015. IBM makes Model Clauses, an alternative to Safe Harbor not affected by the decision, available to its clients for these offerings.

- IBM Business Intelligence
- IBM Cloud & Smarter Infrastructure
- IBM Cloudant Dedicated Cluster
- IBM Cognos Controller
- IBM Cognos Incentive Compensation Management
- IBM Cognos Disclosure Management
- IBM Cognos Territory/Quota Management
- IBM Cognos TM1
- IBM Connection Cloud services
- IBM Emptoris
- IBM ExperienceOne Digital Analytics, formerly known as Coremetrics
- IBM ExperienceOne Marketing Operations on Demand/eMessage, formerly known as Unica
- IBM ExperienceOne Xtify
- IBM Managed Security Services
- IBM Navigator
- IBM Payments Gateway
- IBM Smarter Workforce, formerly known as Kenexa
- IBM SPSS Modeler Gold
- IBM Sterling Commerce
- IBM Trusteer
- IBM Watson Analytics
- IBM Watson Curator
- Offerings by Silverpop Systems, Inc., an IBM company
- Offerings by SoftLayer, an IBM company