

OANDA Third-Party Platform Disclaimer

OANDA provides customers with the ability to use certain third-party platforms for order entry and trade execution. These third-party platforms are linked to the OANDA platform through an API connection that in some cases does not currently provide for two-way communication. This limitation prevents any orders or trades that are sent through certain third-party platforms from being recognized by the OANDA platform, which can result in trade discrepancies. To avoid potential customer confusion and/or potential losses resulting from this limitation, OANDA typically disables access to the OANDA platform and any other platforms that can cause the trade discrepancies, when a customer has connected through a third-party platform. Further information on these limitations is provided below:

- 1) For customers that have activated and are trading on a third-party platform that is affected by potential trade discrepancies, trades that are managed via an OANDA trading platform or any other platform that is not designated for the specific third-party platform may result in trade discrepancies and could lead to unintended losses.
- 2) In order to avoid potential platform or trade discrepancies, OANDA recommends that customers use the designated sub-account assigned to the third-party platform by OANDA, and recommends that the customer closes and manages trades on the same platform that the trade was opened on, unless stated otherwise by OANDA.
- 3) OANDA's system of record is the OANDA trading platform, regardless of any third-party platform discrepancies that arise from a customer's use of a third-party platform.

OANDA makes no warranty or representation, either express or implied, with respect to platforms and which are provided by third parties separate from OANDA Corporation and its affiliated companies through OANDA's API, including their quality, performance, merchantability, fitness for a particular purpose or that they are error free.

You acknowledge that there are important differences when using Third Party Software to access your OANDA trading account. You further acknowledge that you understand the aforementioned risks and indemnify OANDA and its employees from any claims arising from third party platform discrepancies.

You assume full responsibility and risk of loss you may suffer as a result of using, or accessing, Third Party Software. In no event will OANDA be liable to you or any third party for any claims; losses; costs or expenses (including attorneys' fees); or direct, indirect, special, incidental, punitive or consequential damages arising out of the use of or inability to use Third Party Software, even if advised of the possibility of such damages.