

1. Definitions

Infrastructure may include:

Internet connection, Router, Firewall, and Network

Hardware may include:

PC/Server, Report Printer(s), POS Touchscreen or Keyboard terminals, POS Printer, Kitchen Printers, Kitchen Display System, Mobile devices (Hand Held Terminals), Mag Card Readers, Stand Beside Credit Card Terminal.

Software may include:

PC/Server Operating System, Back-office or enterprise management software (Labor Scheduling, Inventory Management etc.), POS Application, Kitchen Display software, Client applications on the POS Terminals and/or mobile devices, integrated payment process.

Operational Services:

Above store enterprise reporting, central reservations, mobile device integration, gift cards, guest loyalty, on-line ordering, on-line inventory management, payment processing

Installation and Support Services may include: systems preparation, systems installation, ongoing hardware and software support, periodic maintenance, help desk.

Hardware Warranty:

The length of time the POS Systems Provider or Hardware Supplier guarantees the operability of hardware components against failure or defects.

Software License:

The terms of use and time frame for any application software provided with the purchase of a Point of Sale System

Software Upgrade:

A new version of the application software purchased with your Point of Sale System. Typically this is included as part of your maintenance agreement. There may be additional installation and training cost if the newer version of software includes additional features/functionality not included in the original application software installation.

Software Service Pack:

A fix or patch to existing software to improve stability, security, or functionality.

Software End-Of-Life:

The date that software is no longer sold or supported, requiring a software upgrade or new software purchase to continue support.

Interchange:

The amounts of money collected by Visa and MasterCard from the Payment Processor through the Acquiring Member and paid to the issuing banks and exclusive of Costs, Dues, Fees and Payment Processor margin.

Service-Level Agreement (SLA):

A Service-Level Agreement (SLA) is a negotiated agreement between the Merchant (customer) and the Service Provider (POS Systems Provider). This can be a legally binding formal or informal "contract". The SLA is a common understanding about the services, priorities, responsibilities, guarantees, and warranties. Each area of service scope should have the "level of service" defined. The SLA may specify the levels of availability, serviceability, performance, operation, or other attributes of the service, such as maintenance, upgrades, and billing. The "level of service" described in the SLA allows the Merchant to be informed about what to expect. In some contracts, penalties may be agreed upon in the case of non-compliance of the SLA. It is important to note the "agreement" relates to the services the customer receives, not how the service provider delivers that service.

PCI DSS:

The Payment Card Industry Data Security Standard (PCI DSS) is a worldwide information security standard defined by the Payment Card Industry Security Standards Council (PCI SSC). The standard was created to help merchants protect their businesses and also help payment card industry organizations that process card payments prevent fraud through increased controls around data and its exposure to compromise. The standard applies to all organizations that hold, process, or exchange cardholder information.

Costs:

Charges to the Payment Processor through the Acquiring Member by the issuing banks, Visa, MasterCard, Discover and American Express. Costs do not include Payment Processor margin or any costs of services incurred by the Payment Processor whether directly or indirectly provided by third-party vendors, resellers, or other parties of any kind and do not include Dues, Assessments, Interchange, or Fees.

Dues and Assessments:

Charges made directly by Visa and MasterCard to the Payment Processor through the Acquiring Member designated as "Dues" or "Assessments" and exclusive of Costs, Fees or any Payment Processor margin.

Fees:

Charges of Visa and MasterCard to the Payment Processor through the Acquiring Member for transaction processing, settlement, and exception services not otherwise included in Interchange, Dues, and Assessments and exclusive of Costs and Payment Processor margin.

Pass Thru or Pass Through:

The act of charging the Merchant the precise amount of monies designated as Interchange, Costs, Dues, Assessments, and Fees as defined in this document without mark-up or deviation of any kind for any reason. Pass Thru or Pass Through means no mark-ups are taken by the Payment Processor or any other party when Interchange, Dues, Fees, Costs, and Assessments are collected from the Merchant.