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Lisa D. Schmidt
Paralegal
Direct Line: 407.481.5252
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lisa.schmidt@nelsonmullins.com

ATTORNEYS AND COUNSELORS AT LAW

Bank of America Center 390 North Orange Avenue | Suite 1400 Orlando, FL 32801 T: 407.839.4200 F: 407.425.8377

nelsonmullins.com

\* In Florida, known as Nelson Muttins Broad and Cassal

February 1, 2019

#### **VIA FEDEX**

Florida Division of Corporations Attention: Registration Section Clifton Building 2661 Executive Center Circle Tallahassee, Florida 32301

Re: Trademark Applications - CredAxis and EDGE

Dear Sir or Madam:

Please find enclosed the Trademark Applications for CredAxis and EDGE along with a check in the amount of \$350.00 representing the filing fees.

Sincerely,

**NELSON MULLINS BROAD AND CASSEL** 

Tisa D. Schmid

Lisa D. Schmidt

Paralegal

**Enclosures** 

#### **COVER LETTER**

TO:

Registration Section Division of Corporations

EDGE (logo)

(Mark to be registered)

The enclosed Trademark/Service Mark Application, specimens and fee(s) are submitted for filing.

Please return all correspondence concerning this matter to the following:

Holly L. Collins, Esq. (Name of Person)

Nelson Mullins Riley & Scarborough LLP

(Firm/Company)

390 N. Orange Avenue, Suite 1400

(Address)

Orlando, Florida 32801

(City/State and Zip Code)

For further information concerning this matter, please call:

Holly L. Collins, Esq. at (407) 839-4200 (Area Code & Daytime Telephone Number)

MAILING ADDRESS:

Registration Section Division of Corporations P.O. Box 6327 Tallahassee, FL 32314

STREET/COURIER ADDRESS:

Registration Section Division of Corporations Clifton Building 2661 Executive Center Circle Tallahassee, FL 32301

(NOTE: The information contained in this cover letter will be included in the permanent record and will be available to the general public.)

APPLICATION FOR THE REGISTRATION OF A TRADEMARK OR SERVICE MARK
PURSUANT TO CHAPTER 495, FLORIDA STATUTES

SECRETARY OF STATE

ALLAHASSE, FLORIDA

Division of Corporations Post Office Box 6327 Tallahassee, FL 32314 TO:

PART I

(a) Owner's/Applicant's name: Jagged P	eak, Inc.	
(b) Owner's/Applicant's business address: 7650	Courtney Campbel	l Causeway, Suite 1200
Tampa	a, Florida 33607	
	City/s	State/Zip
If different, Owner's/Applicant's mailing address:		
	City/S	State/Zip
(c) Owner's/Applicant's telephone number: (813	,639-6700	
Check the appropriate box to indicate the Owner/Appli		
☐ Individual ☐ Corporation	□Joint Venture	☐ Limited Liability Company
General Partnership  Limited Partnership	□Union	Other:
If the Owner/Applicant is a business entity, the business of State. If the Owner/Applicant is <u>not</u> an individual, country under the laws of which the business entity is employer identification number (EIN) in #3.	entity must have an active filing enter the business entity's Florida currently formed, organized or	or registration on file with the Florida Department a registration/document number in #1, the state or incorporated under in #2, and the entity's federal
(1) Florida registration/document number: F0500000	06523	
(2) Domicile State or Country: Nevada		
(3) Federal Employer Identification Number: 91-200	7478	
2. (a) <u>SERVICE MARK</u> : If the owner/applicant is using service, the mark is a service mark. If the mark is a sused in connection with. For example: furniture move tractor equipment, etc. <u>If the owner/applicant is using the being rendered here:</u>	ervice mark, the applicant/owner	must list the specific service(s) the mark is being
(Note: List only those services currently being rendered	by the owner/applicant. Do not	include future services.)
See attached.		

2. (b) TRADEMARK: If the owner/applicant is using the name, logo, design and/or slogan being registered in connection with an actual product manufactured by the owner/applicant or on the owner/applicant's behalf, the mark is a trademark. If the mark is a trademark, the applicant/owner must list the specific product(s) the name, logo, design and/or slogan is being used to identify. For example: ladies sportswear, cat food, barbecue grills, shoe laces, etc. If the owner/applicant is using the name, logo, design and/or slogan to identify goods available in the market place, enter the specific product(s) the name, logo, design and/or slogan is being used to identify:
(Note: List only those product(s) currently available. Do not include future products.)
See attached.
2. (c) HOW IS THE NAME, LOGO, DESIGN AND/OR SLOGAN CURRENTLY USED:
Total Control Contro
SERVICE MARKS: If the name, logo, design and/or slogan are/is being used in connection with a type of service, you must specify the form(s)/mean(s) of advertisement the applicant/owner is using to advertise the services to the general public. For example: newspaper advertisements, business cards, brochures, flyers, pamphlets, menus, etc. If the mark is being used in connection with a type of service, state how the name, logo, design and/or slogan are/is being used in advertising here:
Website, advertisements, business cards, brochures, flyers, and pamphlets.
TRADEMARKS: If the name, logo, design and/or slogan are/is being used to identify a product manufactured by or fore the applicant/owner, you must specify how the mark is applied or affixed to the actual product or its packaging. For example: a tag. label, imprinted or engraved on the actual product, etc. If the mark is being used in connection with a specific product, state how the name, logo, design and/or slogan is applied or affixed to the actual product(s) or the packaging:
On the software and on a website, advertisements, business cards, brochures, flyers, and pamphlets.
2. (d) <u>FEE(S) AND CLASS(ES)</u> : There are a total of 45 classes or categories in which all products or services must be categorized. The fee to register a mark is \$87.50 per class. Make check payable to Florida Department of State.
List the class(es) which apply to the product(s) and/or service(s) listed in 2(a) and/or 2(b) above:
Class 9
Class 42

#### ATTACHMENT TO APPLICATION FOR THE REGISTRATION OF A TRADEMARK

- 2.(b) Class 9: Computer software for electronic business management, namely, computer software for order management and supply chain management; Computer software for the field of warehousing and distribution, to manage transactional data, provide statistical analysis, and produce notifications and reports; Computer software for providing demand and supply chain management, and electronic fulfillment solutions; Computer software platforms for providing demand and supply chain management and execution, and electronic fulfillment solutions.
  - Class 42: Application service provider (ASP) featuring software for use in electronic business management, namely, computer software for order management and supply chain management; Ecommerce solutions for products distributors, namely, providing a website featuring technology for electronically managing the receipt, management and fulfillment of purchase orders of others via a server host on a global computer network; Software as a Service (SaaS) services featuring software for use in relation to providing demand and supply chain management, and electronic fulfillment solutions; Software as a service (SaaS) services featuring software for use in electronic business management, namely, computer software for order management and supply chain management.

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#### PART II

1. You must state the date the name, logo, design and/or slogan was first used in the state of Florida, and, if it was used in another state or

country, the date you first used the name, logo, design and/or slogan in the other state or country. Enter the month, day, and year the name, logo, design and/or slogan was first used by the applicant/owner, the predecessor, or a related company in Florida. If the name, logo, design and/or slogan has been used in another state or country, then you must also enter the month, day, and year the name, logo, design and/or slogan was/were used in another state or country, when applicable. Note: The Florida Statutes require a mark to be in use prior to registration. (a) Date first used in other state or country, if applicable: 01/01/15 (b) Date first used in Florida: 01/01/15 PART III ENTER NAME, LOGO, DESIGN AND/OR SLOGAN BEING REGISTERED: 1. Enter the name, a brief description of the logo or design, and/or the slogan you are registering. The description of the logo and/or design must be 25 words or less. List the exact name, slogan, and/or description of the logo/design here: (NOTE: The name, logo, design and/or slogan listed in this section must match the exact name, logo, design and/or slogan listed on your specimens or examples.) The mark consists of the word "EDGE" to the right of a stylized wing enclosed in a circle. Provide the English translation of any and all terms listed #1 above, when applicable: 2. DISCLAIMER STATEMENT (if applicable): Your mark may include a word or design that is commonly used by others. Commonly used terms or designs must be disclaimed. When you disclaim a specific term or design, you are acknowledging this term is commonly used by others and that you do not claim the exclusive right to use the disclaimed term or design. All geographical terms and representations of cities, states or countries must be disclaimed (i.e., Miami, Orlando, Florida, the design of the state of Florida, the design of the United States of America, etc.). Corporate suffixes and terms readily associated with the specific product(s) and/or(s) service being provided must also be disclaimed. Enter all terms listed in #1 above which require a disclaimer in the space provided below:

Page 3 of 4

"APART FROM THE MARK AS SHOWN.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE THE TERM(S)" \_\_\_

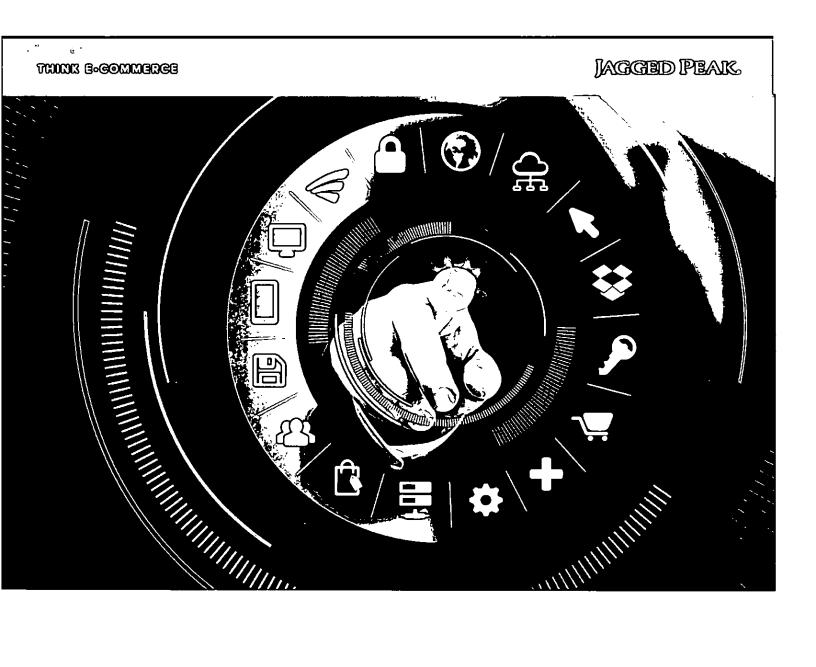
## 3. ATTACH OR INCLUDE THREE SPECIMENS OR EXAMPLES OF THE TRADEMARK OR SERVICE MARK BEING REGISTERED

Chapter 495, F.S., requires you to submit three specimens (samples or examples) of the mark in use. You must submit three specimens FOR EACH CLASS listed in Part I #2(d). The name, logo, design and/or slogan on the specimens must be identical to the name, logo, design and/or slogan being registered. You may provide three identical specimens or three different specimens. For each service mark class (classes 35-45), you may provide three newspaper advertisements, business cards, brochures, flyers, or any combination thereof. For each trademark class (classes 1-34), you may provide three tags, labels, boxes, etc. or any combination thereof. Photographs of bulky specimens are acceptable if the mark being registered and the good(s) or product(s) are clearly legible.

#### SIGNATURE OF APPLICANT/OWNER AND NOTARIZATION:

I. Paul Demirdjian herein, or that I am authorized to a except a related company has regis thereof or in such near resemblanc cause mistake or to deceive. I ma read the application and know the	verea mis mark in mis state or ve as to be likely, when applied ike this affidavit and verifican	nas the right to use suc to the goods or service on on mythe applicant	A mark in Florida either 2s of such other person to 's halvilf - L further orle	in the identical form
	Jagged Peak, Inc.			
	Typed or printe	ed name of applicant	<del></del>	
	Applica (List to	Paul Demir ant's signature ame and title)	<u>'djian, Chi</u> ef Executiv	e Officer 19
STATE OF Florida	( *	, , , , , , , , , , , , , , , , , , ,		
				SE OF I
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Sworn to and subscribed before me	on this 7th day of Decen	nber <u>2018</u>	3 Paul Demirdjian	8: 37 \$13.6 FLORID
			(Name of Individua	ll Signing)
(Seal) A My co	whose identity I provide the whose identity I	ed on the basis of	Notary Public Signatur Teresa A. Chibirka Notary's Printed Name	
	My Con	mission Expires:	January 30, 2021_	

FILING FEE: \$87.50 per class





Enterprise Commerce Platform EDGE V61





#### Take Control of Commerce with the EDGE: platform from Jagged Peak.

EDGE<sup>†</sup> is a web-based commerce platform designed to seamlessly orchestrate the design, management and fulfillment of orders within today's complex and demanding commerce ecosystem. It's an eCommerce Platform (ECP) and Order Management System (OMS) all-in-one, with robust native functionality to manage front-end web stores and a best-in-class OMS to handle all of the back-office operations associated with single-channel, cross-channel and omnichannel commerce.

#### **Key Benefits of EDGE**

- Real-time order lifecycle management providing enterprise wide visibility of all transaction activities across business units, distribution channels and trading partners.
- Centralized administrative hub providing interfaces to front-end and back-end systems needed for multi-channel or omnichannel commerce.
- Optimize Inventories, lower fulfillment costs and delivery times with frictionless order creation and rules based order sourcing.
- Multi-language, multi-currency and market localization capabilities provide clients with a global platform to launch and operate their B2C and B2B ecommerce businesses.
- Quick deployments that can be delivered in 90 days or less via a web based, SaaS delivery model providing a lower total
  cost of ownership.
- Multi-channel, multi-source order aggregation. EDGE provides the capability to capture and manage orders from various sales channels, marketplaces, trading partners and other order sources, in multiple formats.
- Built-in customer service module. Provides visibility and capability to capture and or interact and manage orders from all sales sources and channels (B2C and B2B) based on unique business rules for each.
- Separation of catalog item from inventory SKU. Separate catalog and inventory engines enables users to manage product
  information by channel and create one-to-one and one-to-many relationships between catalog items and sku's (kits,
  assemblies, bundles etc.).
- External order payment settlement. EDGE provides the capability to settle payment from orders captured through external sources (e.g. Weblinc ECP).
- Imbedded Channel Analytics. Provides data and decision intelligence for online and off-line order sources and sales channels.
- Open Source Enterprise Service Bus. Enables users to fully administer integration services
- B2B and B2C eCommerce Functionality- EDGE is ideal for any business model because it is highly configurable, totally scalable and easily integrated to other enterprise systems and applications.
- Drive more traffic and sales to your web store with easy-touse content management, marketing, SEO and lead-tracking functionality.
- Grow as needed because EDGE is scalable and can handle virtually any eCommerce order volume or system demand.



## **ALL-IN-ONE FUNCTIONALITY**





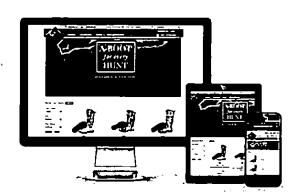
#### A Powerful All-in-One Command Center for Commerce

**eCommerce Content Management Platform:** EDGE enables Jagged Peak's clients to build and operate worldclass web stores employing the latest tools and best practices for comprehensive content and catalog management, product merchandising and online marketing, supporting one or multiple branded web stores.

#### Designed with You in Mind

Whether you're a developer or marketer, EDGE was designed with you in mind! Flexible drag-and-drop layout tools and a WYSIWYG editor enable users with very little technical know-how to create templates, edit pages, build site navigation, and instantly publish content.

The intuitive interface makes administering EDGE easy. All of its functionality is housed in modules that users can quickly navigate, such as content and graphic administration, product cataloging, merchandising, campaign and promotional management, SEO administration, payment processing and more.



Order Management System (OMS): EDGE is a best-in-class omnichannel order management system that manages any order type from any order source. Using rules-based order handling, it ensures each order is fully executable and shippable, streamlining and expediting the pick, pack and ship process. EDGE also provides real-time inventory availability across one or more warehouses, stores or other shipping points, automatically directing orders to the optimal distribution point to save on shipping costs and provide exceptional delivery performance.

The platform has a built-in integration layer to seamlessly connect with your back-end systems, and it can handle virtually any order volume or system demand. It has been battle tested over the last decade as the platform of choice for some of the world's leading manufacturers and best-known consumer brands.

The admin and user controls within EDGE are located in modules that let you manage all of the associated operational processes, providing a complete, intuitive, scalable and functionally rich solution. Designed to optimize both your demand and supply chain, EDGE's catalog, order, inventory and logistics management modules provide dynamic integration between what the customer orders, where it's sourced from, and how it's picked, packed and shipped.

## OMNICHANNEL RETAILING & SUPPLY CHAIN



#### The Hub that Makes Omnichannel Retailing Work.

As a multi-channel, distributed order management system, EDGE serves as centralized "hub" connecting front-end and backend systems to create a "buy anywhere, fulfill anywhere return anywhere" retail environment. Retailers can expand product availability to shoppers, by presenting all available inventory from every store location and then deliver the product quickest, at the lowest cost.

EDGE's features and capabilites listed below will help retailers undergo an omnichannel customer transformation with a customer-centric experience across multiple sales channels.

#### **Features**

- Real-Time, Consolidated View of Transactional Information
- Multi-Channel Order Capture and Aggregation
- Perfect Order Life Cycle Management
- Rules-Based Order Sourcing and Logistics
- Multi-Point Inventory Management and Real-Time ATP
- Multi-Language, Multi-Currency
- Anywhere, Anytime Cloud Based Access
- . OpenTools, API's, ESB Integration Tools

#### Capabilities

- · Fulfills online orders with in-store inventory
- · Facilitates Customer In-Store Pick-Up
- Handles In-Store and Virtualized Returns Management
- Manages Drop Shipping
- "Saves-the-Sale" Provides Visibilty and Logistics
   Capabilities for Low Inventory Items
- Provides seamless, concurrent brand engagement across every channel

## Quick Deployments. Secure Environments.

The EDGE platform is a SaaS subscription based solution, with quick cloudbased implementation in a highly secure environment.

Jagged Peak hosts with CenturyLink, a tier 4, SAS 70 certified data center. The EDGE platform is certified PCI-DSS compliant and meets HIPAA and Safe Harbor requirements. Data is secured through SSL encryption and access is controlled through dynamic user roles and privileges.

**Service level guarantees** – Network SLA guarantees 99.99% uptime, which is one of the most rigorous SLA guarantees currently offered by any NSP.

**Speed** – The network distributes processing to hardware best-suited for the task, and provides a level of scalability for system growth.

**Security** – Architectural design incorporates state-of-the-art tools that protect against external security attacks.

**Scalability and reliability** – Hardware and software implementations are accepted as industry standards for enterprise-wide reliability and scalability.



## EDGE' FUNCTIONALITY



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#### Website and Content Management

Create and manage multi-channel B2C, B2B and mobile sites to ensure world-class site performance—all via EDGE's easy-to-use CMS tool that enables you to build WYSIWYG pages and content without technical knowledge or template constraints.

#### System and Site Administration

Enforce your business access policies at a granular level with EDGE's permission controls that enable you to grant or restrict access to modules or specific functionality within modules down to the individual field level.

#### Search Engine Optimization and Social Media Integration

Drive more traffic and conversions through SEO and integration to social media sites, blogs and community boards. EDGE's site maps, vanity urls, image all tags, title-, keyword- and meta-tags/descriptions all can be auto-generated or customized for optimal effectiveness.

#### Product Merchandising and Cataloging

Stimulate sales by setting up unlimited catalog categories and subcategories with rich media and multi-variant attributes to highlight key product features. Cross-product management rules handle substitutions, cross-sells and up-sells, and other web merchandising.

#### Navigation and Dynamic Search

Enhance the visitor experience through intuitive, multi-level navigation. Dynamic keyword, filtered and advanced guided search can be refined by category, product, price range and attribute, and include logical evaluations, spelling auto-correct and synonym lookups with sorting by relevance, price, name, brand, rating, best sellers and product attributes.

#### Pricing and Promos

React quickly to revenue-building opportunities by adjusting pricing and creating promotions on the fly. Build custom sales promotions and personalized product catalogs, and using EDGE's configurable demand rules, create multiple pricing schemas as well as purchase and credit limits—all without technical support.

#### Marketing Execution

Plan and implement marketing campaigns, then track order activity against them to learn what's working and what's not vial built-in reporting capabilities. Advanced affiliate marketing also tracks traffic and resulting orders, and administers commission payments.

#### Shopping Cart and Checkout

Convert visitors into happy customers with fast "add-to-cart" on the home page, search results and product pages, and then delight them further with express, one-click checkout. EDGE offers full- and mini-cart options with built-in controls to managE the display of products based on inventory status.

#### Customer Service

Maintain a superior customer service experience throughout all interactions via EDGE's built-in Customer Service module that gives customer service reps the ability to enter, look up and manage customer orders, including updating customer address, processing returns and applying credits

#### Order Capture

Capture and aggregate orders in multiple formats from multiple sources, including web, EDI, flat files, email or via directentry into EDGE.

## EDGE FUNCTIONALITY



#### Payment and Taxation

Give customers multiple payment options via EDGE's real-time payment processing (includes credit cards, pre-paid value cards, gitt cards, PayPal, eChecks, POs and other commercially accepted payment methods). EDGE enforces tak rules for order and/or product line item, and also supports real-time domestic and international sales taxation, including geo-code level taxation.

#### Order Management

Get real-time visibility and management over all order types across the entire enterprise. EDGE's OMS is a single command and control interface that applies business rules to ensure only perfect, fully executable orders are released for fulfillment.

#### Inventory Management

Optimize your inventory with EDGE's perpetual, real-time, multi-location IMS with real-time ATP, it enables complete back-order management, automatic inventory degradation when orders are submitted, automatic low-stock notification, and automatic and manual inventory synchronization between EDGE and your WMS and ERP systems.

#### Purchase Order Management

Never run out of inventory thanks to EDGE's purchase order management capabilities that auto-issue POs for product replenishment based on inventory status. This capability fosters improved vendor and supplier relationships, and helps you to more efficiently manage your supply chain.

#### Order Sourcing

Sourcing orders to the proper fulfillment location is a key differentiator of EDGE and paramount to logistics optimization. EDGE's built-in provider-selection logic routes orders in real time to the optimal distribution point (including drop shipping) based on business rules for inventory availability, customer proximity, pick-up location and shipping costs.

#### Order Handling and Shipping Management

Manage costs with fully configurable shipping and order-handling rules that you can customize by customer or customer group. EDGE features built-in carrier rate and time-in-transit (TNT) tables that calculate actual shipping costs and delivery dates.

#### Customer Information and CRM

Use customer profile and transaction-level information to get a 360-degree view of your customer, customer group or customer type to data mine for targeted marketing campaigns.

#### **Customer Communication**

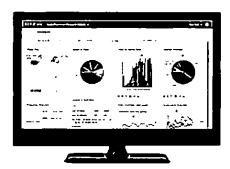
Interact frequently and effectively with automatic event-trigger communications and broadcast lemail communications that can help you proactively manage the customer relationship to build loyalty and repurchase frequency.

#### Reporting and Analytics

Get real-time information at your fingertips through more than 100 standard reports detailing transactions for customers, orders, inventory, catalog and provider/warehouse that can be downloaded in MS Excel. Standard web analytics are available within the application or through integration to third-party tools, including Google Analytics and Urchin.

#### Backend Systems and Supplier Integration

Extend EDGE to your internal systems for enterprise-wide visibility over your eCommerce activities. EDGE integrates with all major back office systems, and it also has a robust set of APIs that enable it to integrate with third-party applications and tools, including all major comparison-shopping marketplaces.



#### Globalization and Internationalization

Reaching a global market is well within your control. Since EDGE is built in Unicode, it can support any language. It also supports multi-currency payment processing and local or market-level product pricing.

#### Compliance and Security

Certified PCI-DSS compliant, EDGE secures data through encryption and dynamic user roles and privileges. Financial transactions are SSL encrypted, and all APIs are through https with authentication. Jagged Peak's data center has the latest network security with daily data back up to an off-site archive/disaster recovery site.

## ADD-ON SOLUTIONS



#### Enhance the Value of Your EDGE Platform and Increase Capabilities Through Extensions

## **Store**Point

#### EDGE StorePoint - Empowering Omnichannel In-Store and Ship-from-Store Capabilities

EDGE StorePoint is a cloud-based solution that powers omnichannel fulfillment, managing the pickup in-store and ship-from-store functions from an easy to use online portal. Orders are automatically designated to the store based on the EDGE OMS order sourcing rules. Store associates can login to StorePoint to view available inventory and manage those orders allocated to a store. Product images and details are conveniently displayed to help store associates quickly pick product for in-store pickup or pick, pack and ship items from customer delivery. It's simple to generate invoices, create shipping labels, packing slips, and send electronic shipping confirmation for all store orders. EDGE StorePoint also functions as endless isle, where store associates can view, route and collaborate online order fulfillment.

## **Vendor**Portal

#### EDGE VendorPortal - Web Based Vendor Drop Ship Solution

EDGE VDP is an "out of the box" web solution for online retailers who utilize product suppliers to ship eCommerce orders on their behalf. EDGE VDP was specifically developed to support product vendors who are tasked with shipping orders but lack the technical capabilities to utilize EDI as the method for order communications and inventory updates.



#### EDGE M3 - Marketing Materials Management Made Easy

EDGE Marketing Materials Management (M3) is a ready-to-deploy Web-based solution that enables companies to streamline, automate, and allow ordering of marketing materials in a rules-based self-service environment. M3 manages on-line access to and delivery of just about every type of file format. It helps reduce operating costs by automating those processes by which enterprises manage their marketing materials, activities and programs.

#### SCHEDULE A DEMO OR CONTACT US TO LEARN MORE

To learn more about how Jagged Peak can help your eCommerce business or to schedule a demo of EDGE, visit jaggedpeak.com or call 1.800.430.1312.

## JAGGED PEAK.

Contact Jagged Peak today to speak to an experienced eCommerce professional.

Jigger (Program)

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1000 - 33507 USA

Telephone: 8(3.6.3/1990)
Toll-free: 8(10.4.3/1972)
Email: 534.5.1.4.1994 (bet 4.1.19)

www.jaggedpeak.com