

# eTech 'n' Stuff

## CONSIGNMENT AGREEMENT

CONSIGNOR NAME: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_  
City: \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
TELEPHONE: \_\_\_\_\_ EMAIL \_\_\_\_\_  
DRIVERS LICENSE # \_\_\_\_\_ Customer # \_\_\_\_\_

eTech 'n' Stuff Consignee, accepts the goods listed on the attached inventory form (and any future inventory forms) for sale to sell on eBay to the highest bidder under the terms and conditions listed in this contract and documents attached hereto.

Consignor (you) warrants that he or she is the sole legal owner of the property to be sold. (If property is jointly owned with another person, both persons will have to sign.) Consignor (you) further warrants the description of the item(s) and any representations made about the item(s) is/are true and correct to the best of his/her knowledge.

Most items that are accepted by the Consignee (eTech 'n' Stuff) have no upfront fees. There are some items that do require an upfront fee. On these items the Consignor (you) agrees to pay a listing fee of one-dollar (\$1.00) for each consigned item. This fee is nonrefundable if the item sells for \$2.00 or less or does not sell. This fee is refunded if the item sells for \$2.01 or more. Attached is list of items that always require an upfront listing fee. In general any item that appears to have an average selling price on eBay of \$5.99 or less will require an upfront listing fee before the item is accepted by the Consignee. (eTech n Stuff)

Consignee (eTech 'n' Stuff) reserves the right to reject any item that the Consignor (you) may bring in or have shipped in to sell. The Consignee (eTech 'n' Stuff) will make every effort to research all items prior to their acceptance for listing, the results of this research will be shared with the Consignor (you). There are items that cannot be sold on eBay and there are other items that cannot be shipped. There are items which are not of significant value to be listed. The Consignee (eTech 'n' Stuff) will make every effort to explain to the Consignor (you) why an item is rejected.

Consignee (eTech 'n' Stuff) provides a reasonably secure environment for the Consignor's (your) item(s). This includes monitored fire and security systems, a lockable storage area, profession packaging and shipping and insurance. The Consignor (you) are primarily responsible for coverage on your items through your homeowners or renters insurance until the items are received by the buyer.

All items with a final value in excess of \$200 will be shipped insured. Items with a final value of less than \$200 will have the option of adding shipping insurance. Normally this shipping insurance is paid by the buyer

along with shipping costs. There may be special cases where the Consignor (you) will be expected to pay for shipping insurance.

Consignor (you) agree to the fee schedule that is attached hereto, and part of this contract. Any special fee agreements or changes must be in writing and initialed by both parties.

Consignee (eTech 'n' Stuff) will retain possession of the merchandise until the goods are sold and delivered to the final purchaser or returned to the Consignor (you). The Consignor (you) agrees to leave the items with Consignee (eTech 'n' Stuff) for a period of at least 90 days during which time they will be listed 4 times on eBay for a seven day auction, if the item fails to sell at auction it will then be placed in my eBay store with a Buy It Now price.

Once an item is listed on eBay, it will run the full auction course until it is sold to the highest bidder. If the Consignor (you) demands return of the property prior to the end of an auction, or the 90 -day period, the Consignor (you) will pay a withdrawal fee of \$25 per item.

**Consignor may not withdraw an item after it is sold, or within the last 24 hours of the auction under any circumstances.**

Once an auction has ended with a successful sale, the property may not be withdrawn and will be delivered to the highest bidder upon receipt of payment.

The consignor (you) agree NOT to bid on your own item(s) or request anyone else to bid on your item (s) on your behalf. This is shill bidding and is not allowed.

Should the winning bidder fail to pay for the auction, the property will be offered to the next highest bidder. If this bidder does not accept the item, it will be for auction again at the Consignee's (eTech 'n' Stuff) option.

If the consignor's (your) property fails to sell within the 90 day period, the Consignee (eTech n Stuff) may either keep the item in the eBay store or call the consignor to come and pick up the property.

All items are sold without a Reserve Selling Price unless the consignor agrees to pay the non-refundable reserve fees and the additional listing fees in advance. In general using a Reserve makes items more difficult to sell.

Once an auction is completed, and payment is received, the merchandise will be shipped to the buyer. Upon safe receipt by the buyer and after a 7 day warranty period Consignee will effect payment of proceeds, less fees to the Consignor. If a buyer rejects an item of merchandise due to misrepresentation, payment will be refunded to the buyer and the item of merchandise will be returned to the Consignor (you).

The process of receiving, listing, selling, getting paid for, shipping and the buyer receiving the item(s), takes as much as 40 days. The Consignor (you) understand that payment for your sold items can take at least 60 days. The Consignee (eTech 'n' Stuff) will make every effort to keep the Consignor (you) informed about the status of your items via email. The Consignor (you) can track your item(s) on eBay on your computer or you are welcome to use our public computer in the store to track your item(s)

Both parties agree that any disputes arising under this agreement will be settled by binding arbitration according to the rules of The American Arbitration Association.

This agreement is signed in, and will be interpreted in and subject to the laws of the State of Kentucky.

**Listing Fee Schedule:**

In general most items do not have any upfront fees. There are certain items however that always have an up front listing fee of \$1.00 for each item. This listing fee will be refunded if the item sells during the first two times it is placed on eBay and the item sells for \$2.01 or more. If the item does not sell or the item sells for less than \$2.00 or it requires more than two normal eBay auctions to sell, the listing fee becomes non refundable. Items that have a mandatory up front listing fee in general are items believed to be very slow sellers, items that in general do not sell and items that have a high probability of selling for less than \$5.99.

**Special Selling Fees:**

- Bold Fee: \$2.00
- Reserve Price Auction: \$3.00<sup>1</sup>
- Category Feature Fee: \$19.95 (recommended only for items estimated to sell for over \$200)
- Homepage Feature Fee: \$99.95 (recommended for items estimated to sell for over \$750)

<sup>1</sup>The use of reserves sometimes are a very good idea, sometimes they are not a good idea. A lot of buyers will not bid on items that have a reserve especially with low dollar items. It is often better to start an item with a higher initial bid. We (eTech 'n' Stuff) will at times add a reserve to particular items at no charge.

**Commission Schedule**

<b>Final Value</b>	<b>Commission</b>
<b>Under \$5.00</b>	<b>40% minus eBay fees</b>
<b>\$5.01-\$300.00</b>	<b>28% of the amount over \$5 minus eBay fees</b>
<b>\$300.01 to \$600.00</b>	<b>21% of the amount over \$300 minus eBay fees</b>
<b>\$600.01 to \$10,000.00</b>	<b>8% of the amount over \$600 minus eBay fees</b>
<b>10,000.01 and up</b>	<b>4% of the amount over \$10,000 minus eBay fees</b>

Consignors (you) will now have the eBay fees deducted from your payouts. The Consignee (eTech n Stuff) will pay Pay Pal (3.2%) and hosting fees. Typical eBay fees for an item that sells for \$100 are around \$6.80 if the item sells at auction and around \$7.95 if the items sells from my eBay store. An example is a recent item that sold at auction for \$102.50 the eBay fees were \$6.90. An example of a recent store item that sold for 49.95 had eBay fees of \$5.05. The software does all of the exact calculations.

**If an item does not sell after two normal auction listings: (4 seven day auctions)**

Option one—make no further attempts to sell the item. Contact the Consignor (you) to pick up the item. If the item is not picked up within 10 business days after the Consignor has been contacted it will be donated to Charity. This is not a good choice. Quite a few buyers do not like the auction format and so will not bid but will buy the item when it gets to the store with a Buy it Now price.

Option two **best choice**—The Consignee (eTech n Stuff) will continue to attempt to sell the item. The Consignee (eTech n Stuff) will normally relist the item for a total of 4 seven day auctions often the starting auction price and the Buy it Now price will be reduced typically by 10-15%. If the item still does not sell it then will be moved to the Consignees eBay store for periods of 30 days. When an item goes to the eBay store it no longer is up for auction. It will have a Buy it Now price. Often when items are placed in the store the Make an Offer option is made available. If an item goes to the eBay store the commission rates will be increased by 1%. An example of this:

An item is listed with a starting bid of \$9.99 and a buy it now price of \$19.99 it runs a 7 day auction and does not sell, it is relisted for an additional 7 day auction and still does not sell. The item is then relisted for an additional 7 days at a starting bid of \$8.99 and a Buy it now price of \$17.99. If the item does not sell it will be relisted the starting bid will be \$7.99 and the Buy it Now will be \$15.99. If the item still does not sell it will move to the eBay store for 30 days. The Buy it Now price will be \$19.99. The sales commission will be moved up 1% so the commission will be 29% if the item sells. The item may have the Make an offer option turned on. If a buyer makes an offer for anything over \$14.99 on an item that has a Buy it Now price of \$19.99 the offer will be accepted and the item will sell for \$14.99. Each 60 day period that items are in the store the sales commission will be moved up by 1% to a maximum of 33%

If an item does not sell after 4 listings and several 30 day runs in the store the chances of selling the item are very low. The Consignee (eTech n Stuff) may notify you to come and pick up an item that does not sell. An item is considered abandoned if the Consignor (you) do not pick up the item in 30 days after notification. Abandoned items are donated to charity.

As eBay becomes more expensive and difficult many sellers myself included are trying items on other sites.

**Items that always require a listing deposit of \$1 per item: These are items that have little chance of selling.**

- All sports cards - (baseball, football, basketball, other sports cards)
- All NASCAR items; All Dale Earnhardt items
- All Sheet Music, magazines, comic books and books
- All Beanie Baby products
- Many Fenton Ware items, most decorative plates and souvenir glasses & costume jewelry,
- Most Hall Mark items
- CDs, Records, Tapes, Record Sleeves, Playbills, Fan Magazines, DVDs, VHS tapes,
- Obvious Flea Market items - (many items at flea markets have been purchased on eBay in the first place)
- All Match Box and Hot Wheels products
- Older computer games, and computer software
- All Items listed in large numbers on eBay with a sell through of less than 20% (20 or less out of 100 sold)

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed at (City) \_\_\_\_\_ State \_\_\_\_\_

Accepted and agreed to this \_\_\_\_\_ day of \_\_\_\_\_, 2007

eTech n Stuff \_\_\_\_\_ Consignor

Name: Ronald L. Headley \_\_\_\_\_ Name Print \_\_\_\_\_

Signature: \_\_\_\_\_ Signature \_\_\_\_\_