

## Declaration of conformity 2003

### The Executive Board and Supervisory Board of Intershop Communications AG declare, in accordance with section 161 of the Aktiengesetz (AktG German Public Companies Act):

1. Intershop Communications AG has complied with the recommendations of the Government Commission on the German Corporate Governance Code since the last declaration of conformity dated December 31, 2002, which was based on the then current version of the Code, with the following exceptions:
  - a) The convention documents for the stockholders' meeting are not sent via electronic channels (section 2.3.2).
  - b) An individual breakdown of the compensation components of Executive Board salaries is not given in the notes to the consolidated financial statements (section 4.2.4).
  - c) The Supervisory Board has no separate Terms of Reference (section 5.1.3).
  - d) The Chairman of the Supervisory Board does not chair the committee that handles Executive Board contracts; This committee is chaired by Hans Gutsch, a member of the Supervisory Board. (section 5.2).
  - e) No age limit has been specified for members of the Supervisory Board (section 5.4.1).
  - f) The Supervisory Board does not receive performance-related compensation. Compensation is published as an aggregate amount. (section 5.4.5).
  - g) The consolidated financial statements are published no later than 30 days after the deadline stated in the Code, in accordance with the deadline laid down in section 62 (3) of the Exchange Rules of the Frankfurt Stock Exchange (section 7.1.2).
  
2. Intershop Communications AG will comply with the recommendations of the Government Commission on the German Corporate Governance Code, as amended in the version dated May 21, 2003, with the following exceptions:
  - a) The convention documents for the stockholders' meeting will not be sent via electronic channels (section 2.3.2).
  - b) Following the resignation of Mr. Stephan Schambach the Executive Board consists for the time being of only one person, Dr. Jürgen Schöttler. (section 4.2.1).
  - c) The Supervisory Board will not receive performance-related compensation. Compensation will be published as an aggregate amount. (section 5.4.5).
  - d) The consolidated financial statements will be published no later than 30 days after the deadline stated in the Code, in accordance with the deadline laid down in section 62 (3) of the Exchange Rules of the Frankfurt Stock Exchange (section 7.1.2).

Jena, February 13, 2004

Intershop Communications AG

on behalf of the Executive Board

Dr. Jürgen Schöttler

on behalf of the Supervisory Board

Eckhard Pfeiffer