

# INFINIDAT FEDERAL

## Privacy Notice

Last updated: August 2023

For prior versions of this Privacy Notice please contact [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com)

### **About this Privacy Notice**

You deserve to be aware of how your personal data is used. Moreover, data protection laws give you certain rights over your personal data, no matter when or where it is being processed. The purpose of this Privacy Notice is to provide you information about what personal data we collect about you, how we use it, why we use it, and how you control the data processing.

### **User Consent**

By submitting your personal data through our website, you (a) agree to the terms of this Privacy Notice, and (b) expressly consent to the processing of your personal data in accordance with this Privacy Notice.

Should you disagree with this Privacy Notice, your only remedy is to cease accessing our website and/or using any content you have obtained from our website.

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#### 1. **The Basics**

##### 1.1. Who We Are

1.1.1. Infinidat Federal, Inc., a Delaware corporation, sells enterprise data storage solutions and related services. Our offices are located at 6116 Executive Boulevard, Suite 355, North Bethesda, Maryland 20852.

1.1.2. If you have questions about our company or your privacy, or want to exercise your rights, you can contact us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com).

1.2. Our Role: Controller and Processor. Certain data protection laws, including the laws in the EU, differentiate between a party that determines why and how personal data is processed (called a “controller”) and a party that processes personal data solely on the controller’s behalf and according to the controller’s

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instructions (called a “processor”). Infinidat Federal, Inc. is the controller in respect of the processing described in this Privacy Notice.

## 1.3. Definitions and Recommendations

1.3.1. When we refer to “**services**”, we mean services we provide through our website, including information, registration or application forms, white papers, and other services and enterprise data storage solutions and related support services and activities.

1.3.2. When we refer to “**personal data**”, we mean information that is defined as personal data under law. This includes information that identifies you directly or indirectly, including unique identifiers like IP addresses or cookie IDs.

1.3.3. When we refer to “**you**”, we mean visitors to our website, job applicants, event participants, partners, customers and any user of our site and services, as applicable.

1.3.4. We recommend that you routinely review this Privacy Notice and your preferences on our site.

1.4. A Note on Legal Bases. Certain jurisdictions only allow the processing of personal data where a legal basis has been established. Under the EU’s General Data Protection Regulation (“**GDPR**”), the possible legal bases include: your consent, the processing is necessary to perform a contract with you, the processing is necessary to fulfill our legal obligations, or a company has a legitimate business interest to process your personal data. We only collect and process personal data where we have established a legal basis. Below you can find more details about specific legal bases.

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2. **Personal Data We Collect as a Controller, How We Use It, and Why.** Below is a description of the types of personal data we collect, how we use it, and the reason why we consider each use lawful. You have no legal obligation to provide us with personal data, but if you do not provide us with certain information, we may not be able to provide you with the associated services.

2.1. **Website Visitors.** When you visit our site, we may collect the following types of data about you.

2.1.1. **Contact Form Information** – When you send us a message through a form on our site, including when you request a demo, we collect any data you provide, which includes your name, company name, job title, work phone, work email, country, and the content of your message. Please note that in some cases, you will be redirected to a third-party website and your personal data will be handled according to that website’s privacy notice.

How We Use this Data: To respond to your message and to provide you with informational newsletters about our products and services, and provide you with promotional materials we think may be of interest to you.

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Legal Basis: When we respond to your message, we process this personal data based on the performance of a contract with you. Processing your personal data to share our newsletters and/or promotional materials are based on our legitimate interests to promote our business.

2.1.2. **Activity and System Data (Cookies)** – When you visit our site, we automatically collect data about your computer or mobile device, including personal data such as your IP address, device ID, browsing history (e.g., the other sites you've visited before ours), and your activity on our site (e.g., what pages you visited, for how long, and what links you clicked on). For more information about the cookies we use and how to adjust your preferences, see the [Cookies and Similar Technologies](#) section below.

How We Use this Data: We mainly use this data to generate aggregated analytics data about the use of our site so we can maintain and improve the site and develop new products or services. We also use statistical data to prevent fraud and protect the security of our site. Some cookies may be used to provide you with advertising for our products and services, based on your preferences and interests. One of the tools we use to collect and analyze this data is "Google Analytics". For more information about how Google collects information and how you can control such use, see: [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/).

Legal Basis: When we process this personal data for the purpose of preventing fraud, we do so based on our legitimate interests to develop and improve our products and services, market our own products, and to prevent fraud. When we process this personal data for the purpose of providing you with targeted advertising, we do so based on your consent. We will only use your personal data for marketing third parties' products and services if you have given your consent. You may withdraw your consent at any time by contacting us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com). We will process your request as soon as reasonably possible, however it may take a few days for us to update our records before any opt out is effective. Additional information regarding [Our Marketing Activities](#) is provided below.

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2.2. **Job Applicants** – When you apply for a job with us, we collect the information you provide as part of your application and during the course of the application process. This may include your name, contact details, resume, recommendations, and any other information we may request or that you choose to share with us. If you submit an application via our site, you will be directed to a third-party provider and any information collected via the third-party service is subject to such third party's privacy notice. By clicking on any current opening link you consent to the processing of your personal data in accordance with this Privacy Notice.

How We Use this Data: We use this data to process your job application, including using your contact details to contact you for scheduling purposes and to provide you with updates. We also use this data to manage our recruitment campaigns, as well as to analyze their results and improve future campaigns.

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Legal Basis: We process your application data based on our legitimate interest to attract and assess candidates for employment.

- 2.3. **Partners** – When you apply to become our partner, we collect the information you provide as part of your application and retain it during the course of the application process and as long as you are a partner. This may include your name, company name, company address, job title, phone, email, and country.

How We Use this Data: We use this data to process your partner application, including using your contact details to contact you for scheduling purposes and to provide you with partner information. We also use this data to manage partner campaigns as well as to analyze their results and improve future campaigns.

Legal Basis: We process your application data based on our legitimate interest to attract and assess partners.

- 2.4. **Event Participants** – From time to time, we hold special events in which we may invite you to participate. We may collect the following personal data from you:

- 2.4.1. **Registration Data** – When you register for an event, we collect your name, contact details, and any other information we may request.

How We Use this Data: We use this data for logistical purposes, such as to help us plan the event, as well as to contact you with reminders and updates about the event and to ask for your feedback regarding the event so that we may improve future events or our services. If you consent, we may also send you marketing information about future events and other updates.

Legal Basis: When we process this personal data in the course of planning for and running the event, we do so in order to perform a contract with you. When we process this personal data to improve our events and services, we do so based on our legitimate interest to grow and improve our business and services. When we process this personal data to send you marketing information, we do so based on your consent. You may withdraw your consent at any time by contacting us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com).

- 2.4.2. **Event Pictures** – We may hire photographers to cover certain events. Event participants may be photographed directly or may appear in the background of event photos.

How We Use this Data: We may post event pictures, including on social media, to notify or update the public that the event took place. We may tag individuals in specific photos. We may also use the photos in other marketing materials.

Legal Basis: When we collect event pictures, we do so on the basis of our legitimate interest to market future events and our services.

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3. **Our Marketing Activities.** As described above, we may use personal data we collect for advertising and marketing purposes. We try to limit the marketing material we send to a reasonable and proportionate level. Below we describe how you can control the marketing material you receive from us.

### 3.1. Email Marketing and Services Communications

3.1.1. We use your contact details to send you informational newsletters and other marketing material about our products and services either where we have a legitimate interest to do so or where you have provided your consent. You may withdraw your consent at any time by emailing us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com). If you consent, we may also send you marketing material of our products and services as well as that of third parties. You can withdraw your consent at any time by contacting us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com).

3.1.2. You can stop the delivery of all marketing emails by following the "unsubscribe" link in any messages we send you. Alternatively, you can contact us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com) to request to unsubscribe.

### 3.2. Web Ads

3.2.1. We serve online ads based on the activity data we collect using cookies. You can change the way your browser manages cookies by adjusting the settings on your browser as explained below in the [How to Adjust Your Preferences](#) section.

3.2.2. We may also use social media plugins, which will allow social media platforms to link personal data collected through our site with personal data in your social media profile. This combined data may be used to serve you with advertising or customized content on the applicable social media platform. We recommend that you routinely review the privacy notices and preference settings that are available to you on social media platforms you use.

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4. **Sharing the Personal Data We Collect.** We share your personal data as follows:

4.1. **Affiliates.** We share your personal data, with our affiliated companies, as listed on below, where this is necessary to provide you with our products and services and so that we can manage our business, such as to keep updated records of our users.

<b>Affiliate Name</b>	<b>Jurisdiction</b>
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Infinidat, Inc.	US
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4.2. **Event Sponsors.** We may hold events, conferences, or webinars in conjunction with certain selected sponsoring partner organizations ("**Third Party Sponsors**"). We share the personal data you provide on signing up for a sponsored event, conference, or webinar with that Third Party Sponsor. Subject to applicable law

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and any preferences you have expressed, that Third Party Sponsor may use your information for its own marketing purposes.

- 4.3. Service Providers. Below is a list of the types of service providers we use, the service each provides, and the types of personal data shared with each. All service providers have agreed to confidentiality restrictions and have undertaken to use your personal data solely as we direct.

Type of Service	Description	Personal Data Shared
Cloud Computing	We use service providers that offer cloud computing services. They offer us space on their servers for us to store our files and programs, including your personal data.	All personal data that we collect from you is stored on third party servers.
Customer Relationship Management (CRM)	We use an external CRM tool to help us keep track of our customers and information related to them, including their personal data.	your name, company, position, email address, and phone number.
Email Marketing	We use an independent vendor to send out marketing emails on our behalf.	your name and email address.
Analytics Providers	We use a service provider to assist us with analytics services.	Data collected automatically through our site, including IP addresses and cookie information.
Online Advertising	External service providers assist us in placement of online advertisements and/or retargeting.	Data collected automatically through our site, including IP addresses and cookie information.

- 4.4. Change of Ownership. If we are looking to sell our company, liquidate assets, or merge with another, we may share your personal data with other interested parties as part of negotiations toward that transaction. In such case, or where we do sell our company, your personal data shall continue to be subject to the provisions of this Privacy Notice.
- 4.5. Law Enforcement Related Disclosure. We may share your personal data with government agencies or other relevant parties, such as a law office or independent auditor: (i) if we believe that such disclosure is appropriate to protect our rights, property or safety (including the enforcement of this Privacy Notice) or those of a third party; (ii) if required by law or court order; or (iii) as is necessary to comply with any legal and/or regulatory obligations, such as audit requirements.
- 4.6. Professional Advisers. We may share your personal data with our professional advisers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.

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5. **International Transfers.** Some of our service providers and affiliates are located in countries other than your own. When we transfer your personal data internationally, we will do so safely and securely and in accordance with applicable law.

- 5.1. If you are located in the EU, when we share your personal data with third parties based outside of the European Economic Area (“**EEA**”), we will ensure that they sign on agreements that require them to comply with applicable law, keep your data secure at similar levels to the level described in this Privacy Notice, and make sure that your data protection rights are protected. We will also implement the following safeguards:

- 5.1.1. If we transfer your personal data to other countries, we (i) take additional security measures to protect the data and (ii) use specific contracts approved by the European Commission, known as the Standard Contractual Clauses, to give your personal data the same protection it has in the EEA.

- 5.1.2. Please contact us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com) if you would like further information on the specific mechanism used by us when transferring your personal data out of the EEA.

6. **Security.** The security of your personal data is our highest priority. We work hard to make sure that your personal data will be held securely and that it will not be shared or lost accidentally. However, it is impossible to guarantee absolute security. The security of your data also depends on the security of the devices you use and the way in which you protect your user IDs and passwords. The measures we take include:

- 6.1. **Technical Measures.** The electronic safeguards we employ to protect your personal data include encryption of data using secure SSL protocols.

- 6.2. **Access Control.** We limit access to your personal data only to authorized personnel who have a need to know. We review these permissions regularly and revoke an employee’s access immediately after his/her termination.

- 6.3. **Internal Policies.** We maintain and regularly review and update our privacy related and information security policies.

- 6.4. **Personnel.** We require employees to sign non-disclosure agreements according to applicable law and industry customary practice.

- 6.5. **Standards and Certifications.** We have been certified as compliant with ISO 27001 (Information Security Management) and ISO 27018 (Cloud Privacy).

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7. **Your Rights - How to Control Our Use of Your Personal Data.** Depending on which laws apply, you have certain legal rights over your data. Below is some general information about rights that may apply to you but we recommend checking the law or consulting with a lawyer to understand what applies in your specific case. To exercise your rights, please contact us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com). We may ask for reasonable evidence to verify

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your identity before we can comply with any request.

- 7.1. Right of Access. You may have a right to know what personal data we collect about you. We may charge you with a fee to provide you with this information, if permitted by law. If we are unable to provide you with all the information you request, we will do our best to explain why. See [Article 15](#) of the GDPR for more details, if your personal data is subject to GDPR.
- 7.2. Right to Correct Personal Data. You may have the request that we update, complete, correct or delete inaccurate, incomplete, or outdated personal data. See [Article 16](#) of the GDPR for more details, if your personal data is subject to GDPR.
- 7.3. Deletion of Personal Data (“Right to Be Forgotten”). If you are located in the EU, you may have the right to request that we delete your personal data. Note that we cannot restore information once it has been deleted. Even after you ask us to delete your personal data, we may be allowed to keep certain data for specific purposes under applicable law. See [Article 17](#) of the GDPR for more details, if your personal data is subject to GDPR.
- 7.4. Right to Restrict Processing. If you are located in the EU, you may have the right to ask us to stop processing your personal data. See [Article 18](#) of the GDPR for more details, if your personal data is subject to GDPR.
- 7.5. Right to Data Portability. If you are located in the EU, you may have the right to request that we provide you with a copy of the personal data you provided to us in a structured, commonly-used, and machine-readable format. See [Article 20](#) of the GDPR for more details, if your personal data is subject to GDPR.

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- 7.6. Right to Object. If you are located in the EU, you may have the right to object to certain processing activities. See [Article 21](#) of the GDPR for more details, if your personal data is subject to GDPR.
  - 7.7. Withdrawal of Consent. If we are processing your data based on your consent, you are always free to withdraw your consent, however, this won't affect processing we have done from before you withdrew your consent.
  - 7.8. Right to Lodge a Complaint with Your Local Data Protection Authority. If you are located in the EU, you have the right to submit a complaint to the relevant data protection authority if you have any concerns about how we are processing your personal data, though we ask that as a courtesy you please attempt to resolve any issues with us first.
8. **Your California Privacy Rights**. If you are a resident of the State of California, subject to certain exemptions, you have certain rights in relation to the personal data (for the purposes of this Section, “**Personal Information**”) that we have collected about you, as detailed below. In accordance with applicable law, we may ask for reasonable evidence to verify your identity before we comply with certain of your requests, as detailed below.
    - 8.1. **Your Rights**.



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8.1.1. Right of Access. You have the right to request that we disclose to you any or all of the following in respect of the 12-month period preceding your request:

- The specific Personal Information we have collected about you.
- The categories of Personal Information we have collected about you.
- The categories of sources from which we collected the Personal Information about you.
- The categories of third parties with whom we share Personal Information about you.
- The categories of Personal Information about you we have sold and the categories of third parties to whom we have sold such Personal Information.
- The categories of Personal Information about you we have disclosed for a business purpose and the categories of third parties to whom we have disclosed such Personal Information.
- Our business or commercial purpose(s) for collecting or selling your Personal Information.

8.1.2. Right to Delete. Subject to certain exceptions, you have the right to request that we and any of our service providers delete your Personal Information.

8.1.3. Right to Correct. If you find that any of the Personal Information, we have collected about you is inaccurate, you have the right to correct such information.

8.1.4. Right to Opt-Out of the Sale of Personal Information. If you are 16 years of age or older or have opted-in to the sale of your Personal Information, you have the right to direct us not to sell your Personal Information at any time. You may change your mind and opt back into the sale of your Personal Information at any time by contacting us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com). We may deny any request to opt-out of the sale of Personal Information that we deem in our good-faith, reasonable and documented belief is fraudulent.

8.1.5. Right to Non-Discrimination for Exercising your Consumer Privacy Rights. You have the right not to be discriminated against for exercising any of your consumer privacy rights, such as, not being denied any goods or services or charged different prices or rates.

## 8.2. How to Exercise your California Privacy Rights.

8.2.1. Contact Information. To exercise any of the rights detailed above, please submit a verifiable request to us by contacting us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com). You may only request to exercise your right of access twice within a 12-month period.

8.2.2. Submitting a Verifiable Request. In order to exercise your right to know or right to delete you must submit a request containing sufficient information that allows us to reasonably verify you are the person about whom we collected the applicable Personal Information or an authorized agent of such person, which may include details relating to your account. Any requests

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made through your password protected account will be verified through our existing authentication procedures for such account.

8.2.3. Submitting Requests through an Authorized Agent. An authorized agent may exercise requests on your behalf. In order to exercise your right to know or right to delete through an agent, we may ask for reasonable evidence to verify your identity and the agent's identity, and written authorization permitting the agent to act on your behalf before complying with your request. In order to submit a request to opt-out of the sale of your Personal Information through an agent, we may ask for written authorization permitting the authorized agent to act on your behalf before complying with your request. We reserve the right to deny the request of any agent that does not provide proof that they have been authorized to act on behalf of the applicable consumer in accordance with applicable law.

8.3. Children. We do not knowingly sell the Personal Information of California residents under 16 years of age.

## 9. Data Retention.

9.1. We retain your personal data in accordance with our retention policy and as long as necessary to fulfill each of the purposes we described above. Once we're done with your data, we delete it.

9.2. When deciding how long to store personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized access, the purposes for which the personal data was collected, as well as applicable legal requirements. Please note that we may delete information from our systems without notifying you first. Retention by any of our service providers or subcontractors may vary in accordance with each business's retention policy.

9.3. In some circumstances, we may store your personal data even after we're finished using it if required to do so by law (e.g., to fulfill tax or audit requirements), or to keep accurate records of our interactions in case there is a prospect of litigation relating to your personal data. In such cases, we will maintain the same security measures as described above.

9.4. Please contact us at [privacy@infinidatfederal.com](mailto:privacy@infinidatfederal.com) if you would like details about the retention periods for each type of personal data we process.

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## 10. Cookies and Similar Technologies.

10.1. What are Cookies? A cookie is a small piece of text that is sent to your browser by a website you visit. This piece of text acts as a sort of tag, letting the website know that it's you (really, your device) that's visiting. There are other technologies that act similarly, like web beacons, pixel tags, and Device IDs for apps, but for simplicity's sake we'll refer to them all as "cookies".

10.2. Websites can place their own cookies (called "first-party cookies") but can also

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place cookies from other sites (called “third-party cookies”). If your browser holds both first and third-party cookies for a given website, both the website and the third party are notified when you visit the site. We may place both first and third-party cookies on our site.

10.3. How We Use Cookies. While the specific names and types of cookies we use may change from time to time, they generally fall into one of the categories listed below. We will not place any cookies on your browser that are not strictly necessary unless you have first consented to receive them.

Cookie Type	Function	Domain Source
Necessary	These cookies allow the site to work correctly. They enable your access to the site, move around, and access different services, features, and tools. These cookies cannot be disabled.	
Functionality	These cookies remember your settings, preferences, and other choices you make (like placing an item in a shopping cart) in order to help personalize and streamline your experience.	Drupal
Security	These cookies help us identify and prevent security risks. They may be used to store your session information to prevent others from changing your password without your login information.	
Performance/Analytics	These cookies collect analytical information to help us understand how you use our site, for example whether you have viewed messages, clicked on links, and how long you spent on each page. This helps us improve our site to better suit your needs.	Google Marketo Demandbase Wistia Oktopost 6Sense Hotjar Hubspot
Advertising	These cookies help advertisers show you ads. When we place advertising cookies, they help us track the efficiency of our advertising campaigns. Advertising cookies may track your browsing habits and activity when visiting our site and those of third parties and help us serve ads that are relevant and meaningful to you and your interests.	Google Demandbase LinkedIn Avocet Floodlights

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10.4. How to Adjust Your Preferences. Most web browsers are initially configured to accept cookies, but you can change the settings so your browser refuses all cookies or certain types of cookies. In addition, you are free to delete any existing cookies at any time. Please note that some features of the services may not function properly when cookies are disabled or removed. For example, if you delete cookies that store your account information or preferences, you will be required to input

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these each time you visit.

11. **Third-Party Services.** You may have access to third-party services through our services. Please note that all use of third-party services is at your own risk and subject to such third party's terms and privacy policies. We do not take any responsibility for the performance of other services.
12. **Children.** Our services are not aimed at children under the age of sixteen (16). We do not knowingly collect personal data from children under the age of sixteen (16). If you have not reached the age limit, do not use the services and do not provide us with your personal data. In the event that you become aware that an individual under the age of sixteen (16) has registered without parental permission, please advise us immediately.
13. **Changes to the Privacy Notice.** We may update this Privacy Notice from time to time to keep it up to date with legal requirements and the way we operate our business. We will place any updates on this webpage. Please come back to this page every now and then to make sure you are familiar with the latest version.

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