

Privacy Notice

1.Introduction

This Privacy Notice describes practices of Mirantis Inc., (“**Mirantis**” or “**we**”) regarding collection and further processing of information related to identified or identifiable individuals (“**Personal Information**”).

This Privacy Notice is applicable in the cases when Mirantis decides about the purposes and means of processing (i.e. when Mirantis is a data controller). It does not apply in the situations when Mirantis is only engaged in a processing by a third party that determines the purpose and means of processing. This Privacy Notice does not apply to processing of Personal Information of job applicants or employees of Mirantis, for more details about this processing, please see the applicable policy available [here](#). This Privacy Notice is applicable in particular to the Personal Information:

- related to visitors of Mirantis websites;
- processed for marketing purposes of Mirantis;
- processed in connection with provision of services by Mirantis to you or your company (to the extent in which Mirantis acts as a data controller);
- related to visitors of Mirantis office.

For more information about collection and processing of Personal Information in the course of specific activities, please see the respective part of this Privacy Notice.

If you are a resident of California, a member state of the European Economic Area (EEA) or of the United Kingdom, you have certain special rights granted by local regulations applicable in these regions. Please see the sections addressed to the California, EEA or UK residents for more information.

2.Processing Activities Related to Mirantis Websites

2.1. General. Mirantis websites collect Personal Information at several points and for various purposes, which can include processes associated with e-commerce, product or service registration, account creation, e-mail opt-in or collection of additional information about your use of Mirantis websites such as cookies or similar technology. The source of Personal Information that we collect about you on Mirantis websites is you or the person providing your Personal Information through our websites on

behalf of you.

The following Personal Information is collected and processed in connection with our websites when you visit and browse the websites, or register through our forms:

Identifiers	Real name, alias, postal address, telephone number, email address.
Commercial information	Product registration or purchase information, billing and shipping information.
Geolocation data	Country.
Internet or other electronic network activity information	Information related to your browsing history, search history, and information regarding your interaction with our website, application, or advertisement. If you register an account on Mirantis websites: credential such as user name and password.
Professional or employment-related information	Company, job title.

2.2. Purposes. The Personal Information collected through the forms on our website is processed for the purpose related to the specific form through which you registered. For example, if you register through the registration form for Mirantis training, we will process your Personal Information for the purpose of providing you with this training. If you create a user account on our website, we will process your Personal Information in order to keep this account for you. In some jurisdictions, we are allowed to and we do process your Personal Information also for other purposes compatible with the purpose for which you provided us with the Personal Information, such as offering of similar services as those for which you already registered. We may use the collected Personal Information also for other legitimate purposes such as ensuring security of our websites, responding to your requests or otherwise contacting you, processing your payments, organizing events and planning other activities or campaigns, or improving our services.

2.3. Legal Basis.When you register through a form by which a contract is established between you and Mirantis, our legal basis for the processing of your Personal Information submitted through the websites forms is entering into the contract with you, performance of our contractual obligations and communication with you during the contractual relationship. If you submit your Personal Information through other forms to Mirantis (by which a contract is not entered into), for example if you register for our newsletters or create an account, our basis for processing will be our legitimate interest in providing you with the functionality or content based on the respective registration.

2.4. Cookies. Our websites also use cookies and similar tracking technologies. For more information about our use of these technologies, please see [here](#).

2.5. Additional Information. We offer links to other websites (“**Third Party Sites**”). Please note that Third Party Sites may observe privacy standards different from ours and the collection and use of your Personal Information will be governed by the privacy policies of such Third Party Sites. Our web sites offer a space for postings and submissions. Please be advised that any information posted in these venues will be publicly available.

3. Processing Activities for Marketing Purposes

Mirantis as all other business companies, collects and processes Personal Information for marketing purposes or other activities related to sales of Mirantis products or services or promotion of Mirantis brand. The sources from which Mirantis collects Personal Information for these purposes might be you or your company, generally available websites where information about you are published in connection with your current or past business position, or third-party providers of business contacts lists. This applies as long as the collection and processing is compliant with the applicable data privacy laws.

For marketing purposes, we collect and process in particular the following categories of Personal Information with which additional information about you may be associated:

Identifiers	A real name, alias, postal address, telephone number, email address.
Commercial information	Commercial information products or services purchased, obtained, or considered by you or your company, or other purchasing or consuming histories, histories of your subscriptions or tendencies including all business interactions with Mirantis.

Geolocation data	Region, country, address.
Professional or employment-related information	Company, job title, role, function.

The Personal Information collected for the purpose of marketing activities of Mirantis is processed based on our legitimate interests, in particular for marketing activities including offering of our products or services to relevant persons or promotion of Mirantis brand, to the extent that such legitimate interest does not conflict with the applicable data privacy laws or your prevailing legitimate interests.

4. Processing Activities in Connection with the Provision of Services by Mirantis

If you or your company enter into an agreement with Mirantis for use of products or services offered by Mirantis, we may collect and process certain Personal Information about you that is provided either by you or by your company (which depends on who is the customer of Mirantis). This Personal Information may include especially the following categories of Personal Information with which additional information about you may be associated:

Identifiers	A real name, alias, postal address, telephone number, Internet Protocol address, email address, signature, ID.
Commercial information	Commercial information products or services purchased, obtained, or considered by you or your company, or other purchasing or consuming histories, histories of your subscriptions or tendencies including business interactions with Mirantis, billing and shipping information.
Internet or other electronic network activity information	If you have registered an account on Mirantis websites (either by you or by your company): credential such as user name and password and all your activities and interactions related to your account.

Geolocation data	Region, country, address.
Audio, electronic, visual, thermal, olfactory, or similar information	Audio, electronic and visual, information (applicable if you participate on webinars or calls that are recorded).
Professional or employment-related information	Company, job title, role, function.

The above listed Personal Information is collected and processed for the purpose to provide you or your company with the ordered products or services, to contact you or your company or have you or your company registered as a customer or customer’s designated representative for the purchased products or services and for our interactions in the course of the customer relationship. Our legal basis for processing is the performance of our contractual obligations towards you (if you are our customer) or our legitimate interest in providing the service towards your company (if your company is our customer).

This Personal Information listed above might be processed also for additional purposes compatible with this initial purpose such as for improvements of our product or services, in such a case our legal basis is our legitimate interest, always to the extent such processing does not conflict with the applicable data privacy laws or your prevailing legitimate interests.

Please note, that in the course of services, Mirantis may process certain Personal Information on behalf of its customers that might be the controllers of your Personal Information. In such a case the details about the processing have to be provided by such controllers and not by Mirantis.

5. Processing Activities Related to Your Visit of Mirantis Office

If you visit Mirantis premises, some personal information might be collected about you and processed for purpose of our visitor management, protection of our property and compliance with certain

security standards. This Personal Information includes:

Identifiers	A real name, email address, signature.
Audio, electronic, visual, thermal, olfactory, or similar information	Photo, visual information.
Professional or employment-related information	Company.

The above listed Personal Information is collected and processed to provide you or your company with the ordered products or services, to contact you or your company or to have you or your company registered as a customer or customer’s designated representative for the purchased products or services and for our interactions in course of the customer relationship. Our legal basis for processing is the performance of our contractual obligations towards you (if you are our customer) or our legitimate interest in providing the service towards your company (if your company is our customer).

This Personal Information listed above might be processed also for additional purposes compatible with this initial purpose such as for improvements of our product or services, in such a case our legal basis is our legitimate interest, always to the extent that such processing does not conflict with the applicable data privacy laws or your prevailing legitimate interests.

Please note, that in the course of services, Mirantis may process certain Personal Information on behalf of its customers that might be the controllers of your Personal Information. In such a case the details about the processing have to be provided by such controllers and not by Mirantis.

1. Processing Activities related to Product Telemetry

Some of our products have a telemetry function that may collect the information about you and your use of the software and send this information to Mirantis. Mirantis allows its customers to decide whether they agree with collection of such telemetry data and its provision to Mirantis by using the software with telemetry function turned on or off. The purpose of collection of this information collected from users is further optimization and improvement of the software and services. This Personal Information includes:

Identifiers	Unique personal identifier, online identifier, Internet Protocol address or other similar identifiers.
Geolocation data	Country.
Commercial information	Commercial information products or services purchased, obtained, or considered by you or your company, or other purchasing or consuming histories, or tendencies.
Internet or other electronic network activity information	Information related your interaction with an Internet website, application, or advertisement. system related information.

When the telemetry is turned off, the software will provide Mirantis only with personal information that is necessary to provide the selected services, including updates or upgrades of the software. However, you may also manually opt-out from automatic software updates and upgrades.

If you use our software product as a member of an organization (e.g. as an employee of a company for which you work), the decision about the telemetry usage is upon such organization. Please consult the settings of telemetry with your organization.

7. Third Party Recipients of Personal Information

The Personal Information that Mirantis collects and processes may be shared with third party recipients in certain situations, which include sharing with:

- The affiliated companies of Mirantis which are involved by Mirantis in certain joint activities;
- third parties providing services to Mirantis, such as cloud-based services, providers of telecommunication services or to our financial, legal or other advisors;
- third parties that might have legitimate interest in knowing your Personal Information in case of merger, acquisition, reorganizations, sale of part of our business or other corporate change of Mirantis;
- in case of organizing events or webinars with another company in which you participate also with such other company.

8. Security and Retention of the Personal Information

We use industry-standard methods of securing electronic databases of personal information. Except as provided elsewhere in this Privacy Notice, we limit access to personal information in electronic databases to those persons in our organization who have a business need for such access. However, you should know that no website operator, including Mirantis, can fully eliminate security risks associated with Personal Information.

Your privacy is very important to us. However, due to factors beyond our control, we cannot fully ensure that your Personal Information will not be disclosed to third parties other than those mentioned above. For example, we may be legally required to disclose information to the government or third parties under certain circumstances, or third parties may unlawfully intercept or access transmissions or private communications.

We retain the Personal Information of individuals for a commercially reasonable time. The length of storage depends on the period required by the applicable laws (if any) and on the purpose for which the data was collected. For example, if you create an account at Mirantis website, we will process your Personal Information until you request deletion of the account or until the account is otherwise deactivated. For more details about retention period in specific case when your Personal Information is processed, please contact us on one of the designated contacts in section 11.

9. EEA and UK Residents – Additional Information

The following section is designed for individuals whose Personal Information is protected by the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (“**GDPR**”) or the UK Data Protection Act 2018 and the UK General Data Protection Regulation (“**UK GDPR**”).

9.1. Processing outside EEA and UK. Mirantis is a company headquartered in the United States and some of the third parties with which the Personal Information may be shared (as per section 7) operate in countries outside the European Economic Area (EEA) and UK. For this reason, your Personal Information will be processed also in countries that are not subject to an adequacy decision of the European Commission. When we export Personal Information to such countries, we rely on one or more of the available legal instruments such as EU Standard Contractual Clauses or Binding Corporate Rules guaranteed by the company to which the Personal Information is exported in order to ensure adequate level of protection for your Personal Information. For more details about the safeguards in specific case when your Personal Information is processed, please contact us on one of the designated contacts in section 11.

9.2. Your Rights. When GDPR or UK GDPR is applicable, you, as a data subject, have certain rights which include:

- Right of access to Personal Information processed by us (right of access);
- right to request rectification of inaccurate Personal Information to have incomplete personal data completed (right to rectification);
- right to erasure of your Personal Information in cases specified by the applicable law (right of erasure / right to be forgotten);
- right to restriction of processing in cases specified by the applicable law;
- right to transfer your Personal Information to you or to another entity (right to data portability);
- right to object processing based on automated decision making.

If you wish to exercise any of your rights, please use one of the designated contacts in section 11.

10. California Residents – Additional Information

The following section is designed for individuals whose Personal Information is protected by the California Consumer Privacy Act of 2018 (CCPA) in order to provide them with further information about the collection of Personal Information and their rights, as required by the CCPA:

10.1. Your Rights. When California Consumer Privacy act is applicable, you, as a data subject, have certain rights which include:

- right of access Personal Information processed by us (right of access), which include your right to request the information about the categories of personal information we collected about you, the categories of sources from which the personal information was collected, the business or commercial purpose for collecting or selling personal information, the categories of third parties with whom we shares personal information and the specific pieces of personal information we have collected about you.
- right to request deletion of your Personal Information collected from you (subject to certain exceptions)
- right to equal services and prices.

If you wish to exercise any of your right, please, use on of the designated contacts in section 11.

10.2. Information about Sale of Personal Information. Please note, that Mirantis does not sell your personal information in terms of CCPA.

11. Contact Information

The controller of Personal Information is Mirantis Inc., a Delaware corporation with registered seat at 900 E. Hamilton Avenue, Suite 650, Campbell, CA 95008, USA. Mirantis has appointed a data protection officer which is available on the email address below.

Designated methods for contacting Mirantis, Inc. in matters related to your privacy:

- **Email:** [dataprivacy\(at\)mirantis.com](mailto:dataprivacy@mirantis.com)

(please use this email to contact Mirantis DPO).

- **Toll-free telephone number:** +1-650-963-9828

(California HQ office)

Please note that exercise of your right through these designed contacts may be subject to further verification of your identity.

12. Future Modifications

We may amend this Privacy Notice at any time by posting the amended version on our websites.