

CIRCADENCE CORPORATION
PRIVACY POLICY
(5/25/18)

This Privacy Policy

This Privacy Policy informs you what information Circadence Corporation (“we”, “us” or “our”) collects about you and your use of our website www.circadence.com (“our Website”) and our products and services (“the Services”).

To the extent that the Website and the Services are available to individuals located in the European Economic Area and the United Kingdom we are bound by and act in compliance with the General Data Protection Regulation (EU) 2016/679 (“GDPR”). This Privacy Policy sets out our practices and obligations under the GDPR.

The Personal Information we collect

Personal information is information that can be used to identify you or contact you (“Personal Information”). Personal Information amounts to ‘personal data’ for the purposes of and as defined in the GDPR. All references to Personal Information shall be deemed to include personal data as defined and used in the GDPR.

The Website

1. Website Terms & Conditions

This Privacy Policy is incorporated into and is part of the Circadence Corporation Terms & Conditions applicable to your use of our Website <https://www.circadence.com/terms-conditions/>. By using the Website, you are signifying your acceptance of the Terms & Conditions and this Privacy Policy. If you do not agree to the Terms & Conditions and this Privacy Policy, you may not use our Website.

2. Information we collect from you

2.1. We will collect and process the following Personal Information about you:

2.1.1. **Information you give us.** This is information about you that you give us by contacting us using the form on our Website or by corresponding with us by telephone, email or otherwise. This information you give us may include your name, address, email address and telephone number, and financial and credit card information.

2.1.2. **Information we collect about you.** With regard to each of your visits to our Website we will automatically collect and log information including your Web request, Internet Protocol address, browser type, browser language, the date and time of your request and one or more cookies that may uniquely identify your browser.

3. Cookies

- 3.1. We also collect anonymous, non-Personal Information about your use of our Website through the use of cookies, which are small computer files that we transfer to your computer's hard drive. Cookies allow us to know how often someone visits our Website and the activities they conduct while on our Website (such as the pages visited). The information collected by cookies helps us generate content and advertising specifically designed for you and also allows us to statistically monitor how many people are using our Website and for what purpose. The Website does not store any Personal Information in any cookies on your computer. While it may be possible to link non-personal cookie information to Personal Information collected in other ways we will not, without your consent, link the cookie information we collect to Personal Information you provide to us through our Website.
- 3.2. Your browser software can be set to reject all cookies. Most browsers offer instructions on how to reset the browser to reject cookies in the "Help" section of the toolbar. If you reject our cookies, you may not be able to use certain functions and conveniences of our Website, but you do not have to accept our cookies in order to productively use our Website.

4. Web Beacons

Web beacons are tiny graphic image files embedded in a web page or email that provide a presence on the web page or email and send back to its home server information from your browser. The information collected by web beacons allows websites to statistically monitor how many people are using the website or using the websites of certain sponsors or advertisers. Web beacons also allow a website to monitor whether you open e-mails sent from the website or from sponsors or advertisers, and sometimes to track your activity across websites generally. We may use web beacons to collect non-Personal Information about your use of our Website. Our web beacons are not used to track your activity outside of our Website. We do not link non-Personal Information from web beacons to Personal Information without your permission and do not use web beacons to collect or store Personal Information about you.

5. Children

We are committed to protecting the privacy of children. Our Website is a general audience site and not designed or intended to attract children under the age of 13. We do not collect Personal Information from any person we know is under the age of 13.

6. How we use your Personal Information

- 6.1. We use your Personal Information to respond to questions from you, provide information about our Website and the Services, and/or to improve our Website and the Services. You are responsible for ensuring the accuracy of the Personal Information you provide through our Website. If your Personal Information is outdated or inaccurate, we may not be able to send you emails or notify you about changes to this Privacy Policy.
- 6.2. We will only use your Personal Information to the extent that the law allows us to do so. Under the GDPR we rely on the following legal bases for processing your Personal Information:

- 6.2.1. where you have given consent to the processing;
- 6.2.2. where it is necessary to perform the contract we have entered into, or are about to enter into, with you (whether in relation to the provision of the Services or otherwise); and/or
- 6.2.3. where it is necessary for the purposes of our legitimate interests (or those of a third party) and your interests and fundamental rights and freedoms do not override those legitimate interests.

7. Disclosure of your Personal Information

- 7.1. Except as set forth in this Privacy Policy or as specifically agreed to by you, we will not disclose any Personal Information you submit through our Website to third parties.
- 7.2. You agree that we have the right to share your Personal Information with selected third parties including:
 - 7.2.1. **Disclosure for legal reasons:** We may release Personal Information to third parties (1) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; or (2) in special cases, such as a physical threat to you, others or homeland security, in which we believe it is reasonably necessary to investigate or prevent harm, fraud, abuse, or illegal conduct. In the event that we are legally compelled to disclose your Personal Information to a third party, we will notify you unless doing so would violate the law or court order.
 - 7.2.2. **Disclosure to operations and maintenance contractors:** Third parties that we contract with to maintain our Website or the Services or our business sometimes have limited access to your Personal Information in the course of providing products or services to us. These contractors include vendors and suppliers that provide us with technology, services, and/or content related to better operation and maintenance of our Website or the Services and others such as our legal advisers and auditors. Access to your Personal Information by these contractors is limited to the information reasonably necessary in order for the contractor to perform its limited function for our Website or the Services. We also contractually require that these contractors (1) protect the privacy of your Personal Information consistent with this Privacy Policy, and (2) do not use or disclose your Personal Information for any purpose other than providing us with products and services.
 - 7.2.3. **Disclosure to our affiliates and changes in our corporate structure:** We may share your Personal Information with our corporate affiliates, and those affiliates are bound to use and share your Personal Information in accordance with this Privacy Policy. In addition, if all or part of our company is sold, merged or otherwise transferred to another entity, the Personal Information you have provided through our Website or through use of the Services may be transferred as part of that transaction. We will take steps to assure that, without your consent, any Personal Information that is transferred will not be

used or shared in a manner inconsistent with the Privacy Policy under which it was collected.

7.2.4. **Disclosure of aggregate information:** We may provide non-Personal Information about you to third parties that does not allow you to be identified or contacted and that is combined with the non-Personal Information of other users (“Aggregate Information”). For example, we might inform third parties regarding the number of users of our Website and the Services, and the activities they conduct while on our Website or using the Services. Depending on the circumstances, we may or may not charge third parties for this Aggregate Information. We also may not limit the third parties’ use of the Aggregate Information, except that we do require third parties to whom we disclose Aggregate Information to agree that they will not attempt to make this information personally identifiable by combining it with other databases or otherwise.

7.2.5. **Other uses and disclosures:** We may use and disclose your Personal Information in order to facilitate your use of our Website or the Services. In those cases, in which we use or share your Personal Information in ways that are not described in this Privacy Policy, we will inform you at the time you first use that functionality or service and your use of the service or functionality will constitute your consent to those different uses and/or disclosures.

7.3. Personal Information collected and used via our Website will be stored, and (if applicable) transferred to us, in the United States. To the extent that we process Personal Information of individuals located in the European Economic Area or the United Kingdom we are bound by and act in compliance with the GDPR. By accepting this Privacy Policy, you explicitly consent to us storing, and (if applicable) transferring, your Personal Information in and to the United States, such transfer being necessary for the purposes of your use of our Website and the Services.

8. Security and Data Retention

8.1. We want your Personal Information to remain as secure as possible. Only a limited number of employees are authorized to access your Personal Information. Our employees must abide by our Privacy Policy and those who violate the Privacy Policy are subject to disciplinary action, up to and including termination. Although we will make commercially reasonable efforts to protect your Personal Information from loss, misuse, or alteration by third parties, you should be aware that there is always some risk involved in transmitting information over the Internet. There is also some risk that others could find a way to thwart our security systems.

8.2. We will only retain your Personal Information collected through our Website for as long as necessary to fulfil the purposes for which we collected it.

9. Your Rights

9.1. You can always contact us in order to delete your Personal Information from our Website systems or update the Personal Information that you have provided to us by

emailing us at info@circadence.com. Such changes will not have any effect on other information that we maintain.

- 9.2. Under certain circumstances and in compliance with the GDPR, you have the right to:
 - 9.2.1. **Request access** to your Personal Information (commonly known as a 'subject access request'). This enables you to receive a copy of the Personal Information we hold about you and to check that we are lawfully processing it;
 - 9.2.2. **Request correction** of the Personal Information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
 - 9.2.3. **Request erasure** of your Personal Information. This enables you to ask us to delete or remove Personal Information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove all of your Personal Information in certain other circumstances;
 - 9.2.4. **Object to processing** of your Personal Information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground;
 - 9.2.5. **Request the restriction of processing** of your Personal Information. This enables you to ask us to suspend the processing of Personal Information, for example if you want us to establish its accuracy or the reason for processing it;
 - 9.2.6. **Request the transfer** of your Personal Information to another party; and
 - 9.2.7. **Lodge a complaint** with the relevant supervisory authority (as defined in the GDPR). If you have any complaints about the way we process your Personal Information, please do contact us. Alternatively, you may lodge a complaint with the supervisory authority which is established in your country.
- 9.3. If you want to review, verify, correct or request erasure of your Personal Information, object to the processing of your Personal Information, or request that we transfer a copy of your Personal Information to another person please contact info@circadence.com.
- 9.4. You should be aware that it is not technologically possible to remove each and every record of the information you have provided to us from our servers. The need to back-up our systems to protect information from inadvertent loss means that a copy of your Personal Information may exist in a non-erasable form that will be difficult or impossible for us to locate. Nevertheless, upon receiving your request, all Personal Information stored in the databases we actively use for research and daily business activities will be deleted.

The Services

10. Processing your Personal Information in order to provide the Services

In order to provide the Services to you, it is necessary for us to collect and use your Personal Information. To the extent that we process Personal Information of individuals located in the European Economic Area or the United Kingdom we will do so as a data processor, for the purposes of the GDPR. The data controller is the entity which enters into the contract for Services with us and, in order to provide the Services, we will process your Personal Information only on the instructions of the data controller. Further detail is contained in our contract with the data controller and you can contact the data controller for more information.

11. Changes to this Policy

- 11.1. In the future, we may make significant changes to our Privacy Policy affecting the use of the Personal Information we collect. We will notify you by e-mail of any material changes to this Privacy Policy and your continued use of this Web Site or Services will confirm your agreement to those changes. We may also make non-material changes to our Privacy Policy that generally will not affect our use of your Personal Information. You should check this posted Privacy Policy for any future changes. If you do not agree to the terms of this Privacy Policy or any revised policy, please exit our Website and cease using the Services immediately.
- 11.2. If you have questions or complaints about our privacy practices, you may contact us at info@circadence.com.