

**This Privacy Statement is effective as of May 18, 2020**

Nth Generation Computing, Inc. (Nth or We) respects your privacy. This Privacy Statement informs you about our privacy practices including details of the personal data we collect, use, disclose and transfer as well as choices you can make and rights you can exercise in relation to your personal data. This Privacy Statement is available from a link on the footer of every Nth web page.

This Privacy Statement applies to all Nth-owned websites, domains, services, applications, and products, except that a privacy policy or statement specific to a particular Nth program, product or service may supersede or be supplemented by this Privacy Statement.

1. How we use personal data

We collect personal data only if required to provide our solutions or services, fulfill our legitimate business purposes and/or comply with applicable laws and regulations. Depending on your relationship with Nth we collect and process your personal data as follows:

- Nth solutions and services: contact details for the following main purposes: entering into and performing agreements with you or your organization; providing support and tools to activate licenses and request support; managing and fulfilling orders; deploying and delivering products and services; conducting quality controls; managing returns of defective media; operating and providing access to customer portals and hosted management services; consulting; notifications of contract expiration and renewal options; developing and improving our solutions and services; and ensuring compliance with regulatory requirements.
- Nth Financial Office: contact details, records of good standing and other information as may be relevant (e.g. information from publicly available resources) for the following main purposes - verifying eligibility for lease, loan and other financial services; conducting anti-money laundering and other regulatory checks; initiating credit approval process; facilitating the purchase and resale of equipment; compliance with client and partner agreements; and maintaining financial records in accordance with generally accepted accounting principles.
- Sales and marketing: contact details, identification information, information required to purchase our solutions and services online, profile, role and preferences, digital activity information and other information as may be relevant (e.g. information from publicly available sources) for the following main purposes - sales and marketing; advertising; creating and delivering targeted adverts and offers; conducting marketing campaigns; managing contacts and preferences; generating leads and opportunities; managing lead generation activities; organizing and managing events; and engaging in social media interactions.
- Online data collection tools: digital activity information for the following main purposes - enabling efficient use of our websites, products, and services; collecting statistics to optimize the functionality of our websites, products, and services; improving user experience and delivering content tailored to their interests; and improving marketing and advertising campaigns.
- Online forums and surveys: contact details, comments and feedback for the following main purposes - engaging with partners and suppliers in online forums; conducting customer satisfaction and engagement surveys.
- Partner and supplier programs: contact details for the following main purposes - managing relations with partners and suppliers; engaging and delivering products and services to customers in which case we may receive personal data directly from you or from our partners.

- Training and education: contact details for the main purpose of conducting trainings and education programs for customers, partners and suppliers.
- Due diligence screening: contact details and other information as may be relevant (e.g. information from publicly available sources) for the following main purposes - conducting anti-corruption due diligence on third parties and conducting required investigations, in compliance with applicable laws.
- Security and authentication: contact details and identification information for the following main purposes - ensuring safety and security of Nth staff and premises; protecting Nth's network and other digital assets; providing access to restricted areas and information assets; and protecting personal data from unauthorized access.
- Whistleblowing: contact details and information about alleged misconducts for the main purpose of detecting, preventing and investigating misconduct by Nth staff, customers, prospects, partners and suppliers.
- Inquiries and complaints: contact details and information included in inquiries and complaints for the main purpose of addressing and resolving inquiries and complaints.
- Recruitment: contact details for the main purpose of sending job alert subscriptions managed by Nth or our recruitment partners.
- Recruitment lead generation: contact details and information made publicly available on professional social networks such as LinkedIn for the purpose of identifying and contacting potential job candidates.
- Non-Nth website and social media features: Nth sites or services may provide links to third-party applications, products, services or websites for your convenience or information. We may also provide social media features that enable you to share information with your social networks and to interact with Nth on various social media sites. Nth does not control third party sites or their privacy practices and we do not endorse or make any representations about third party sites. The personal data you choose to provide to or that is collected or shared by these third parties is not covered by this Privacy Statement. We encourage you to review the privacy policy of any site you interact with before allowing the collection and use of your personal data.

## 2. How we share personal data

Nth does not sell, rent or lease personal data to others except as described in this Privacy Statement. We may share and/or disclose your personal data as follows:

- Disclosure within the Nth team. Nth has its headquarters in the United States of America, in San Diego, California and Nth operates predominately throughout Southern California. Nth may disclose your personal data as necessary within the Nth team in connection with how we use your personal data.
- Disclosure to third parties. Nth retains suppliers and service providers to manage or support its business operations, provide professional services, deliver products, services and customer solutions and to assist Nth with marketing and sales communication initiatives. Those third parties may receive and process your personal data, as necessary to support and facilitate how we use your personal data. Suppliers and service providers are required by contract to keep confidential and secure the information they process on behalf of Nth and may not use it for any purpose other than to carry out the services they are performing for Nth.
- Where Nth engages with partners, resellers and/or distributors as part of its business operations, Nth may disclose your personal data to them in order to facilitate sales and delivery of its products and services. Partners, and/or distributors are required by contract to keep confidential and secure the information received from Nth and may use it only for the said purposes, unless otherwise authorized by you or applicable laws and regulations.

Except as described in this Privacy Statement, Nth will not share your personal data with third parties without your permission, unless to: (i) respond to duly authorized information requests of police and governmental authorities; (ii) comply with law, regulation, subpoena, or court order; (iii) enforce/protect the rights and properties of Nth or its subsidiaries; or (iv) protect the rights or personal safety of Nth, our employees, and third parties on or using Nth property when allowed and in each case in accordance with applicable law.

Circumstances may arise where, whether for strategic or other business reasons, Nth decides to sell, buy, merge or otherwise reorganize its businesses. Such a transaction may involve the disclosure of personal data to prospective or actual purchasers, or the receipt of it from sellers. It is Nth's practice to seek appropriate contractual protection for personal data in these types of transactions.

### 3. How to manage communications and preferences

Nth may provide you with information that complements our solutions and services and/or communications about our new solutions, services and offers. If you or your organization purchased our solutions or services, you may receive alerts, software updates or responses to support requests that are part of our solutions and services. If you choose to receive Nth communications, you may also choose to subscribe to receive specific newsletters and publications. In some cases, you may also choose whether to receive the information and communication by email, telephone, or post.

Unsubscribing from communications. In the event you no longer wish to receive Nth communications, you can unsubscribe from such communications by:

- Following opt-out or unsubscribe link and/or instructions included in each email subscription communication;
- Indicating to the caller that you do not wish to receive calls from Nth anymore.
- In the event your opt-out or unsubscribe request has not been resolved in a timely manner, please contact the Nth Privacy Office (see contact info in Section 8) with details of your name, contact information, and description of the communications you no longer wish to receive from Nth.
- Please note that these options do not apply to communications relating to the administration of orders, contracts, support, product safety warnings, or other administrative and transactional notices, where the primary purpose of these communications is not promotional in nature.

### 4. Automatic Data Collection Tools

How Nth uses Automatic Data Collection Tools. Nth websites and applications use cookies, web beacons, device identifiers, IP addresses, and other similar technologies (collectively, Automatic Data Collection Tools), to provide and secure Nth websites and applications, remember log-in details, collect statistics to optimize functionality, collect information on user activity in response to email communications and related to white papers, documents and other assets made available through our websites and applications, and more generally to improve your user experience and deliver content tailored to your interests. Some of these Automatic Data Collection Tools are strictly necessary to provide Nth websites and applications, while others are used to understand, tailor and improve Nth websites and applications.

Nth also allows third-party advertising companies to use Automatic Data Collection Tools on our websites and applications in order to understand how you interact with our websites and applications, to optimize our advertisements and marketing and to serve advertisements specific to your interests on other websites and applications you may visit or use. Nth may use retargeting and behavioral advertising technologies, a set of practices collectively referred to as "Interest Based Advertising"

to tailor those advertisements to your perceived interests based on information collected through Automatic Data Collection Tools.

Automatic Data Collection Tools may also be used when you share information using a social media sharing button on our websites. The social network will record that you have done this and may use this information to send you targeted advertisements. The types of Automatic Data Collection Tools used by these companies and how they use the information is governed by their privacy policies.

When you enter your contact details on a web form on an Nth website, in order to subscribe to a service, download a digital asset, register for an event, or request information about Nth's solutions and services, your contact details may be stored in a cookie on your device. This information is then accessed on subsequent visits to Nth.com sites, allowing us to track and record the sites you have visited and the links you have clicked, in order to better personalize your on-line experience, and future Nth communications.

If you choose to receive marketing emails from Nth, we may track whether you've opened those messages and whether you've clicked on links contained within those messages, through the use of web beacons and personalized URLs embedded in these communications. This allows Nth to better personalize future communications and limit these communications to subjects that are of interest to you.

**Choices Regarding Automatic Data Collection & Online Tracking.** While Nth websites at this time do not recognize automated browser signals regarding tracking mechanisms, such as "do not track" instructions, you can generally express your privacy preferences regarding the use of most Automatic Data Collection Tools through your web browser or device settings. You can set your browser in most instances to notify you before you receive certain Automatic Data Collection Tools, giving you the chance to decide whether to accept it or not. You can also generally set your browser or device to turn off certain Automatic Data Collection Tools. If you are accessing our websites in countries of the European Union (EU), or countries where the EU regulations apply, you are given the choice to accept or refuse our use of non-essential cookies (as described in the section titled 'How Nth uses Automatic Data Collection Tools' above) through a 'cookie preference' banner that appears on our web pages. The banner stops being displayed when you have made your choice, but it can be brought back on display by selecting the 'Cookies' link on the footer of every Nth web page.

Since these Automatic Data Collection Tools allow you to take advantage of some of our websites' and applications' features, we recommend that you leave them turned on. If you block, turn off or otherwise reject certain Automatic Data Collection Tools, some web pages or user experiences may not display properly or you will not be able, for instance, to add items to your shopping cart, proceed to checkout, or use any website services that require you to sign in.

Some of our websites use Google Analytics cookies. Information collected by Google Analytics cookies will be transmitted to and stored by Google on servers in the United States of America in accordance with its privacy practices. To see an overview of privacy at Google and how this applies to Google Analytics, visit <https://www.google.com/policies/privacy/>. You may opt out of tracking by Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout>.

## 5. How we keep personal data secure

Nth takes seriously the trust you place in us to protect your personal data. In order to protect your personal data from loss, or unauthorized use, access or disclosure, Nth utilizes reasonable and appropriate physical, technical, and administrative procedures to safeguard the information we collect and process. All systems used to support Nth's business are governed by Nth's corporate Cyber Security policies, which are built upon industry standards and best practices like the Center for Internet Security Critical Security Controls.

When collecting or transferring sensitive information we use a variety of additional security technologies and procedures to help protect your personal data from unauthorized access, use, or disclosure. The personal data you provide us is stored on computer systems locked in controlled facilities which have limited access. Access to your information is restricted to Nth employees or authorized third parties who need to know that information in order to process it for us, and who are subject to strict confidentiality obligations. When we transmit sensitive information over the internet, we protect it through the use of encryption, such as the Transport Layer Security (TLS), Internet Protocol Security (IPSec).

#### 6. How long we keep personal data

Typically, we keep personal data for the length of any contractual relationship and, to the extent permitted by applicable laws, after the end of that relationship for as long as necessary to perform purposes set out in this Privacy Statement, to protect Nth from legal claims and administer our business.

#### 7. How to access, update or delete personal data and additional information for California

Nth strives to keep your personal data accurately recorded. We have implemented technology, management processes and policies to help maintain data accuracy. In accordance with applicable laws, Nth provides individuals with reasonable access to personal data that they provide to Nth and the reasonable ability to review and correct it.

To protect your privacy and security, we will take reasonable steps to verify your identity. To view and update the personal data you provided directly to Nth, you can contact the Nth Privacy Office at [NthPrivacyOffice@nth.com.](mailto:NthPrivacyOffice@nth.com), or send your request via mail to:

Nth Generation Computing, Inc.  
Corporate Offices  
– ATTENTION PRIVACY OFFICE  
17055 Camino San Bernardo  
San Diego, CA 92127

Our privacy practices are aligned with the requirements of the California Consumer Privacy Act (CCPA). If you reside in California, we are required to provide additional information to you about how we use and disclose your personal data, and you may have additional rights with regard to how we use your personal data.

Personal data. Consistent with the “How we use personal data” section above, we collect certain categories and specific pieces of information about individuals that are considered “personal information” under the CCPA. Specifically, we may collect the following types of personal data:

- Identifiers: contact details, identification information.
- Commercial information: information required to purchase our products and services online, information about profile, role and preferences.
- Internet or other electronic network activity information: digital activity information.
- Other personal information: records of good standing, comments and feedback from online forums and surveys, CCTV footage, information about alleged misconducts, information included in inquires and complaints, information made publicly available on professional social networks.

Sources. We may collect certain categories of personal data from you and other third parties as described in the "How we use personal data" section above. The categories of third parties from whom we may collect personal data include the following:

- Partners and/or distributors;
- Public authorities;
- Third party applications (such as social networks);
- Advertising networks; and
- Other companies or organizations (such as market research firms and data aggregators).

Purposes. We collect your personal data for the business and commercial purposes described in the "How we use personal data" section above. We also share and/or disclose your personal data as follows:

- Sharing your personal data for business purposes: As described in the "How we use personal data" section above, we may share your contact details, information from publicly available resources and information from your complaints and/or inquiries, within the Nth team, with third parties, with partners, resellers and/or distributors, and with public or government authorities. As described above, examples of business purposes include product and service fulfillment, due diligence screening, security and authentication, prevention of misconduct, and resolving complaints.
- Sale of personal data: By using Automatic Data Collection Tools on our websites and applications, we may share some of your digital activity information with third parties in order to receive information about performance of our marketing campaigns. Sharing personal data in this manner may constitute a "sale" under the CCPA.

Your rights in relation to your personal data. Subject to certain exceptions, as a California resident, you have the right to:

- Request that we disclose access to your personal data;
- Request deletion of your personal data;
- Request information about the personal data we have disclosed for a business purposes and/or "sold" (as such term is defined under the CCPA) to third parties within the past 12 months; and
- Opt-out of the "sale" of your personal data, as detailed above and below.

"Do Not Sell My Personal Information". You have the right, as a California resident, to opt-out of the "sale" of your personal data.

You must include your name, street address, city, state, and zip code in your request. You may be asked to provide additional proof of identification so that we can verify your identity and validate the request.

To the extent that you elect to designate an authorized agent to make a request on your behalf, the above methods to submit a request apply. Please note that you are limited by law in the number of requests you may submit per year.

If you are a California resident and wish to exercise any of the rights described in this section, you may contact the Nth Privacy Office at [NthPrivacyOffice@nth.com](mailto:NthPrivacyOffice@nth.com). In any of the above situations you may also send your request via mail to:

Nth Generation Computing, Inc.  
Corporate Offices  
– ATTENTION PRIVACY OFFICE  
17055 Camino San Bernardo  
San Diego, CA 92127

#### 8. How to contact us

We value your opinions. If you have any questions about our Privacy Statement, any concerns or complaint regarding our collection and use of your personal data or wish to report a possible breach of your privacy, please contact the Nth Privacy office at [NthPrivacyOffice@nth.com](mailto:NthPrivacyOffice@nth.com) or write to us at the appropriate address below. We will treat your requests and complaints confidentially. Our representative will contact you within a reasonable time after receipt of your complaint to address your concerns and outline options regarding how they may be resolved. We will aim to ensure that your complaint is resolved in timely and appropriate manner.

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#### 9. Changes to this Privacy Statement

If we modify this Privacy Statement, we will publish a revised version with an updated revision date. The privacy link on the footer of every Nth web page will then point to that new version.