

Your privacy is important to Leaseweb USA, Inc. (hereinafter "Leaseweb USA"). Leaseweb USA is therefore pleased to provide this Privacy statement to inform you of Leaseweb USA's practices with respect to the collection and use of your personal information ("Personal Data"). This Leaseweb USA Privacy Statement applies to business customers who purchase or use business products or services provided by Leaseweb USA. If you are an individual who resides in California and you do not receive products or services from Leaseweb USA, Inc. the collection, use and sharing of your personal information is governed by the Leaseweb USA, Inc. California Privacy Statement.

Update on the EU-US Privacy Shield Framework: On July 16, 2020, the Court of Justice of the European Union (CJEU) invalidated a prior European Commission determination on the adequacy of the EU-US Privacy Shield Framework as a mechanism to transfer personal data from the EU to the US. Despite this ruling, Leaseweb USA remains committed to following the privacy principles, such as those available from the GDPR (our state of the art and adequate technical and organizational measures) and applying the Standard Contractual Clauses of the EU for your benefit as Customer of Leaseweb USA Inc. Leaseweb USA offers Standard Contractual Clauses ("SCC") to address the CJEU's decisions with customers on a case-by-case basis. Please use the contact information below for more information.

Leaseweb USA complies with the Regulation 2016/679/EU 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 ("GDPR"). Leaseweb USA has implemented the following requirements under the GDPR, including but not limited to:

- A record of our Personal Data processing activities.
- Adequate organizational and technical protection measures (more information can be found in this Privacy Statement).
- Request forms and internal instructions for Privacy by Design & Default, Data Portability, Data Subject Rights like the Right to be Forgotten.
- A Data Processor Agreement in our role as data controller and data processor.
- A data breach procedure.
- An internal privacy policy.
- In case of data export from the EU to the USA, Leaseweb supplies and lives up to the Standard Contractual Clauses to the extent deemed permitted and sustainable.

AGREEMENT TO THIS STATEMENT

Please read this statement carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our services or products. By accessing or using our services and/or products, you agree to this Privacy Statement. This statement may change from time to time. Your continued use of our services or products after we make changes is deemed to be acceptance of those changes, so please check the statement periodically for updates.

HOW LEASEWEB USA MAY COLLECT INFORMATION ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb USA may collect your Personal Data when:

- You order a service from Leaseweb USA.
- You enter a promotional game of chance with Leaseweb USA.
- You participate in a Leaseweb USA survey.
- You subscribe to a Leaseweb USA newsletter.
- You ask Leaseweb USA for more information about a Leaseweb service, or contact Leaseweb USA with a question, comment or complaint.
- You submit an abuse notification to Leaseweb USA.
- You use the Leaseweb USA network, Leaseweb USA infrastructure and/or other Leaseweb USA services.

Leaseweb USA collects Personal Data about you for the performance of the Sales Contract, fraud-prevention agencies, referral partners, business directories and credit reference agencies.

WHAT KIND OF INFORMATION LEASEWEB USA MAY COLLECT ABOUT YOU IN OUR ROLE AS DATA CONTROLLER

Leaseweb USA may collect the following information about you:

- Your name, (business/private) address, phone number, date of birth, email address and personal identification numbers.
- Your Leaseweb USA account information – such as Leaseweb USA services you ordered, domain name registration information, the IP addresses assigned to you, your customer ID, service charges owed and received, the use of Leaseweb USA services or any other information related to your account.
- Your contact with Leaseweb USA – such as a note or recording of a call you make to Leaseweb USA, a chat record when you engage in a chat session with Leaseweb USA, an email or letter you send to Leaseweb USA or other records of any contact you have with Leaseweb USA.
- Information about your payment method, such as credit card number, bank account number or other banking information.
- Information provided by you to Leaseweb USA when you notify Leaseweb USA of a (suspected) breach of Leaseweb USA's acceptable use policies.
- Video footage of you when you are in a Leaseweb USA datacenter or the public space outside and inside our offices.
- Documents and information that certify your identity.

WHY LEASEWEB USA PROCESSES YOUR PERSONAL DATA IN OUR ROLE AS DATA CONTROLLER

Leaseweb USA processes your Personal Data for the following purposes:

- Processing of Orders and Sales Contracts and provision of services, including full customer verification.
- Conducting market research, conducting retention and customer satisfaction surveys, conducting marketing activities (including through email newsletters, social media and onsite/offsite and online/offline advertisement), conducting sales activities (including analyzing your Personal Data and your use of Leaseweb USA services for making (personalized) offers and quotes with the aim of entering into a customer relationship, and/or maintaining, renewing or expanding a customer relationship) and offering promotional games of chance.
- Communicating with customers (i) to provide information about services of Leaseweb USA (ii) to provide information about offers, Orders and Sales Contracts, provision of services, order status and payment, (iii) to provide support and maintenance services, (iv) to handle complaints, and (v) to answer questions from (potential) customers.

- Performing financial processes, including (i) calculating, invoicing and collecting of service Fees, (ii) processing financial transactions regarding the acceptance of Orders, and (iii) granting debt collection rights to third parties.
- Investigating creditworthiness and risk management, including prevention of overextending credit to (potential) customers and verifying whether (potential) customers will be able to comply with financial obligations.
- Investigating and processing suspected violations of Leaseweb USA's Policies.
- Ensuring the security of persons, goods and objects, and performing fraud detection.
- Conducting legal processes, including (i) conducting legal proceedings, and (ii) collecting evidence for civil legal proceedings relating to you.
- Complying with statutory obligations, including (i) provision of data to authorized authorities in the context of criminal investigations, (ii) complying with (applicable) data retention obligations, and (iii) the provision to third parties of Data concerning customers in connection with an infringement of these third parties' rights.
- Establishing the identity of customers or third parties, including in relation to the provision of access to data centers and our offices.

SHARING YOUR PERSONAL DATA WITH THIRD PARTIES IN OUR ROLE AS DATA CONTROLLER

Leaseweb USA may share Data about you with:

- Suppliers or agents involved in delivering the services you've ordered with Leaseweb USA.
- Credit reference, fraud prevention or business scoring agencies, or other credit scoring agencies.
- Domain name registries when Leaseweb USA registers a domain name on your behalf.
- Debt collection agencies or other debt recovery organisations.
- Law enforcement agencies, regulatory organisations, courts or other public authorities to the extent required by law.
- A Leaseweb USA customer, if you notify Leaseweb USA that this customer use of Leaseweb USA services violates the Leaseweb USA's Policies or applicable laws.
- A third party that has claimed that your use of the Leaseweb USA services violates the Leaseweb USA's Policies or applicable laws (to the extent such sharing is required by law).
- In certain situations, Leaseweb may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

LEASEWEB USA IN ITS ROLE AS PROCESSOR

Personal Data hosted, transmitted or processed on infrastructure leased from Leaseweb USA is governed by this paragraph. The customer of Leaseweb USA that owns or has leased Leaseweb USA infrastructure, will be responsible for determining the purposes and means of the processing of Personal Data, and this Leaseweb USA customer (or its customers) will be the data controller in regards to such processing. If at any time Leaseweb USA has access to personal data stored on infrastructure owned by a Leaseweb USA customer or leased from Leaseweb USA, then Leaseweb USA shall be a data processor, and any actions performed by Leaseweb USA in relation to such data shall be solely governed by the Sales Contract concluded between us and the Leaseweb USA customer.

LEGAL GROUNDS

To process your information as described above, we rely on the following legal bases:

- **Performance of a contract:** the use of your information may be necessary to perform the contract that you have with us. For example, if you use our services, we will use your information to carry out our obligation to complete and administer that service under the contract that we have with you.
- **Legitimate interests:** the processing is necessary for the purposes of the legitimate interests pursued by us, namely for information security. We also want to provide you with the best suitable content of the website, emails and newsletters, to improve and promote our products and services and the content on our website, and for administrative, fraud detection and legal purposes.
- **Consent:** For certain direct marketing purposes, you are free to withdraw your consent at any time. See also the section '**CONSENT AND WITHDRAWAL OF CONSENT**'.

RETENTION PROCEDURES

Leaseweb USA will store your Personal Data as long as necessary to perform the purposes of processing as stated in this Privacy Statement.

PRIVACY COUNSEL

Chris Dorcsis is appointed as our Leaseweb USA privacy counsel. Please contact him using the contact details below.

YOUR RIGHTS

Subject to some limits, you have a number of rights regarding your Personal Data and the processing thereof. Please note that our customers control and maintain access to their data that is stored by Leaseweb USA, and we may not have access to the data maintained by our customers or even to know what data is being maintained. To the extent that we can honor your requests:

- You can view and, if necessary, change your Personal Data in your account at any time.
- If you wish to know what information Leaseweb USA has collected about you.
- If you want to make changes to the Personal Data you have seen, but cannot change in your account.
- You also have the right to obtain from us the erasure of your Personal Data (right to be forgotten).
- In addition, you may, under certain circumstances, have the right to restriction of the processing of your Personal Data.
- You have the right to object, on grounds relating to your particular situation, at any time to processing of your Personal Data.
- You have the right to receive your Personal Data, which you have provided to us, in a structured, commonly used and machine-readable format and have the right to transmit those data to another controller when the processing is based on your consent or is necessary for the performance of a contract.

Leaseweb acknowledges that EU individuals have the right to access the personal information that we maintain about them. An EU individual who seeks access, or who seeks to correct, amend, or delete inaccurate data, should direct their query to us-privacy@us.leaseweb.com. If requested to remove Personal Data, we will respond within a reasonable timeframe.

If you have any requests regarding the abovementioned, please contact us using the contact details below. If we do not grant your request, we will inform you about the reason why.

CONSENT AND WITHDRAWAL OF CONSENT

You are entitled to withdraw your consent at any time by opting out from the direct marketing messages. Upon receipt of your opt-out request, we will opt-out you from the direct marketing messages list.

TECHNICAL AND ORGANIZATIONAL SECURITY PROCEDURES AND DATA TRANSFERS

- We observe reasonable procedures to prevent unauthorized access to, and the misuse of, Personal Data. We use appropriate business systems and procedures to protect and safeguard the Personal Data. We also use security procedures and technical and physical restrictions for accessing and using the Personal Data on our servers. Only authorized personnel are permitted to access Personal Data in the course of their work. Our business processes apply a series of security services are compliant with the industry security standards, including ISO 27001, SOC 1, HIPAA and PCI DSS.
- Leaseweb USA has implemented the following, but not limited to, generic information security measures across its organisation: network segmentation, next generation firewalls, anti-virus software, full disk encryption of end-points, encrypted communication via SSL or VPN, Security Information and Event Management solutions, dedicated Security Operating Centre, monthly security awareness training, segregation of duties, role-based access permissions (based on least-privilege), secure disposal facilities of confidential information, periodic pentesting of public facing services, secure development training, integrated security monitoring during development, tools to enable employees to work secure (such as password managers), physical security zones. Per application or communication, additional security measures can be implemented.
- All employees of Leaseweb USA that have access in the U.S. to Personal Data are also responsible for acting consistent with this Privacy Statement.

Leaseweb USA is frequently being audited by external parties to ensure it complies with relevant normative frameworks and controls within the Leaseweb Circle of Trust model. See www.leaseweb.com/certifications for more information.

GDPR COMPLIANCE FOR EU RESIDENTS AND EU CUSTOMERS OF LEASEWEB USA

Update on the EU-US Privacy Shield Framework: On July 16, 2020, the Court of Justice of the European Union (CJEU) invalidated a prior European Commission determination on the adequacy of the EU-US Privacy Shield Framework as a mechanism to transfer personal data from the EU to the US, in the Case C-311/18, Data Protection Commissioner v Facebook Ireland Limited and Maximilian Schrems (“Schrems II”). Despite this ruling, Leaseweb USA remains committed to following the privacy principles, such as those available from the GDPR (our state of the art and adequate technical and organizational measures) and applying the Standard Contractual Clauses of the EU for your benefit as Customer of Leaseweb USA Inc.

If you are a resident of the European Economic Area (EEA), and your Personal Data is transferred to the USA, we will:

- Implement appropriate safeguards to protect your Personal Data, including transferring it in accordance with applicable transfer mechanism, including the European Commission’s Standard Contractual Clauses,
- Process your Personal Data necessary for the performance of the contract we have with you and upon Leaseweb’s legitimate interests.

In our role as data processor Leaseweb USA offer to EU-based customers the [Standard Contractual Clauses](#) to enable the lawful transfer of Personal Data from the European Economic Area (“EEA”) and Switzerland to Leaseweb USA. The Standard Contractual Clauses set out the Leaseweb commitment to privacy and data protection when processing data in connection with the provision of products and services to our EU-based customers, and dealing with the transfer of Personal Data outside the EEA and Switzerland in connection with the provision of such products and services.

If you are a EU resident Customer and you would like to obtain the the implementation of Standard Contractual Clauses please contact us using the contact details below.

This Privacy Statement applies also to Personal Data transferred by Customers from European Union member countries to Leaseweb USA. We recognize that the Court of Justice of the European Union ruled in July 2020 that a certification under the EU-U.S. Privacy Shield Framework no longer can serve as the basis by which you as EU based Customer subject to the GDPR export Personal Data to the United States. Leaseweb USA in its role as Data importer and processor under the GDPR, will continue to honor its obligation to comply with the Privacy Shield Principles with respect to data that was transferred pursuant to the Privacy Shield Framework. For such Personal Data, we will continue to comply with the EU-U.S. Privacy Shield Framework Principles (the “Principles”) regarding the collection, use and retention of EU Personal Data that is transferred to the United States.

This Privacy Statement is also notice to Data Subjects covered by this Privacy Statement about Leaseweb USA’s data practices regarding Personal Data received by Leaseweb USA in the U.S. pursuant to the Privacy Shield Framework from customers residing European Union member countries.

With regard to the Privacy Shield, the European Data Protection Board (“EDPB”) points out that the EU and the U.S. should achieve a complete and effective framework guaranteeing that the level of protection granted to personal data in the U.S. is essentially equivalent to that guaranteed within the EU, in line with the judgment.

IN ADDITION TO THE ADDITIONAL ORGANIZATIONAL AND TECHNICAL MEASURES AS SET OUT ABOVE, LEASEWEB USA DEMONSTRATES BELOW THE ADEQUATE LEVELS OF PROTECTION FOR PERSONAL DATA TRANSFERRED TO LEASEWEB USA IN THE UNITED STATES WHICH WILL BE INCLUDED IN THE STANDARD CONTRACTUAL CLAUSES AND THE DATA PROCESSING AGREEMENT FOR ITS EU BASED CUSTOMERS:

- Leaseweb USA Inc. has no US based head office or shared services center acting as centralized mother entity in the USA, and Leaseweb USA acts as an independent distinct sales company under its Sales Contracts separately without any USA based head office receiving or importing data from Leaseweb USA or from other Leaseweb sales companies. The European GDPR rules apply to its global head office in The Netherlands and thereby it is Leaseweb USA’s approach to comply with the GDPR to the extent possible.

- Leaseweb USA can act as supplier and deliver services to customers located in the EU that in their role as data exporters whereby, Leaseweb USA shall encrypt all transfers of the personal data between Leaseweb USA as data importer and the EU based customer as the data exporter. That encryption applied by LSW USA can prevent the acquisition of such data by governmental authorities and other third parties who may gain physical access to the hosting and computing environment and transmission mechanisms (e.g., servers, wires and cables) while the data is in transmission. Leaseweb USA can also use secure data transport through TLS 1.2 over HTTPS. This feature can be enabled so that U.S. law enforcement or intelligence authorities will be unable to tamper with or tap into the data transfers between the two end-points (Leaseweb USA and our customers).
- Leaseweb USA is not eligible to receive “upstream” or bulk surveillance orders under FISA § 702.
- Leaseweb USA does not provide any assistance to U.S. authorities conducting surveillance under Executive Order 12333.
- Leaseweb USA will use all available legal mechanisms to challenge any demands for data access through national security process it receives as well as any non-disclosure provisions attached thereto.
- Additionally, as a remote computing service (“RCS”), Leaseweb USA is subject the Electronic Communications Privacy Act, 18 U.S.C. § 2701, et seq. (“ECPA”), which provides protection to its customers. For example, ECPA prohibits governmental entities from seeking information about customers of services like Leaseweb USA unless such governmental entities first obtain appropriate legal process approvals, including a court order or search warrant for information other than basic subscriber information. Likewise, both FISA and ECPA provide Leaseweb USA’s customers with redress against the United States government if it improperly obtains information about them.

ONCE THE PRIVACY SHIELD HAS BEEN RE-ESTABLISHED, THE FOLLOWING APPLIES

Leaseweb USA’s participation in the EU-U.S. Privacy Shield Framework is subject to regulatory investigation and enforcement by the Federal Trade Commission. Leaseweb USA commits to resolve complaints about your privacy and our collection or use of your Personal Data. Data Subjects with inquiries or complaints regarding this Privacy Statement should first contact Leaseweb USA at: us-privacy@us.leaseweb.com. Leaseweb USA has further committed to refer unresolved privacy complaints under the EU-U.S. Privacy Shield Principles to an independent dispute resolution mechanism, BBB EU Privacy Shield, which is operated by the the Council of Better Business Bureaus, Inc. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit www.bbb.org/EU-privacy-shield/for-eu-consumers for more information and to file a complaint.

Under certain conditions, more fully described on the Privacy Shield website <https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>, you may invoke binding arbitration when other dispute resolutions procedures have been exhausted.

Leaseweb USA agrees to periodically review and verify its compliance with the SCC and Privacy Shield Principles, and to remedy any issues arising out of failure to comply with the Privacy Shield Principles. Leaseweb USA acknowledges that its failure to provide an annual self-certification to the U.S. Department of Commerce will remove it from the Department’s list of Privacy Shield participants.

STATEMENT CHANGES

Leaseweb USA reserves the right to change the Privacy Statement, and will post any revisions on the Leaseweb website www.leaseweb.com. Leaseweb USA advises you to check this page regularly to see if any changes have been implemented.

CONTACT INFORMATION

If you have any requests, questions or suggestions about Leaseweb USA’s privacy practices, please send an email to us-privacy@us.leaseweb.com or call +1 571 814 3777.

Leaseweb USA, Inc. 9301 Innovation Drive, Suite 100, Manassas, Virginia 20110, U.S.A.

ANNEX 2 LEASEWEB USA, INC. CALIFORNIA PRIVACY STATEMENT

If you are a California resident, California law requires us to provide you with information regarding how we collect, use, and share your “personal information” as defined in the California Consumer Privacy Act (“CCPA”). This California Privacy Statement provides information about Leaseweb USA’s, collection, storage, use, and sharing practices for personal information from California residents that visit the Leaseweb website collected on www.leaseweb.com (“Website”). To the extent that you are not a California resident, or if you are a Leaseweb USA customer (i.e. you have purchased services from Leaseweb USA), or you are Leaseweb USA website social media platform provider, employee, former employee or job applicant, this California Privacy Statement does not apply to you.

CATEGORIES OF PERSONAL INFORMATION LEASEWEB USA MAY PROCESS THROUGH THE WEBSITE

Leaseweb USA may collect the following categories of personal information about you when you visit our Website:

- Identifiers, such as name, email address and other identifiers that you choose to provide to Leaseweb USA when communicating with us.
- Geolocation location, such as a city and state from an IP address.
- Internet or other network device activity when you visit our website, such as the website features you use, the web pages you visit, the time you spend on these pages, and the search terms you enter. This may include data about your device, including IP address, device identifiers, regional and language settings, and data about the network, operating system, browser or other software you use to connect to our website.
- Inferences drawn from the above data.

HOW LEASEWEB USA USES PERSONAL INFORMATION

Leaseweb USA and our website social media platform providers may use the categories of personal information we collect from and about you for the following business and commercial purposes (as those terms are defined in applicable law):

- Conducting market research, and marketing activities (including through email newsletters and social media and onsite/offsite and online/offline advertisements.)
- Analyzing information about you and your use of the Website in order to improve the Website and your experience when using it.
- Detecting, protecting against, and prosecuting security incidents and fraudulent or illegal activity.
- Detecting and reporting bugs or errors.
- Communicating with you concerning your interest in our services.
- Other uses about which we will notify you.

We may also use these categories of personal information for compliance with applicable laws and regulations, and we may combine the information we collect (“aggregate”) or remove pieces of information (“de-identify”) to limit or prevent identification of any particular user or device.

HOW LEASEWEB USA USES COOKIES

This Website uses cookies to personalize content and ads, to provide social media features, and to analyze our traffic. We also share information about your use of our Website with our social media, advertising, and analytics partners who may combine it with other information that you’ve provided to them or that they have collected from your use of their services.

If you would like to know more about our cookie Statement, including a list of the cookies used on our Website, please visit our Website at: www.leaseweb.com/legal/website-terms-of-use-and-cookie-statement.

Please note that you can change your settings to notify you when a cookie is being set or updated, or to block cookies altogether. Please consult the “Help” section of your browser for more information (e.g., Internet Explorer; Google Chrome; Mozilla Firefox; or Apple Safari).

SALE OF PERSONAL INFORMATION

By using the Leaseweb Website, Leaseweb USA shares certain pieces of personal information with third parties, such as the Leaseweb’s user Website and internet activity and related network device activity, to deliver interest-based advertising. This use of your personal information for these purposes may be considered a “sale” under the California Consumer Privacy Act. California residents have the right to opt out of the sale of personal information by following the instructions below.

OPTING OUT OF INTEREST-BASED ADVERTISING

Leaseweb USA uses or participates in each of these services to deliver interest-based advertising. To opt-out, you will need to visit each of the following websites for more information and follow their instructions to use their opt-out tools.

- Twitter: <https://twitter.com/settings/account/personalization>
- The Digital Advertising Alliance: <https://optout.aboutads.info/>
- Google Ad Settings: www.google.com/settings/ads
- LinkedIn Ad Settings: <https://www.linkedin.com/help/linkedin/answer/90274/manage-your-linkedin-ads-settings?lang=en>

Many of these tools use cookies to store your opt-out preferences on your specific browser or device. You must opt-out on each device and on each browser to exercise your rights. If your browser blocks cookies (or if you choose to delete them from your browser), your opt-out preferences may not be effective. We do not control the out-out mechanisms listed above and are not responsible for their operation.

Note that we may still deliver advertising to you that is not tailored to you based on your personal information, and that we may still use your personal information for other purposes such as analytics, measurement and attribution. We may also share your personal information with third parties for other purposes in accordance with this California Privacy Statement.

NOTICE CONCERNING DO NOT TRACK. Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. We are committed to providing you with meaningful choices about the information collected on our Website for third party purposes, and that is why we provide the opt-out mechanisms listed in the “Sale of personal information section” above. However, we do not currently recognize or respond to browser-initiated DNT signals.

YOUR CALIFORNIA PRIVACY RIGHTS

If you are a California resident, you may have certain rights. California law may permit you to request that we:

- Provide you the categories of personal information we have collected or disclosed about you in the last twelve months; the categories of sources of such information; the business or commercial purpose for collecting or selling your personal information; and the categories of third parties with whom we shared personal information.
- Provide access to and/or a copy of certain information we hold about you.
- Delete certain information we have about you.
- Opt-out of the sale of personal information from or about you, as described above.

LINKS. Our Website may contain links to third party websites and functionalities. If you choose to use these third party services, you may disclose your information not just to those third parties, but also to their users and the public more generally depending on how their services function. Leaseweb USA is not responsible for the content or practices of those websites or services. The collection, use, and disclosure of your information will be subject to the privacy policies of the third party websites or services, and not this Notice. We urge you to read the privacy and security policies of these third parties.

CHANGES TO THIS PRIVACY STATEMENT

Leaseweb USA reserves the right to change this Privacy Statement and will post any revisions on the Leaseweb website. We advise you to check this page regularly to see if any changes have been implemented.

CONTACT INFORMATION

If you would like to contact us about any provisions of this Privacy Notice or you have any questions about how your information is processed, please contact us at us-privacy@us.leaseweb.com.