

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 Privacy Statement is in line with the Federal Trade Commission Act (FTC), the Health Insurance Portability and Accountability Act (HIPAA), the Fair Credit Reporting Act, the Electronic Communications Act, and other relevant federal data privacy statutes, as well as the Privacy Shield principles discussed below.

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 services, 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.

GDPR COMPLIANCE

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.

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.

Because Leaseweb has various local Sales Companies with customers located in many different countries around the world, it is important that Leaseweb complies with data privacy laws in many jurisdictions. In our role as data processor we 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 have an EU affiliate customer that specifically requires the implementation of Standard Contractual Clauses directly with one of our entities outside of the EEA, where appropriate and where this Affiliate is a data processor for the customer, please contact us using the contact details below.

This Policy applies to Personal Data transferred 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 entities subject to the GDPR export Personal Data to the United States. LeaseWeb USA 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 (defined above in Section 3(a) of this Privacy Policy) that is transferred to the United.

All employees of Leaseweb USA that have access in the U.S. to Personal Data are also responsible for acting consistent with this Policy. This Policy is also notice to Data Subjects covered by this Policy about Leaseweb USA's data practices regarding Personal Data received by Leaseweb USA in the U.S. pursuant to the Privacy Shield Framework from 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.

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 Policy 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.

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.

TECHNICAL AND ORGANISATIONAL 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.

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.

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.

YOUR CALIFORNIA PRIVACY RIGHTS

California Civil Code Section § 1798.83 permits users of our services or products who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send such request to the email address below.

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.

This Privacy Statement was most recently changed on September 1, 2020.

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