

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.

Leaseweb USA complies with the EU-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Data from European Union member countries. Leaseweb USA has certified that it adheres to the Privacy Shield Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement, and Liability. If there is any conflict between the policies in this Leaseweb USA Privacy Shield Policy (“Privacy Shield Policy”) and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit [www.privacyshield.gov](http://www.privacyshield.gov). Specific terms related to our compliance with Privacy Shield are set forth below.

Leaseweb USA also 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 sub-processor.
- A data breach procedure.
- An internal privacy policy.

#### 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 also collects Personal Data about you from Leaseweb Global B.V. (hereinafter “**Leaseweb Global**”) and other affiliates of Leaseweb USA. In addition, Leaseweb USA may collect Personal Data about you from 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 provision of services.
- 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 and affiliated companies, (ii) to provide information about offers, orders, 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 charges, (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 acceptable use policy.
- 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:

- Leaseweb Global. This affiliate of Leaseweb USA offers tools and services (including the websites [www.leaseweb.com](http://www.leaseweb.com), the Leaseweb Customer Portal and the Leaseweb API) that may be used to order or manage Leaseweb USA Services or to communicate with Leaseweb USA. Leaseweb USA may share your Data with Leaseweb Global in connection with said tools and services. Please review the privacy statement of Leaseweb Global to learn about its practices with respect to the collection, storage and use of your Data.
- Partners 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 Acceptable Use Policies or applicable law.
- A third party that has claimed that your use of the Leaseweb USA services violates the Leaseweb USA's Acceptable Use Policies or applicable law (to the extent such sharing is required by law).
- In cases of onward transfer to third parties of data of EU individuals received pursuant to the EU-US Privacy Shield, Leaseweb is potentially liable.
- 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 SUB-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 sub-processor, and any actions performed by Leaseweb USA in relation to such data shall be solely governed by the agreement concluded between us and the Leaseweb USA customer.

#### PRIVACY SHIELD COMPLIANCE

Leaseweb USA commits to comply with the Privacy Shield Principles and accepts the transfer of all Personal Data from European Union member countries based on those principles. This Policy applies to Personal Data transferred from European Union member countries to Leaseweb USA under the Privacy Shield framework. 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.

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](mailto: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](http://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 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:** we may rely on your consent to use your Personal Data for certain direct marketing purposes.

**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, and NEN 7510.

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, 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](http://www.leaseweb.com/certifications) for more information.

Because we are a global company with customers located in many different countries around the world, it is important that we comply with data privacy laws in many jurisdictions. In our role as data sub-processor we have implemented the [Standard Contractual Clauses](#) to enable the lawful transfer of Personal Data from the European Economic Area and Switzerland to other countries globally. The Standard Contractual Clauses set out the Leaseweb affiliate commitment to privacy and data protection when processing data in connection with the provision of products and services to our customers and partners, 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 or partner 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 or partner, please contact us using the contact details below.

**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, LeaseWeb Global and other affiliates of LeaseWeb USA have 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](mailto:us-privacy@us.leaseweb.com). If requested to remove 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 giving us notice. Upon receipt of a notice where your consent is withdrawn, we will without undue delay stop processing your Personal Data to the extent it is required under law. Please use the contact information at the bottom of the page should you wish to withdraw your consent given under this privacy statement.

We will also provide an EU individuals with opt-out or opt-in choice before we share their data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized.

To limit the use and disclosure of your personal information, please submit a written request to [us-privacy@us.leaseweb.com](mailto:us-privacy@us.leaseweb.com).

**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](http://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](mailto:us-privacy@us.leaseweb.com) or call +1 571 814 3777, option 5, then option 2.

This Privacy Statement was most recently changed on March 22, 2018.

**Leaseweb USA, Inc. 9301 Innovation Drive, Suite 100, Manassas, Virginia 20110-2223, U.S.A.**