

Panda Clouds Privacy Policy

Effective Date of Current Policy: April 9, 2020

1. PURPOSE

Protecting your privacy is really important to us. With this in mind, we're providing this Privacy Policy to explain our practices regarding the collection, use, and disclosure of information that customers provide to us in connection with the creation or administration of their Panda Clouds Account.

This Privacy Policy is incorporated by reference into the Panda Clouds Terms of Service (the "**Terms**"). The terms "Panda Clouds," "we," and "us" include Panda Clouds LLC and our affiliates and subsidiaries. This Privacy Policy explains our online and offline information practices, the kinds of information we may collect, how we intend to use and share that information, and how you can opt out of a use or correct or change such information. All other terms not defined in Section 13 or otherwise herein will have the meanings set forth in the Terms.

2. SCOPE

Panda Clouds allows users to build and host Application Programming Interfaces for web, mobile, and Internet of Things applications. This Privacy Policy applies to Personal Information that is Processed by Panda Clouds in the course of our business, including on Panda Clouds websites (each a "**Site**"), mobile applications, forums, blogs, and other online or offline offerings (together with any and all future online and offline offerings operated by or on behalf of Panda Clouds, the "**Services**"). All individuals whose responsibilities include the Processing of Personal Information on behalf of Panda Clouds are expected to protect that data by adherence to this Privacy Policy.

This Policy applies to all Panda Clouds's operating divisions, subsidiaries, affiliates, and branches, and any additional subsidiary, affiliate, or branch of Panda Clouds that we may subsequently form.

This Policy does not apply to the content that Account holders or Users store on our system, including any personal information of their End Users. Panda Clouds will not disclose, move, access, or use such content except as provided in the Terms or as otherwise permitted by such Account holders or Users through the functionality of the Services. If you are an End User of an Application created by a Panda Clouds Account holder or User that is hosted on the Services, please note that the collection, processing, and disclosure of your information in connection with such Application will be governed by the privacy policy published by such customer.

3. TRANSPARENCY/NOTICE—TYPES OF PERSONAL INFORMATION WE COLLECT AND HOW WE USE IT

The types of Personal Information we may collect (directly from you or from Third-Party sources) and our privacy practices depend on the nature of the relationship you have with Panda Clouds and the requirements of applicable law. Some of the ways that Panda Clouds may collect Personal Information include:

- You may provide Personal Information directly to Panda Clouds through interacting with the Services, participating in surveys, during events such as sweepstakes, and requesting Services, or information.
- As you navigate the Services, certain passive information may also be collected about your visit, including through cookies and similar technologies as described below.

We endeavor to collect only that information which is relevant for the purposes of Processing. Below are the ways we collect Personal Information and how we use it.

3.1 TYPES OF PERSONAL INFORMATION WE COLLECT

Panda Clouds collects Personal Information regarding its current, prospective, and former Account holders or Users, non-Account holders, visitors, and guests, (collectively “**Individuals**”). Our primary goals in collecting information are to provide and improve our Services, to administer your use of the Services (including your Account, if you are an Account holder), and to enable you to enjoy and easily navigate our Services.

- **Information You Provide Directly to Us.** When you use the Services or engage in certain activities, such as registering for an Account with Panda Clouds, responding to surveys, requesting Services or information, submitting an inquiry, or contacting us directly, we may ask you to provide some or all of the following types of information:
- **Communications with Us.** We may collect Personal Information from you such as name, email address, phone number or mailing address when you choose to request information about our Services, register for Panda Clouds’s newsletter or a loyalty program that we may offer from time to time, request to receive customer or technical support, or otherwise communicate with us. If you purchase a Subscription, we may also collect other information from you, such as credit card number, expiration date, and billing address, which will be associated with your Account. We may also collect your gender, date of birth, and other information that is not considered Personal Information because it cannot be used by itself to identify you.
- **Surveys.** From time to time, we may contact you to participate in online surveys. If you do decide to participate, you may be asked to provide certain information which may include Personal Information. All information collected from your participation in our surveys is provided by you voluntarily. We may use such information to improve our products, Sites and/or services and in any manner consistent with the policies provided herein.

- **Posting on the Site.** Panda Clouds may offer publicly accessible fun pages, blogs, private messages, or community forums. You should be aware that, when you disclose information about yourself on Panda Clouds’s fun pages and blogs, or in private messages and community forums, the Site will collect the information you provide in such submissions, including any Personal Information. These communications are considered “public” and will not be subject to the privacy protections set forth herein. We may monitor such communications in order to ensure the safety of the community and, by using the communication features in our Services, you are indicating that you agree to such monitoring. Please use your judgment when communicating with other Account holders.
- **Registration for Sweepstakes or Contests.** Occasionally, Panda Clouds may run sweepstakes and contests. We ask those who enter in the sweepstakes or contests to provide contact information (e.g., an email address). If you participate in a sweepstakes or contest, your contact information may be used to reach you about the sweepstakes or contest, and for other promotional, marketing and business purposes. All sweepstakes/contests entry forms will provide a way for participants to opt out of any communications that are not related to awarding prizes.
- **Automatic Data Collection.** We may collect certain information automatically through our Services or other methods of web analysis about how a person, including a User, uses our Services (we refer to this information as “**Log Data**”). Log Data may include information such as your Internet protocol (IP) address, cookie identifiers, mobile carrier, mobile advertising identifiers, MAC address, IMEI, Advertiser ID, and other device identifiers that are automatically assigned to your computer or device when you access the Internet, browser type and language, geo-location information, hardware type, operating system, Internet service

provider, pages that you visit before and after using the Services, the date and time of your visit, the amount of time you spend on each page, information about the links you click and pages you view within the Services, search terms, the links on our Services that you clicked on, and other actions taken through use of the Services such as preferences. We use Log Data to administer the Services and we analyze (and may engage third parties to analyze) Log Data to improve, customize, and enhance our Services by expanding their features and functionality and tailoring them to our Users' needs and preferences. We may use a person's IP address to generate aggregate, non-identifying information about how our Services are used.

- **Information Submitted Via Services.** You agree that Panda Clouds is free to use the content of any communications submitted by you via the Services, including any ideas, inventions, concepts, techniques, or know-how disclosed therein, for any purpose including developing, manufacturing, and/or marketing goods or Services. Panda Clouds will not release your name or otherwise publicize the fact that you submitted materials or other information to us unless: (a) you grant us permission to do so; (b) we first send notice to you that the materials or other information you submit to a particular part of a Service will be published or otherwise used with your name on it; or (c) we are required to do so by law.
- **Information from Other Sources.** We may receive information about you from other sources, including through Third-Party services and organizations to supplement information provided by you. For example, if you access our Services through a Third-Party application, such as an App Store or SNS, we may collect information about you from that Third-Party application that you have made public via your privacy settings. Information we collect through App Stores or SNS accounts may include your name, your SNS user identification number, your SNS user name, location, sex, birth date, email, profile picture, and your contacts on the SNS. This supplemental information allows us to verify

information that you have provided to Panda Clouds and to enhance our ability to provide you with information about our business, products, and Services.

- **Location Information.** When you use our Services, we may collect and store information about your location by converting your IP address into a rough geo-location or by accessing your device's GPS coordinates or coarse location if you enable location services on your device.

3.2 HOW PANDA CLOUDS USES YOUR INFORMATION

We acquire, hold, use, and Process Personal Information about Individuals for a variety of business purposes, including:

- **To Provide Products, Services, or Information Requested.** Panda Clouds may use information about you to fulfill requests for products, Services, or information, including information about potential or future Services, including to:
 - Generally manage Individual information and Accounts;
 - Respond to questions, comments, and other requests;
 - Provide access to certain areas, functionalities, and features of Panda Clouds's Services;
 - Contact you to answer requests for customer support or technical support;
 - Allow you to register for events.
- **Administrative Purposes.** Panda Clouds may use Personal Information about you for its administrative purposes, including to:
 - Measure interest in Panda Clouds's Services;
 - Develop new products and Services;

- Ensure internal quality control;
- Verify Individual identity;
- Communicate about Individual Accounts and activities on Panda Clouds's Services and systems, and, in Panda Clouds's discretion, changes to any Panda Clouds policy;
- Send email to the email address you provide to us to verify your Account and for informational and operational purposes, such as Account management, customer service, or system maintenance;
- Process payment for products or services purchased;
- Process applications and transactions;
- Prevent potentially prohibited or illegal activities;
- Enforce our Terms.
- **Marketing Panda Clouds Products and Services.** Panda Clouds may use Personal Information to provide you with materials about offers, products, and Services that may be of interest, including new content or Services. Panda Clouds may provide you with these materials by phone, postal mail, facsimile, or email, as permitted by applicable law. Such uses include:
 - To tailor content, advertisements, and offers;
 - To notify you about offers, products, and services that may be of interest to you;
 - To provide Services to you and our sponsors;
 - For other purposes disclosed at the time that Individuals provide Personal Information; or
 - Otherwise with your consent.

- **Research and Development.** Panda Clouds may use Personal Information to create non-identifiable information that we may use alone or in the aggregate with information obtained from other sources, in order to help us to optimally deliver our existing products and Services or develop new products and Services. From time to time, Panda Clouds may perform research (online and offline) via surveys. We may engage Third-Party service providers to conduct such surveys on our behalf. All survey responses are voluntary, and the information collected will be used for research and reporting purposes to help us better serve Individuals by learning more about their needs and the quality of the products and services we provide. The survey responses may be utilized to determine the effectiveness of our Services, various types of communications, advertising campaigns, and/or promotional activities. If an Individual participates in a survey, the information given will be used along with that of other study participants. We may share anonymous Individual and aggregate data for industry research and analysis, demographic profiling, and other similar purposes.
- **Direct Mail, Email and Outbound Telemarketing.** Individuals who provide us with Personal Information, or whose Personal Information we obtain from Third Parties, may receive periodic emails, newsletters, mailings, or phone calls from us with information on Panda Clouds's or our business partners' products and Services or upcoming special offers/events we believe may be of interest. We offer the option to decline these communications at no cost to the Individual by following the instructions in Section 5 below.
- **Services via Mobile Devices.** From time to time, Panda Clouds may provide Services that are specifically designed to be compatible and used on mobile devices. Panda Clouds will collect

certain information that your mobile device sends when you use such Services, like a device identifier, user settings, location information, mobile carrier, and the operating system of your device. Mobile versions of Panda Clouds's Services may require that users log in with an Account. In such cases, information about use of mobile versions of the Services may be associated with Accounts. In addition, Panda Clouds may enable Individuals to download an application, widget, or other tool that can be used on mobile or other computing devices. Some of these tools may store information on mobile or other devices. These tools may transmit Personal Information to Panda Clouds to enable Individuals to access Accounts and to enable Panda Clouds to track use of these tools. Some of these tools may enable users to email reports and other information from the tool. Panda Clouds may use personal or non-identifiable information transmitted to Panda Clouds to enhance these tools, to develop new tools, for quality improvement and as otherwise described in this Privacy Policy or in other notices Panda Clouds provides. We may use location information to improve and personalize our Services for you. If you do not want us to collect location information, you may disable that feature on your device.

- **Anonymous and Aggregated Information Use.** Panda Clouds may use Personal Information and other information about you to create anonymized and aggregated information, such as de-identified demographic information, de-identified location information, information about the computer or device from which you access Panda Clouds's Services, or other analyses we create. Anonymized and aggregated information is used for a variety of functions, including the measurement of visitors' interest in and use of various portions or features of the Services. Anonymized or aggregated information is not Personal Information, and Panda Clouds may use such information in a number of ways, including research, internal analysis, analytics, and any other legally permissible purposes. We may share this information within Panda Clouds and with Third Parties for our or their purposes in an

anonymized or aggregated form that is designed to prevent anyone from identifying you.

- **Sharing Content with Friends or Colleagues.** Panda Clouds’s Services may offer various tools and functionalities. For example, Panda Clouds allows you to provide information about your friends through our referral services, such as “Tell a Friend.” Our referral services may allow you to forward or share certain content with a friend or colleague, such as an email inviting your friend to use our Services. Email addresses that you may provide for a friend or colleague will be used to send your friend or colleague the content or link you request, but will not be collected or otherwise used by Panda Clouds or any other Third Parties for any other purpose.
- **Other Uses.** Panda Clouds may use Personal Information for which we have a legitimate interest, such as direct marketing, individual or market research, anti-fraud protection, or any other purpose disclosed to you at the time you provide Personal Information or with your consent.

3.3 COOKIES, PIXEL TAGS/WEB BEACONS, ANALYTICS INFORMATION, AND INTEREST-BASED ADVERTISING

We, as well as Third Parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, local storage, and other technologies (“**Technologies**”) to automatically collect information through the Services. We use Technologies that are essentially small data files placed on your computer, tablet, mobile phone, or other devices (referred to collectively as a "**device**") that allow us to record certain pieces of information whenever you visit or interact with our sites, services, applications, messaging, and tools, and to recognize you across devices

- **Cookies.** Cookies are small text files that are placed on your device by a web server when you access the Services. We may use both session Cookies and persistent Cookies for the purposes listed below. Unlike persistent Cookies, session Cookies are deleted when you log off from the Services and close your browser. Although most browsers automatically accept Cookies, you can change your browser options to stop automatically accepting Cookies or to prompt you before accepting Cookies. Please note, however, that if you don't accept Cookies, you may not be able to access all portions or features of the Services.
- **Web Beacons.** Web beacons (also known as web bugs, pixel tags, or clear GIFs) are tiny graphics with a unique identifier that may be included on our Services for the purposes listed below. Unlike Cookies, which are stored on the user's device, Web Beacons are typically embedded invisibly on web pages (or in an email).
- **Social Media Widgets:** We may use certain tools offered by Facebook, Inc. ("**Facebook**") that enable it to collect or receive information about actions users take on (a) our Site and elsewhere on the internet through the use of Cookies, Web Beacons, and other storage technologies; or (b) mobile applications, in order to provide measurement services, targeted ads, and other services. Your interactions with these features are governed by Facebook's privacy policy. For more information of regarding the collection and use of such information by Facebook, please see the Facebook Data Policy, available at: <https://www.facebook.com/policy.php>.
- **Analytics.** We may also use Google Analytics and Google Analytics Demographics and Interest Reporting to collect information regarding visitor behavior and visitor demographics on some of our Services, and to develop website content. This analytics data is not tied to any Personal Information. For more information about Google Analytics, please visit www.google.com/policies/privacy/partners/. You can opt out of Google's collection and Processing of data generated by your use of the Services by

going to <http://tools.google.com/dlpage/gaoptout>.

Our uses of such Technologies fall into the following general categories:

- **Operationally Necessary.** We may use Cookies, Web beacons, or other similar technologies that are necessary to the operation of our Site, Services, applications, and tools. This includes technologies that allow you access to our Site, Services, applications, and tools; that are required to identify irregular site behavior, prevent fraudulent activity and improve security; or that allow you to make use of our functions such as shopping- carts, saved search, or similar functions;
- **Performance Related.** We may use Cookies, Web beacons, or other similar technologies to assess the performance of our Site, applications, Services, and tools, including as part of our analytic practices to help us understand how our visitors use our websites, monitor aggregate usage and web traffic routing on our Services, determine if you have interacted with our messaging, determine whether you have viewed an item or link, or to customize and improve our Site content, applications, Services, or tools;
- **Functionality Related.** We may use Cookies, Web beacons, or other similar technologies that allow us to offer you enhanced functionality when accessing or using our Site, Services, applications, or tools. This may include identifying you when you sign into our Site or keeping track of your specified preferences, interests, or past items viewed so that we may enhance the presentation of content on our Site;
- **Advertising or Targeting Related.** We may use first-party or third-party Cookies and Web beacons to deliver content, including ads relevant to your interests, on our Sites or on third party sites. This includes using technologies to understand the usefulness to you of

the advertisements and content that has been delivered to you, such as whether you have clicked on an advertisement.

If you would like to opt out of the Technologies we employ on our Sites, Services, applications, or tools, you may do so by blocking, deleting, or disabling them as your browser or device permits.

3.4 THIRD-PARTY WEBSITES AND SOCIAL MEDIA PLATFORMS

The Site may contain links to other websites and other websites may reference or link to our Site or other Services. These other domains and websites are not controlled by us, and Panda Clouds does not endorse or make any representations about Third-Party websites or social media platforms. Any information provided on or to a Third-Party website or social media platform is provided directly to the owner or operator of the Third-Party website or social media platform and is subject to the owner's privacy policy. We encourage our users to read the privacy policies of each and every website and application with which they interact. We do not endorse, screen or approve, and are not responsible for the privacy practices or content of such other websites or applications. Visiting these other websites or applications is at your own risk.

Panda Clouds's Services may include publicly accessible blogs, community forums, or private messaging features. The Site and our other Services may also contain links and interactive features with various social media platforms (e.g., widgets). If you already use these platforms, their cookies may be set on your device when using our Site or other Services. You should be aware that Personal Information which you voluntarily include and transmit online in a publicly accessible blog, chat room, social media platform or otherwise online, or that you share in an open forum may be viewed and used by others without any restrictions. We are unable to control such uses of your information when interacting with a social media platform, and by using such services you assume the risk that the Personal Information provided by

you may be viewed and used by third parties for any number of purposes.

4. ONWARD TRANSFER—PANDA CLOUDS MAY DISCLOSE YOUR INFORMATION

4.1 INFORMATION WE SHARE

We may share your information as described in this Privacy Policy (e.g., with our Third-Party service providers; to comply with legal obligations; to protect and defend our rights and property) or with your permission.

- **We Use Vendors and Service Providers.** We may share any information we receive with vendors and service providers. The types of service providers to whom we entrust Personal Information include service providers for: (i) provision of IT and related services; (ii) provision of information and services you have requested; (iii) payment processing; (iv) customer service activities; and (v) in connection with the provision of the Site. Panda Clouds has executed appropriate contracts with the service providers that prohibit them from using or sharing Personal Information except as necessary to perform the contracted services on our behalf or to comply with applicable legal requirements.
- **Business Partners.** Panda Clouds may share Personal Information with our business partners, and affiliates for our and our affiliates' internal business purposes or to provide you with a product or service that you have requested. Panda Clouds may also provide Personal Information to business partners with whom we may jointly offer products or services, or whose products or services we believe may be of interest to you. In such cases, our business partner's name will appear, along with Panda Clouds. Panda Clouds requires our affiliates and business partners to agree in writing to maintain the confidentiality and security of Personal Information they maintain on our behalf and not to use it for any purpose other than the purpose for which Panda Clouds provided them.

- **Displaying to Other Users.** The content you post to the Site may be displayed on the Site. Other users of the Site may be able to see some information about you, such as your name if you submit a review. We are not responsible for privacy practices of the other users who will view and use the posted information.
- **Marketing – Interest-Based Advertising and Third Party Marketing.** Through our Services, Panda Clouds may allow Third-Party advertising partners to set tracking tools (e.g., Cookies) to collect information regarding your activities (e.g., your IP address, page(s) visited, time of day). Note that this Privacy Policy covers only our use of Cookies and does not include use of Cookies by such third parties. We may also share de-identified information (such as demographic information and past purchase history) as well as selected Personal Information we have collected with Third-Party advertising partners. These advertising partners may use this information (and similar information collected from other websites) for purposes of delivering targeted advertisements to you when you visit non-Panda Clouds related websites within their networks. This practice is commonly referred to as “interest-based advertising” or “online behavioral advertising.” We may allow access to other data collected by the Site to facilitate transmittal of information that may be useful, relevant, valuable or otherwise of interest to you. If you prefer that we do not share your Personal Information with Third-Party advertising partners, you may opt out of such sharing at no cost by following the instructions in Section 5 below.
- **Disclosures to Protect Us or Others (e.g., as Required by Law and Similar Disclosures).** We may access, preserve, and disclose your Personal Information, other Account information, and content to government or law enforcement officials or private parties if we believe, in our sole discretion, that doing so is required or appropriate to: (i) comply with law enforcement or national security requests and legal process, such as a court order or

subpoena; (ii) respond to your requests; (iii) protect yours', ours', or others' rights, property, or safety; (iv) to enforce Panda Clouds policies or contracts; (v) to collect amounts owed to Panda Clouds; (vi) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation or prosecution of suspected or actual illegal, unethical, or legally actionable activity; or (vii) if we, in good faith, believe that disclosure is otherwise necessary or advisable.

- **Merger, Sale, or Other Asset Transfers.** If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, then your information may be sold or transferred as part of such a transaction as permitted by law and/or contract. In such event, Panda Clouds will endeavor to direct the transferee to use Personal Information in a manner that is consistent with the Privacy Policy in effect at the time such Personal Information was collected.

4.2 INTERNATIONAL DATA TRANSFERS

You agree that all Personal Information collected via or by Panda Clouds may be transferred, Processed, and stored anywhere in the world, including but not limited to, the United States, the European Union, in the cloud, on our servers, on the servers of our affiliates or the servers of our service providers. Your Personal Information may be accessible to law enforcement or other authorities pursuant to a lawful request. By providing information to Panda Clouds, you explicitly consent to the storage of your Personal Information in these locations.

5. OPT-OUT (RIGHT TO OBJECT TO PROCESSING)

5.1 GENERAL

You have the right to object to and opt out of certain uses and disclosures of your Personal Information. Where you have consented to Panda Clouds's Processing of your Personal Information or Sensitive

Personal Information, you may withdraw that consent at any time and opt out of further Processing by contacting hello@pandaclouds.com. Even if you opt out, we may still collect and use non-Personal Information regarding your activities on our Site and/or information from the advertisements on Third-Party websites for non-interest based advertising purposes, such as to determine the effectiveness of the advertisements.

5.2 EMAIL AND TELEPHONE COMMUNICATIONS

We may periodically send you free newsletters, emails, and other communications that directly promote the Services or other Panda Clouds products and services. When you receive such promotional communications from us, you will have the opportunity to opt-out (either through your Account or by following the unsubscribe instructions provided in the email you receive). We will process your request within a reasonable time after receipt. Note that you will continue to receive transaction-related emails regarding products or services you have requested. We may also send you certain non-promotional communications regarding Panda Clouds and our Services and you will not be able to opt out of those communications (e.g., communications regarding updates to our Terms or this Privacy Policy or information about billing). We maintain telephone “do-not-call” and “do-not-mail” lists as mandated by law. We process requests to be placed on do-not-mail, do-not-phone and do-not-contact lists within 60 days after receipt, or such shorter time as may be required by law.

5.3 MOBILE DEVICES

Panda Clouds may occasionally send you push notifications through our mobile applications with notices that may be of interest to you. If you provide your mobile phone number and agree to receive communications from Panda Clouds, you specifically authorize Panda Clouds to send text messages or calls to your phone. You are not required to consent to receive text messages or calls as a condition for using the Services and may at any time opt out from receiving these types of communications by changing the settings on your mobile

device. Panda Clouds may also collect location-based information if you use our mobile applications. You may opt out of this collection by changing the settings on your mobile device.

5.4 HUMAN RESOURCES DATA

With regard to Personal Information that Panda Clouds receives in connection with the employment relationship, Panda Clouds will use such Personal Information only for employment-related purposes as more fully described above. If Panda Clouds intends to use this Personal Information for any other purpose, Panda Clouds will notify the Individual and provide an opportunity to opt out of such uses.

5.5 “DO NOT TRACK”

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

5.6 COOKIES AND INTEREST-BASED ADVERTISING

As noted above, you may stop or restrict the placement of Cookies on your computer or remove them from your browser by adjusting your web browser preferences. Please note that Cookie-based opt-outs are not effective on mobile applications. However, on many mobile devices, application users may opt out of certain mobile ads via their device settings.

The online advertising industry also provides websites from which you may opt out of receiving targeted ads from our data partners and our other advertising partners that participate in self-regulatory programs. You can access these, and also learn more about targeted advertising and consumer choice and privacy, at www.networkadvertising.org/managing/opt_out.asp, or <http://www.youronlinechoices.eu/> and

www.aboutads.info/choices/. You can also choose not to be included in Google Analytics [here](#).

To be clear, whether you are using our opt-out or an online industry opt-out, these Cookie-based opt-outs must be performed on each device and browser that you wish to have opted-out. For example, if you have opted-out on your computer browser, that opt-out will not be effective on your mobile device. You must separately opt out on each device. Advertisements on Third-Party websites that contain the AdChoices link and that link to this Privacy Policy may have been directed to you based on anonymous, non-Personal Information collected by advertising partners over time and across websites. These advertisements provide a mechanism to opt out of the advertising partners' use of this information for interest-based advertising purposes.

6. RIGHTS OF ACCESS, RECTIFICATION, ERASURE, AND RESTRICTION

You may inquire as to whether Panda Clouds is Processing Personal Information about you, request access to Personal Information, and ask that we correct, amend or delete your Personal Information where it is inaccurate. Where otherwise permitted by applicable law, you may send an email to hello@pandaclouds.com or use any of the methods set out in this Privacy Policy to request access to, receive (port), seek rectification, or request erasure of Personal Information held about you by Panda Clouds. Please include your full name, email address associated with your Account, and a detailed description of your data request. Such requests will be processed in line with local laws.

Although Panda Clouds makes good faith efforts to provide Individuals with access to their Personal Information, there may be circumstances in which Panda Clouds is unable to provide access, including but not limited to: where the information contains legal privilege, would compromise others' privacy or other legitimate rights, where the burden or expense of providing access would be disproportionate to the risks to the Individual's privacy in the case in question or where it is commercially proprietary. If Panda Clouds determines that access should

be restricted in any particular instance, we will provide you with an explanation of why that determination has been made and a contact point for any further inquiries. To protect your privacy, Panda Clouds will take commercially reasonable steps to verify your identity before granting access to or making any changes to your Personal Information.

7. DATA RETENTION

Panda Clouds retains the Personal Information we receive as described in this Privacy Policy for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws.

8. SECURITY OF YOUR INFORMATION

We take reasonable administrative, physical, and electronic measures to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, the Internet cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any information you provide to us. We do not accept liability for unintentional disclosure.

By using the Site or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Site. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on the Site or sending an email to you. You may have a legal right to receive this notice in writing.

9. INTERNATIONAL USERS

By using the Site, you agree that Panda Clouds will transfer data globally, including to the United States. By choosing to visit the Site, utilize the Services or otherwise provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the laws of the United States and the

adjudication of any disputes arising in connection with Panda Clouds or the Site will be in accordance with the Terms.

If you are visiting from the European Union or other regions with laws governing data collection and use, please note that you are agreeing to the transfer of your information to the United States and to Processing of your data globally. By providing your Personal Information, you consent to any transfer and Processing in accordance with this Policy.

10. CHILDREN'S PRIVACY

The Services are not directed to children under 13 years of age, and Panda Clouds does not knowingly collect Personally Identifiable Information from children under 13 years of age. If you learn that your child has provided us with Personal Information without your consent, you may alert us at hello@pandaclouds.com. If we learn that we have collected any Personal Information from children under 13 years old or, in some jurisdictions, under the age of 16, we will promptly take steps to delete such information and terminate the child's Account.

11. REDRESS/COMPLIANCE AND ACCOUNTABILITY

If you have any questions about our privacy practices, this Privacy Policy, or how to lodge a complaint with the appropriate authority, please contact Panda Clouds by email at hello@pandaclouds.com. We will address your concerns and attempt to resolve any privacy issues in a timely manner.

12. OTHER RIGHTS AND IMPORTANT INFORMATION

12.1 CHANGES TO OUR PRIVACY POLICY AND PRACTICES

This Privacy Policy may change from time to time. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you use the Services after the updated Privacy Policy is posted on the Services. If at any point you do not agree to any portion of the Privacy Policy then in effect, you must immediately stop using the Services.

- **Revision to the Privacy Policy.** We may revise this Privacy Policy in our sole discretion, so review it periodically. If you continue to visit this Site and use the services made available to you after such changes have been made, you hereby provide your consent to the changes.
- **Posting of Revised Privacy Policy.** If there are any material changes to this Privacy Policy, Panda Clouds will notify you by email or as otherwise required by applicable law. We will post any adjustments to the Privacy Policy on the Services and will update the “Last Updated Date” above to indicate when those changes will become effective. If you are concerned about how your information is used, bookmark this page and read this Privacy Policy periodically.
- **New Uses of Personal Information.** Additionally, before we use Personal Information for any new purpose not originally authorized by you, we will endeavor to provide information regarding the new purpose and give you the opportunity to opt out. Where consent of the Individual for the Processing of Personal Information is otherwise required by law or contract, Panda Clouds will endeavor to comply with the law or contract.

12.2 CALIFORNIA PRIVACY RIGHTS

California law permits users who are California residents to request and obtain from us once a year, free of charge, a list of the Third Parties to whom we have disclosed their Personal Information (if any) for their direct marketing purposes in the prior calendar year, as well as the type of Personal Information disclosed to those parties. Except as otherwise provided in this Privacy Policy, Panda Clouds does not share Personal Information with Third Parties for their own marketing purposes.

13. DEFINITIONS

The following capitalized terms shall have the meanings herein as set forth below.

- “**Agent**” means any Third Party that Processes Personal Information pursuant to the instructions of, and solely for, Panda Clouds or to which Panda Clouds discloses Personal Information for use on its behalf.
- “**Employee**” refers to any current, temporary, permanent, prospective or former employee, director, contractor, worker, or retiree of Panda Clouds or its subsidiaries worldwide.
- “**Personal Information**” is any information relating to an identified or identifiable natural person (“**Individual**”).
- “**Process**” or “**Processing**” means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.
- “**Sensitive Data**” or “**Sensitive Personal Information**” is a subset of Personal Information which, due to its nature, has been classified by law or by policy as deserving additional privacy and security protections. Sensitive Personal Information includes Personal Information regarding EU residents that is classified as a “Special Category of Personal Data” under EU law, which consists of the following data elements: (1) race or ethnic origin; (2) political opinions; (3) religious or philosophical beliefs; (4) trade union membership; (5) genetic data; (6) biometric data where Processed to uniquely identify a person; (6) health information; (7) sexual orientation or information about the Individual’s sex life; or (8) information relating to the commission of a criminal offense.

- **“Third Party”** is any company, natural or legal person, public authority, agency, or body other than the Individual, Panda Clouds or Panda Clouds’s Agents.

14. REVISION HISTORY

Title	Effective Date
Panda Clouds Privacy Policy	4/9/2020 12:01 AM