

Aternity

GENERAL PRIVACY POLICY

Last Updated: January 2, 2020

Aternity LLC (“**Aternity**”, “**we**”, “**us**”, or “**our**”) knows that you care about how your data is used and shared, and we take your privacy seriously. Aternity’s General Privacy Policy applies to Personal Data (as defined below) collected through Aternity’s website (www.aternity.com), feedback and surveys, the sales and contracting process, and both online and offline sales and marketing activities, as further detailed in Section 2 below.

“**Personal Data**” means any data relating to an identified or identifiable individual, including, for example, your first and last name, email address, and phone number.

This General Privacy Policy does not apply to Personal Data collected when you use or interact with Aternity product or services and related support services (collectively, the “**Services**”). Aternity’s processing of electronic data and information submitted to the Services, including Personal Data, is governed by the underlying agreement between Aternity and the customer.

1 About Aternity

Aternity LLC is a Delaware limited liability company headquartered at 125 Cambridge Park Drive, Cambridge MA 02140 with additional global offices.

Aternity is the controller of your Personal Data as described in this General Privacy Policy unless expressly specified otherwise.

2 Personal Data Aternity Collects

We may collect data, including Personal Data, about you as follows:

2.1 Personal Data You Provide to Aternity

You may provide us with certain categories of Personal Data when you:

- Complete and submit forms on our website
- Download white papers or other Aternity content
- Register for webcasts, seminars, conferences, etc. sponsored by Aternity or a partner
- Subscribe to our newsletters or other Aternity content-related materials
- Register for courses, training or education
- Provide us with feedback or contact us via phone, email, social media or otherwise
- Participate in a survey
- Use community forums on our website
- Purchase Aternity products or services



2.2 Personal Data Collected Automatically

Aternity's website uses automatic data collection tools, such as cookies and web beacons. These tools automatically collect the following:

- Technical information including, but not limited to, browser type, operating system, device information, IP address, domain name, referral URL, time zone setting, and/or a time-stamp for your visit.
- Usage information including, but not limited to, geographic location information (such as your country or state), the numbers and frequency of visitors to our site, page views, unique page views, video views, form conversions, and your clickstream behavior (e.g. clicking links to, through and from our website).

Aternity's Cookie Policy describes how Aternity uses cookies and other automatic data collection tools.

2.3 Personal Data Collected From Third Parties

Aternity works closely with third parties and may receive Personal Data from such third parties. Aternity protects Personal Data obtained from third parties in accordance with the practices and policies described in this Privacy Policy, plus any additional obligations imposed by the third party source of the Personal Data. These third party sources vary depending on context but may include:

- Data brokers from which we purchase data to supplement the data we collect
- Channel Partners (including distributors, resellers and managed service providers) who supply us with data in order to help establish an account, fulfill orders and offer products and services
- Companies that provide services in connection with our website (i.e. localization, analytics and marketing)
- Business partners with which we offer co-branded services or engage in joint marketing activities

3 How Aternity Uses Personal Data

Aternity uses the Personal Data we collect for two main purposes: (1) to operate our business and provide the products and services, and (2) to send communications, including marketing communications. For example, we may use Personal Data to:

- Administer and provide our website
- Customize the content and advertising you see on our website
- Respond to your requests and questions
- To provide products and services and perform contractual obligations
- Communicate with you about specials, sales offers and new products
- Send notifications regarding to our company, products and services and changes to our terms
- To transact with customers, suppliers and Channel Partners and to process orders



4 Legal Bases for Processing

If you are an European Economic Area (EEA) resident, Aternity relies on the following legal bases to collect and process your Personal Data under applicable EU data protection laws:

- **Consent:** where you have consented to the use of your Personal Data (for example, if you consent to us sending you promotional materials and newsletters);
- **Contract performance:** where processing is necessary to perform a contract with you or take steps prior to entering into a contract with you (for example, to fulfill orders for Aternity products and services that you have purchased);
- **Legitimate interests:** to satisfy a legitimate interest (for example, Aternity's legitimate interest to improve our products and services, or correspond with existing customers about our products and services); or
- **Legal obligation:** where Aternity has a legal obligation to process your Personal Data (for example, when responding to public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws).

5 Sharing Personal Data

Aternity may share Personal Data with third parties for the purposes described below:

- **Aternity Affiliates:** we share Personal Data within Aternity and any of our worldwide affiliates for purposes of data processing and storage.
- **Vendors and Agents:** Aternity may share Personal Data with Aternity's contracted vendors and agents working on our behalf to provide Aternity products and services, including performing customer support and cloud service providers such as storage providers. In such cases, these vendors and agents must abide by our data privacy and security requirements, are not allowed to use Personal Data they receive from us for any other purpose, and we require them to agree to maintain the confidentiality of Personal Data.
- **Channel Partners:** Aternity has channel partners who help us sell and deliver our products and services. Aternity may share Personal Data with our channel partners for purposes of selling and providing Aternity products and services to you. Aternity may also obtain certain Personal Data about you from our channel partners when you purchase products and services from such channel partners. Aternity requires its channel partners to comply with applicable law regarding the Personal Data that we provide to them. Please note, however, that you may have a separate agreement with a channel partner that will control that channel partner's use of your Personal Data, in which case this General Privacy Policy does not apply to the information held by that channel partner.
- **Suppliers:** Certain Aternity products incorporate software provided by third party suppliers. In some cases Aternity may be required to report on sales of such products incorporating such software to those third party suppliers, and this reporting may include your Personal Information solely to the extent needed to document such sales. Aternity requires its third party suppliers to treat any such information as confidential.



- **Business Transfers:** In some cases, we may choose to buy or sell assets or become involved in a merger, acquisition or similar transaction. In these types of transactions, customer information (that may include Personal Data) is typically one of the assets that is transferred.
- **Protection of Aternity and Others:** We may disclose or share Personal Data and other information, if we believe in good faith that such disclosure or sharing is legally required, or is necessary to protect our legal rights (including, but not limited to, our intellectual property rights and enforcement of our agreements), the legal rights of others, or the safety and/or security of Aternity, our employees, our customers, or other users.

6 Transfer, Processing and Storage of Personal Data

Aternity is a global company with partners and customers located in many different countries around the world. Personal Data collected by Aternity may be transferred to, processed and/or stored in the United States or anywhere Aternity or its affiliates and service providers maintain facilities. As a result, your Personal Data may be transferred to, processed and/or stored in a destination other than the country in which the Personal Data was originally collected or provided (and which may not provide for the same level of data protection). By using our website and products and services or providing any Personal Data to us, where applicable law permits, you consent to the transfer, processing, and storage of such Personal Data outside the country of origin. When Aternity transfers Personal Data from inside the EEA to outside the EEA, we use a variety of lawful transfer mechanisms, including contracts, to comply with applicable EU data protection laws.

7 Retention of Personal Data

Aternity retains Personal Data for as long as necessary to provide the products and services, to comply with our business requirements, legal obligations, resolve disputes, protect our assets and enforce our agreements.

8 Security of Personal Data

The security of your Personal Data is important to us. Aternity implements administrative, physical, and technical safeguards to protect your Personal Data from unauthorized access, use, modification, or disclosure. Please be aware that no security measures can wholly eliminate security risks associated with Personal Data; keep this in mind when disclosing any sensitive information to us. Please do not disclose your website login credentials to unauthorized users. You are responsible for the security of your login credentials and for any activity that occurs under your account with us. If Aternity learns of a breach of its systems, we may notify you and others in a manner that is consistent with applicable law and/or as agreed by us in writing.

9 Accessing and Managing Personal Data

Aternity offers choices regarding the collection, use and sharing of Personal Data.

9.1 Marketing Communications

You may manage your receipt of marketing and non-transactional communications by following the directions in that communication.



9.2 Your Rights

If you are an EEA resident, you have certain rights relating to your Personal Data (“**Data Subject Rights**”) that include:

- Right to access Personal Data
- Right to rectify inaccurate or incomplete Personal Data
- Right to erase/delete Personal Data
- Right to restrict processing of Personal Data
- Right to data portability of Personal Data
- Right to object to processing of Personal Data
- Not to be subject to a decision based solely on automated processing (Aternity does not currently engage in any automated processing)
- Right to withdraw consent (when processing of Personal Data is based on consent)

You may exercise your Data Subject Rights by submitting a request [here](#). Aternity will review your request and respond in accordance with applicable law.

10 Links to Third Party Websites

Aternity may provide links to other third-party websites and services that are outside our control and not covered by Aternity’s General Privacy Policy. Aternity is not responsible for the privacy practices or the content of such websites. We encourage you to review the privacy policies on any website you visit whether linked to or not.

11 Public Forums

Aternity offers individuals the opportunity to interact and publish content via discussion forums, blogs, and other means on our website (“**Online Communication Tools**”). If you use such Online Communication Tools, any information that you disclose becomes publicly available, and could be used to contact you, to send you unsolicited messages, or for purposes neither Aternity nor you have control over. Your use of certain Online Communication Tools may be subject to additional terms and conditions. Aternity is not responsible for the Personal Data or any other information you choose to submit or publish via these Online Communication Tools.

12 Collection of Data From Children

Aternity does not knowingly collect Personal Data from individuals under the age of thirteen (13) or the applicable age of consent in your country. If you believe that Aternity may have collected Personal Data from someone under the applicable age of consent, please contact Aternity’s Privacy Team at rvbd-privacy@riverbed.com.



13 Cookie Policy

Aternity's website and email communications use cookies and other device identification technologies (collectively, "Cookies") as further described below.

Cookies: Cookies are small text files that are placed on your device to help the site provide a better user experience. In general, cookies are used to retain user preferences, store information for things like shopping carts, and provide anonymized tracking data to third party applications like Google Analytics. As a rule, cookies will make your browsing experience better. However, you may prefer to disable certain categories of cookies on this site and on others as further explained below. We classify cookies in the following categories:

- **Strictly Necessary Cookies** are cookies necessary for our website to function. They are usually only set in response to actions made by you which amount to a request for services, such as setting your privacy preferences, logging in or filling in forms.
- **Performance Cookies** allow us to count visits and traffic sources so we can measure and improve the performance of our website. They help us know which pages are the most and least popular and see how visitors move around the website.
- **Functional Cookies** provide enhanced functionality and personalization. They may be set by Aternity or by third party providers whose services we have added to our pages.
- **Targeting Cookies** may be set through our website by our advertising partners. They may be used by those companies to build a profile of your interests and show you relevant advertisements on other sites.

Web Beacons: We may use clear gifs (otherwise known as web bugs or web beacons) to gather information about your visit to the website, such as what you click on and pages and information you viewed. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are placed on a user's hard drive, clear gifs are embedded invisibly on web pages. Additionally, be aware that advertisers and partners may also use their own clear gifs and we do not control use of these by advertisers and partners and expressly disclaim responsibility for information collected through them.

Social Media Plugins: You can share content from our website to others via social media plugins from companies like Google, Twitter and LinkedIn. In doing so, those social media websites may place a cookie on your computer. Information collected by these companies is governed by each company's respective privacy policy.

Managing Cookies

Most browsers have options for deleting, blocking or otherwise disabling the use of cookies. We suggest consulting the Help section of your browser or taking a look at [the About Cookies website](#) which offers guidance for all modern browsers. If you choose to disable cookies, some areas of our website may not work properly. You will not be able to opt-out of any cookies that are "strictly necessary" for the Services.

To learn more about third party cookies and other advertising networks and their opt out instructions, please visit <http://www.aboutads.info/choices> or <http://preferences-mgr.truste.com>.



Do Not Track

Some web browsers may give you the ability to enable a "do not track" feature that sends signals to the websites you visit, indicating that you do not want your online activities tracked. You can learn more [here](#). This is different than blocking or deleting cookies, as browsers with a "do not track" feature enabled may still accept cookies. Aternity's website does not currently respond to "do not track" signals.

14 Updates

Aternity may update this General Privacy Policy from time to time. If we make changes to our Privacy Policy, we will post the updated version, which will be effective as of the updated revision date. If there are material changes to our Privacy Policy or in how Aternity will use Personal Data, we may provide notification by other means prior to such changes taking effect, for example, by posting a notice on our website or sending you a notification.

15 Contacting Aternity

To exercise your Data Subject Rights regarding your Personal Data, please submit a request [here](#).

Questions regarding our Privacy Policy and Aternity's privacy practices can be directed to Aternity's Privacy Team by emailing rvbd-privacy@riverbed.com.

Aternity is committed to working with you to appropriately resolve privacy-related complaints and concerns. If, however, you believe that we have not been able to assist with your privacy-related complaint or concern, and you are an EEA resident, you have the right to lodge a complaint with the competent supervisory authority.