In May 2018, the EU General Data Protection Regulation ("GDPR") replaced the existing 1995 EU Data Protection Directive (European Directive 95/46/EC).

Riverbed currently complies with applicable data protection regulations and is committed to GDPR compliance across its relevant products and services. Riverbed has a dedicated internal team made up of cross-functional stakeholders overseeing Riverbed’s GDPR ongoing compliance efforts, which include:

**Assessment**

Riverbed has reviewed where and how our relevant products and services collect, use, store and dispose of personal data and has updated policies, standards, governance and documentation where needed. Riverbed is dedicated to keeping such due diligence current and carrying out re-assessments periodically and/or as required by changed circumstances.

**Contractual Commitments**

Riverbed has also reviewed its existing supplier contracts to ensure GDPR compliance throughout its supply chain and will continue to conduct due diligence as new suppliers are onboarded. Riverbed published Data Processing Addendum ("DPA") outlines the processing of personal data by Riverbed and the requirements of applicable data protection laws.

**Cross-Border Data Transfer**

Riverbed’s DPA helps meet cross-border transfer requirements under the GDPR.

Please refer to the attached Schrems II statement for more information regarding the data transfer mechanisms used by Riverbed.

**Employee Training and Awareness**

All Riverbed employees must complete annual data privacy and security training, including training modules with GDPR-specific content. In addition to these training requirements, Riverbed conducts ongoing awareness initiatives on a variety of topics, including data protection, security and privacy.

**CUSTOMERS AND PARTNERS**

Compliance with the GDPR requires a partnership between Riverbed and our customers and partners in their use of applicable Riverbed products and services. In this context, Riverbed generally will act as a data processor and our customers (and partners, as applicable) generally will act as data controllers. Working together, we hope to explore opportunities within our relevant product and service offerings to assist our customers and partners meet their GDPR obligations. In the meantime, Riverbed encourages customers and partners to independently familiarize themselves with the GDPR.
This attachment provides information about the data transfer mechanisms used by Riverbed to transfer personal data out of the EU in light of the July 16, 2020 decision of the European Court of Justice ("ECJ"). The ECJ invalidated the EU-U.S. Privacy Shield framework ("Privacy Shield") but upheld the validity of the European Commission’s Standard Contractual Clauses ("SCCs") ("Schrems II"). As a result of Schrems II, companies may no longer rely on Privacy Shield to transfer EU personal data to the U.S. Riverbed’s customers, however, may continue to use Riverbed products and services by relying on the SCCs, which are already included in Riverbed’s Data Processing Addendum.

BACKGROUND

Under the EU General Data Protection Regulation ("GDPR"), a transfer of personal data out of the EU may take place only if the third country ensures an adequate level of data protection. In the absence of an adequacy decision by the European Commission, such data transfers may proceed only if appropriate safeguards are put in place to provide the level of protection required by the GDPR. Privacy activist Max Schrems filed a complaint challenging the validity of the SCCs as a lawful transfer mechanism and the scope of the case was expanded to consider the validity of Privacy Shield as well. The ECJ’s decision in Schrems II confirmed the validity of the SCCs as capable of ensuring adequate protection but found Privacy Shield not compliant with requirements arising from the GDPR.

IMPACT TO RIVERBED CUSTOMERS

The ECJ’s Schrems II decision should not impact Riverbed customers’ ability to continue to use Riverbed products and services. EU personal data may still be transferred pursuant to the European Commission’s SCCs, which are already incorporated by reference into Riverbed’s Data Processing Addendum. If a customer is unsure whether it has a Data Processing Addendum in place with Riverbed, please contact contracts@riverbed.com. In any event, Riverbed encourages customers to sign and return Riverbed’s latest Data Processing Addendum.