

CloudShare Inc.

EU-US Privacy Shield – Consumer Privacy Policy

CloudShare (“CloudShare”) respects your concerns about privacy. CloudShare participates in the EU-U.S. Privacy Shield (“Privacy Shield”) framework issued by the U.S. Department of Commerce. CloudShare commits to comply with the Privacy Shield Principles with respect to Consumer Personal Data the company receives from the EU in reliance on the Privacy Shield. This Policy describes how CloudShare implements the Privacy Shield Principles for Consumer Personal Data.

For purposes of this Policy:

“Consumer” means any natural person who is located in the EU, but excludes any individual acting in his or her capacity as an Employee.

“Controller” means a person or organization which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

“Customer” means any entity that purchases or otherwise obtains products or services from CloudShare.

“Employee” means any current, former or prospective employee of CloudShare, or any of its European affiliates, who is located in the EU.

“EU” means the European Union and Iceland, Liechtenstein and Norway.

“Personal Data” means any information, including Sensitive Data, that is (i) about an identified or identifiable individual, (ii) received by CloudShare in the U.S. from the EU, and (iii) recorded in any form.

“Privacy Shield Principles” means the Principles and Supplemental Principles of the Privacy Shield.

“Processor” means any natural or legal person, public authority, agency or other body that processes Personal Data on behalf of a Controller.

“Sensitive Data” means Personal Data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sex life, the commission or alleged commission of any offense, any proceedings for any offense committed or alleged to have been committed by the individual or the disposal of such proceedings, or the sentence of any court in such proceedings.

CloudShare’s EU-U.S. Privacy Shield certification can be found at <https://www.privacyshield.gov/>. For more information about CloudShare’s processing of Personal Data obtained from Consumers on its website, please visit [CloudShare's Privacy Policy](#).

Types of Personal Data CloudShare Collects

CloudShare collects Personal Data directly from Consumers. This collection occurs, for example, when a Consumer visits CloudShare’s website and provides Personal Data to CloudShare. [Click here](#) for information on the types of Personal Data CloudShare receives through its website. In addition, CloudShare obtains Consumer Personal Data, such as contact information, in connection with maintaining its Customer relationships and providing its products and services to Customers. CloudShare also obtains Personal Data, such as contact information, of its vendors’ representatives. CloudShare uses this information to manage its relationships with its vendors.

As a Processor, CloudShare receives Personal Data about its Customers' Consumers located in the EU. CloudShare's Customers provide the Personal Data to CloudShare in connection with CloudShare's provision of services to its Customers. In this capacity, CloudShare acts pursuant to its Customers' instructions. The types of Personal Data CloudShare's Customers provide to CloudShare include contact details such as email address and full name. CloudShare processes this Consumer Personal Data in the U.S. to provide services to its Customers such as cloud environment platform, data analytics and management.

CloudShare's privacy practices regarding the processing of Consumer Personal Data comply, as appropriate, with the Privacy Shield Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement and Liability.

Notice

CloudShare provides information in this Policy and the company's online privacy notice [here](#) and about its Consumer Personal Data practices, including the types of Personal Data CloudShare collects, the types of third parties to which CloudShare discloses the Personal Data and the purposes for doing so, the rights and choices Consumers have for limiting the use and disclosure of their Personal Data, and how to contact CloudShare about its practices concerning Personal Data.

When CloudShare acts as a Processor and Consumer Personal Data is transferred to CloudShare in the U.S. on behalf of a Customer, the Customer is responsible for providing appropriate notice to its Consumers and obtaining the requisite consent.

Privacy notices pertaining to specific data processing activities also may contain relevant information.

Choice

When CloudShare collects Personal Data directly from Consumers, the company generally offers those Consumers the opportunity to choose whether their Personal Data may be (i) disclosed to third-party Controllers, or (ii) used for a purpose that is materially different from the purposes for which the information was originally collected or subsequently authorized by the relevant Consumer. To the extent required by the Privacy Shield Principles, CloudShare obtains opt-in consent for certain uses and disclosures of Sensitive Data. Consumers may contact CloudShare as indicated below regarding the company's use or disclosure of their Personal Data. Unless CloudShare offers Consumers an appropriate choice, the company uses Personal Data only for purposes that are materially the same as those indicated in this Policy or the company's online privacy notice at:

<https://www.cloudshare.com/privacy-policy>

When CloudShare maintains Personal Data about Consumers with whom CloudShare does not have a direct relationship because CloudShare obtained or maintains the Consumers' data as a Processor, CloudShare's Customers are responsible for providing the relevant Consumers with certain choices with respect to the Customers' use or disclosure of the Consumers' Personal Data.

CloudShare shares Consumer Personal Data with its affiliates and subsidiaries. CloudShare may share certain identifying and statistical information regarding your use of the CloudShare service with the third party vendors whose software product you have evaluated. Such information may include your name, email address, professional organization, product and product features evaluated, initial registration date, last login, and usage duration. Such third party vendors shall be obligated to hold any such information in confidence. CloudShare may also share aggregate statistical information gathered from the registration process and from the use of the CloudShare service, with third party software vendors, business partners,

sponsors or other third parties, for example that X number of registrants used the CloudShare site to evaluate their software during a certain period, that the most widely tried features were features A, B, and C, etc.

CloudShare may disclose Consumer Personal Data without offering an opportunity to opt out, and may be required to disclose the Personal Data, (i) to third-party Processors the company has retained to perform services on its behalf and pursuant to its instructions, (ii) if it is required to do so by law or legal process, or (iii) in response to lawful requests from public authorities, including to meet national security, public interest or law enforcement requirements. CloudShare also reserves the right to transfer Personal Data in the event of an audit or if the company sells or transfers all or a portion of its business or assets (including in the event of a merger, acquisition, joint venture, reorganization, dissolution or liquidation).

Accountability for Onward Transfer of Personal Data

This Policy and CloudShare's online privacy policy at <https://www.cloudshare.com/privacy-policy> describe CloudShare's sharing of Consumer Personal Data. To the extent CloudShare acts as a Controller, except as permitted or required by applicable law, CloudShare provides Consumers with an opportunity to opt out of sharing their Personal Data with third party Controllers. CloudShare requires third-party Controllers to whom it discloses Consumer Personal Data to contractually agree to (i) only process the Personal Data for limited and specified purposes consistent with the consent provided by the relevant Consumer, (ii) provide the same level of protection for Personal Data as is required by the Privacy Shield Principles, and (iii) notify CloudShare and cease processing Personal Data (or take other reasonable and appropriate remedial steps) if the third-party Controller determines that it cannot meet its obligation to provide the same level of protection for Personal Data as is required by the Privacy Shield Principles. With respect to transfers of Consumer Personal Data to third-party Processors, CloudShare (i) enters into a contract with each relevant Processor, (ii) transfers Personal Data to each such Processor only for limited and specified purposes, (iii) ascertains that the Processor is obligated to provide the Personal Data with at least the same level of privacy protection as is required by the Privacy Shield Principles, (iv) takes reasonable and appropriate steps to ensure that the Processor effectively processes the Personal Data in a manner consistent with CloudShare's obligations under the Privacy Shield Principles, (v) requires the Processor to notify CloudShare if the Processor determines that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles, (vi) upon notice, including under (v) above, takes reasonable and appropriate steps to stop and remediate unauthorized processing of the Personal Data by the Processor, and (vii) provides a summary or representative copy of the relevant privacy provisions of the Processor contract to the Department of Commerce, upon request.

CloudShare remains liable under the Privacy Shield Principles if the company's third-party Processor onward transfer recipients process relevant Personal Data in a manner inconsistent with the Privacy Shield Principles, unless CloudShare proves that it is not responsible for the event giving rise to the damage.

Security

CloudShare takes reasonable and appropriate measures to protect Consumer Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the Personal Data.

Data Integrity and Purpose Limitation

CloudShare limits the Consumer Personal Data it processes to that which is relevant for the purposes of the particular processing. CloudShare does not process Consumer Personal Data in ways that are incompatible with the purposes for which the information was collected or subsequently authorized by the relevant Consumer. In addition, to the extent necessary for

these purposes and consistent with its role as a Controller or Processor, CloudShare takes reasonable steps to ensure that the Personal Data the company processes is (i) reliable for its intended use, and (ii) accurate, complete and current. In this regard, CloudShare relies on its Consumers and Customers to update and correct the relevant Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Consumers (and Customers, as appropriate) may contact CloudShare as indicated below to request that CloudShare update or correct relevant Personal Data. Subject to applicable law, CloudShare retains Consumer Personal Data in a form that identifies or renders identifiable the relevant Consumer only for as long as it serves a purpose that is compatible with the purposes for which the Personal Data was collected or subsequently authorized by the Consumer or Customer, as appropriate.

Access

Consumers generally have the right to access their Personal Data. Accordingly, to the extent CloudShare acts as a Controller, where appropriate, CloudShare provides Consumers with reasonable access to the Personal Data CloudShare maintains about them. CloudShare also provides a reasonable opportunity for those Consumers to correct, amend or delete the information where it is inaccurate or has been processed in violation of the Privacy Shield Principles, as appropriate. CloudShare may limit or deny access to Personal Data where the burden or expense of providing access would be disproportionate to the risks to the Consumer's privacy in the case in question, or where the rights of persons other than the Consumer would be violated. Consumers may request access to their Personal Data by contacting CloudShare as indicated below.

Recourse, Enforcement and Liability

CloudShare has mechanisms in place designed to help assure compliance with the Privacy Shield Principles. CloudShare conducts an annual self-assessment of its Consumer Personal Data practices to verify that the attestations and assertions the company makes about its Privacy Shield privacy practices are true and that the company's privacy practices have been implemented as represented and in accordance with the Privacy Shield Principles. Consumers may file a complaint concerning CloudShare's processing of their Personal Data. CloudShare will take steps to remedy issues arising out of its alleged failure to comply with the Privacy Shield Principles. Consumers may contact CloudShare as specified below about complaints regarding the company's Consumer Personal Data practices. If a Consumer's complaint cannot be resolved through CloudShare's internal processes, CloudShare will cooperate with JAMS pursuant to the JAMS International Mediation Rules, available on the JAMS website at <https://www.jamsadr.com/eu-us-privacy-shield>. JAMS mediation may be commenced as provided for in the relevant JAMS rules. Following the dispute resolution process, JAMS or the Consumer may refer the matter to the U.S. Federal Trade Commission, which has Privacy Shield investigatory and enforcement powers over CloudShare. Under certain circumstances, Consumers also may be able to invoke binding arbitration to address complaints about CloudShare's compliance with the Privacy Shield Principles.

Contact Us

To contact CloudShare with questions or concerns about this Policy or CloudShare's Consumer Personal Data practices:

Write to: **351 California Street, Suite 1600, San Francisco, CA 94104**

E-mail: privacy@cloudshare.com