

# Inductive Automation Privacy Policy

Effective Date: September 22, 2014

Last Amended: July 24, 2018

## 1. Introduction

Inductive Automation, LLC, doing business as Inductive Automation (“us,” “we,” or “Company”) is committed to respecting the privacy rights of its customers, visitors, and other users of the Company’s Websites (“the Sites”). This policy applies where we are acting as a data controller with respect to the personal data of our website visitors and customers; in other words, where we determine the purposes and means of the processing of that personal data. We created this Privacy Policy (“Privacy Policy”) to give you confidence as you visit and use any of our Sites, and to demonstrate our commitment to fair information practices and the protection of your privacy. This Privacy Policy is only applicable to our Sites and our business, and not to any other websites that you may be able to access from any of our Sites, each of which may have data collection, storage and use practices and policies that differ materially from this Privacy Policy.

## 2. Information Collection Practices

### 2.1. TYPES OF INFORMATION COLLECTED

(a) **TRAFFIC DATA COLLECTED.** Depending on which of our Sites you visit, we automatically track and collect one or more of the following categories of information when you visit our Sites: (1) IP addresses; (2) internet service provider; (3) types of device accessing the Site; and (4) type of operating system and web browser used to access any particular Site (collectively “Traffic Data”). Traffic Data is anonymous information that does not personally identify you, but is helpful for marketing purposes or for improving your experience on the Site. We also use “cookies” and similar technologies to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your session so you do not have to re-enter your password each time you visit the Site. Please review our [Cookies Policy](#) for more information.

(b) **PERSONAL INFORMATION COLLECTED.** In order for you to access certain premium services and to purchase products that we offer via certain of our Sites, we require you to provide us with certain information that personally identifies you (“Personal Information”). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, IP address and e-mail address); (2) Financial Data (such as your account or credit card number); (3) Demographic Data (such as your postal code, industry and/or occupation); (4) Cookies placed on your device and (4) Content Data (such as your history of use, results, etc.). As mentioned above, some of this information is obtained through the use of cookies. If you communicate with us by e-mail, post messages to any of our chat groups, bulletin boards, or forums, or otherwise complete online forms, surveys, or contest entries, any information provided in such communication may be collected as Personal Information.

### 2.2. USES OF INFORMATION COLLECTED

(a) **COMPANY USE OF INFORMATION.** We use Contact Data to send you information about our company or our products or services, or promotional material from some of our partners, or to contact you when

necessary. For some Site users, your information is shared with our partners located in the European Union (“EU”). This sharing of information is subject to a Joint Controller Agreement executed by the Company and its EU partner. We may also share your personal information with a third party that provides processing services for us, in which case we will only share that information with a third party with whom we have executed a Processor Agreement. The Processor Agreement will set forth the third party’s agreement to meet the requirements of the EU for processors of personal information of EU residents. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We use your Demographic Data to customize and tailor your experience on any of our Sites that you visit, displaying content that we think you might be interested in and according to your preferences. We use your Content Data to review and improve our Sites. We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. We may also process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks or obtaining professional advice. The legal basis for each use outlined above is, where applicable, either your consent or the legitimate business interest in the proper administration of our Sites and business.

(b) USE OF CAMERA OR GPS IN OUR APP. If you use our mobile app, you may use your camera feature to scan bar codes or take pictures for use in the app. Any pictures taken by you while in our mobile app are used while you are in the app only and are not stored by us in any manner whatsoever. Similarly, any use of your GPS function while in our mobile app is to allow you to use features of that app only. We do not store any of this data. We only use your location within the app and only with your explicit permission. You can turn GPS tracking off at any time.

Inductive Automation also uses web analytics services, which currently include Google Analytics and Crazy Egg Analysis Service.

Google Analytics is a web analytics service that helps us analyze how users use our Sites. For more information about Google Analytics, or to opt out of Google Analytics, please go to: <https://tools.google.com/dlpage/gaoptout>.

Crazy Egg is a web analytics service that gives us data about where users are clicking on our site. You can visit their privacy policy at: <https://www.crazyegg.com/privacy> and their opt-out feature at: <https://www.crazyegg.com/opt-out>.

We may use third parties to serve advertisements on other websites that may be of interest to you. These companies may place or recognize a unique cookie or pixel tag and serve advertisements based on the information that you have given to the Site.

### **3. Providing Your Personal Data To Others**

**3.1** We may disclose your personal data to any member of our group of companies (this means our subsidiaries, our ultimate holding company and all its subsidiaries) insofar as reasonably necessary for the purposes, and on the legal bases, set out in this policy.

**3.2** We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

**3.3** Financial transactions relating to our website and services may be handled by our payment services providers, paytrace.com. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies and practices at <https://www.paytrace.net/privacy-policy>.

**3.4** We may disclose your inquiry data to one or more of those selected third-party suppliers of goods and services identified on our website for the purpose of enabling them to contact you so that they can offer, market and sell to you relevant goods and/or services. Each such third party will act as a data controller in relation to the inquiry data that we supply to it; and upon contacting you, each such third party will supply to you a copy of its own privacy policy, which will govern that third party's use of your personal data.

**3.5** In addition to the specific disclosures of personal data set out in this Section 3, we may disclose your personal data where such disclosure is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person. We may also disclose your personal data where such disclosure is necessary for the establishment, exercise or defense of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

## **4. Retaining And Deleting Personal Data**

**4.1** This Section 4 sets out our data retention policies and procedures, which are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.

**4.2** Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes as outlined in this Privacy Policy.

**4.3** Notwithstanding the other provisions of this Section 4, we may retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

## **5. Your Rights**

**5.1** In this Section 5, we have summarized the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

**5.2** Your principal rights under data protection law are:

(a) the right to access;

- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

**5.3** You have the right to confirmation whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee. You can obtain a copy of your personal data retained by visiting <https://account.inductiveautomation.com/personal-data-request> and completing the form.

**5.4** You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed. You can request correction of your personal data retained by us by visiting <https://account.inductiveautomation.com/personal-data-request> and completing the form.

**5.5** In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include: the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed; you withdraw consent to consent-based processing; you object to the processing under certain rules of applicable data protection law; the processing is for direct marketing purposes; and the personal data have been unlawfully processed. However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary: for exercising the right of freedom of expression and information; for compliance with a legal obligation; or for the establishment, exercise or defense of legal claims. You can request erasure of your personal data by visiting <https://account.inductiveautomation.com/personal-data-request> and completing the form.

**5.6** In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are: you contest the accuracy of the personal data; processing is unlawful but you oppose erasure; we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defense of legal claims; and you have objected to processing, pending the verification of that objection. Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it: with your consent; for the establishment, exercise or defense of legal claims; for the protection of the rights of another natural or legal person; or for reasons of important public interest.

**5.7** You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for: the performance of a task carried out in the public interest or in the exercise of any official

authority vested in us; or the purposes of the legitimate interests pursued by us or by a third party. If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defense of legal claims.

**5.8** To the extent that the legal basis for our processing of your personal data is:

- (a) consent; or
- (b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means, you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

**5.9** If you consider that our processing of your personal information infringes on data protection laws, you have a legal right to lodge a complaint with a supervisory authority responsible for data protection. You may do so in the EU member state of your habitual residence, your place of work or the place of the alleged infringement.

**5.10** To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

**5.11** You may exercise any of your rights in relation to your personal data by written notice to us at [data@inductiveautomation.com](mailto:data@inductiveautomation.com).

## **6. Confidentiality And Security Of Personal Information**

Except as otherwise provided in this Privacy Policy, we will keep your Personal Information private and will not share it with third parties, unless such disclosure is necessary to: (a) comply with a court order or other legal process; (b) protect our rights or property; or (c) enforce our Terms of Service. Your Personal Information is stored on secure servers that are not accessible by third parties. We provide you with the capability to transmit your Personal Information via secured and encrypted channels if you use a similarly equipped web browser.

**6.1. USER ABILITY TO ACCESS, UPDATE, AND CORRECT PERSONAL INFORMATION.** We maintain a procedure to help you confirm that your Personal Information remains correct and up-to-date. At any time, you may visit <https://account.inductiveautomation.com/personal-data-request> and request to view the Personal Information we have on file, and notify us of any inaccuracies or changes. It is your obligation to ensure that your information is accurate and up-to-date, and inform Company of any inaccuracies or changes.

**6.2. LOST OR STOLEN INFORMATION.** You must promptly notify us if your credit card, user name, or

password is lost, stolen, or used without permission. In such an event, we will remove that credit card number, user name, or password from your account and update our records accordingly.

**6.3. PUBLIC INFORMATION.** The Site contains links to other websites. We are not responsible for the privacy practices or the content of such websites. We also make chat rooms, forums, message boards and news groups available to you. Please understand that any information that is disclosed in these areas becomes public information. We have no control over its use and you should exercise caution when deciding to disclose your Personal Information.

**6.4 NOTICE TO CALIFORNIA RESIDENTS - CALIFORNIA PRIVACY RIGHTS.** If you are a California resident and have provided us with Personal Information, California law gives you the right to request and receive from us, once per calendar year, information as to how we have shared your Personal Information with third parties for their direct marketing purposes. If applicable, such information would include a list of names and addresses of all third parties with whom such information was shared during the prior calendar year as well as a list of the categories of Personal Information shared. To make such a request, please send an email to [data@inductiveautomation.com](mailto:data@inductiveautomation.com) and include the phrase “California Privacy Request” in the subject line. Your request must also include your name, physical mailing address and email address. We will respond to you within thirty days of receiving such a request. Note, that we will not share your Personal Information with third parties for their marketing purposes without obtaining your prior consent. Moreover, if you have granted us permission, such third parties’ use of your Personal Information will be subject to their privacy policies. You should contact those entities directly regarding any communications you may receive from them, including, if you later decide that you no longer want that third party to use your personal information.

## **7. Updates And Changes To Privacy Policy**

We reserve the right, at any time and without notice, to add to, change, update, or modify this Privacy Policy, simply by posting such change, update, or modification on any of our Sites and without any other notice to you. Any such change, update, or modification will be effective immediately upon posting on the Site.

## **8. Contacting Us**

If you have any questions about this Policy, our practices related to our Sites, or if you would like to have us remove your information from our database, please feel free contact us via postal service at Inductive Automation, LLC; 90 Blue Ravine Road; Folsom, California 95630 USA; attn: Cyber Security Risk Officer. You may also contact us by calling toll-free within the US: (800) 266-7798 or outside the US: +1 (916) 456-1045 or via email at [data@inductiveautomation.com](mailto:data@inductiveautomation.com).