



Qumulo

CALIFORNIA PRIVACY NOTICE

Last Updated: Jul 1, 2024

This California Privacy Notice (“**CA Notice**”) supplement the information contained in our Privacy Notice by providing additional information about our personal information processing practices relating to individual residents of the State of California, either online or offline, within the scope of the California Consumer Privacy Act (“**CCPA**”), as amended by the California Privacy Rights Act. Unless otherwise expressly stated, all terms defined in our Privacy Notice retain the same meaning in this CA Notice.

COLLECTION AND USE OF PERSONAL INFORMATION

We collect various categories and types of personal information from a variety of sources and for a variety of purposes. To learn more about the types of personal information we collect, the sources from which we collect or receive personal information, and the purposes for which we use personal information, please review the [How We Collect and Use Personal information](#) section of our Privacy Notice to learn more.

In the last 12 months, we may have collected the following categories of personal information:

- **Identifiers**, such as name, email address, telephone number, address, zip code, account username and password, or other similar identifiers.
- **Personal information**, as defined in the California customer records law.
- **Commercial Information**, such information about products or services purchased or considered, and information about your use of the Services.
- **Internet/Network Information**, such as your browsing history, log and analytics data, search history and information regarding your interaction with our website.
- **Geolocation Data**, such as information about your physical location collected from geolocation features on your device, including your IP address.
- **Sensory Information**, such as audio and video recordings of events and webcasts (where permitted by law).
- **Education Information**, such as information collected as part of the employee recruiting process.
- **Inferences**, including information generated from your use of the Services reflecting predictions about your interests and preferences.
- **Characteristics of protected classifications under California or federal law**, including gender, race, age, and sexual orientation.

For more information about our collection of personal information, the sources of personal information, and how we use this information, please see the [How We Collect and Use Personal information](#) section of our Privacy Notice.

DISCLOSURE OF PERSONAL INFORMATION

In the previous 12 months, we may have disclosed all of the categories of personal information we collect with third parties for a business purpose, as described in the [Our Disclosure of Personal information](#) section of our [Privacy Notice](#). The categories of third parties to whom we sell or disclose your personal information for a business purpose may include: (i) other affiliates in our family of companies; (ii) our service providers and advisors; (iii) marketing and promotional providers; (iv) business partners; (v) social networks; (vi) analytics providers; (vii) ad networks and advertising partners; and (viii) other users of the Services.

SALE OF PERSONAL INFORMATION AND SHARING FOR TARGETED ADVERTISING

In the previous 12 months, we have sold or shared for targeted advertising purposes the following categories of personal information to third parties, subject to your settings and preferences and your Right to Opt Out:

- Identifiers
- Internet / Network Information
- Inferences

In addition, please see the [Third-Party Data Collection and Online Advertising](#) section of our [Privacy Notice](#) to learn more about how third-party advertising networks, social media companies and other third party businesses collect and disclose your personal information directly from your browser or device

through cookies or tracking technologies when you visit or interact with our Services or otherwise engage with us.

SENSITIVE INFORMATION

- Account name and password;
- Racial or Ethnic Origin; and
- Information concerning sex life or sexual orientation.

Qumulo only uses or discloses sensitive personal information for the following purposes, where such use or disclosure is necessary and proportionate for those purposes: for performing services you have requested, for detecting security incidents, fraud and other illegal actions, to ensure the physical safety of natural persons, to perform services on behalf of the business (where the sensitive information is reasonably necessary and proportionate for this purpose), or for short term transient use. Qumulo only collects and processes sensitive information without the purpose of inferring characteristics about a consumer.

DE-IDENTIFIED INFORMATION

We may at times receive, or process personal information to create, de-identified information that can no longer reasonably be used to infer information about, or otherwise be linked to, a particular individual or household. Where we maintain de-identified information, we will maintain and use the information in de-identified form and not attempt to reidentify the information except as required or permitted by law.

YOUR PRIVACY RIGHTS

Depending on your state of residency and subject to certain legal limitations and exceptions, you may be able to exercise some or all of the following rights:

The Right to Know	<p>The right to confirm whether we are processing personal information about you and to obtain certain personalized details about the personal information we have collected about you, including:</p> <ul style="list-style-type: none">● The categories of personal information collected;● The categories of sources of the personal information;● The purposes for which the personal information were collected;● The categories of personal information disclosed to third parties (if any), and the categories of recipients to whom this personal information were disclosed;● The categories of personal information sold (if any), and the categories of third parties to
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	<p>whom the personal information were sold; and</p> <ul style="list-style-type: none"> • The categories of personal information shared for targeted advertising purposes (if any), and the categories of recipients to whom the personal information were disclosed for these purposes.
<p>The Right to Access & Portability</p>	<p>The right to obtain access to the personal information we have collected about you and, where required by law, the right to obtain a copy of the personal information in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another entity without hindrance.</p>
<p>The Right to Correction</p>	<p>The right to correct inaccuracies in your personal information, taking into account the nature of the personal information and the purposes of the processing of the personal information.</p>
<p>The Right to Request Deletion</p>	<p>The right to request the deletion of personal information that we maintain about you, subject to certain exceptions.</p>
<p>The Right to Opt Out of Sales or Sharing for Targeted Advertising Purposes</p>	<p>The right to direct us not to sell or share personal information for certain targeted or cross-context behavioral advertising purposes.</p>
<p>The Right to Non-Discrimination</p>	<p>The right not to receive retaliatory or discriminatory treatment for exercising any of the rights described above.</p> <p>However, please note that if the exercise of the rights described above limits our ability to process personal information (such as in the case of a deletion request), we may no longer be able to provide you our products or services or engage with you in the same manner.</p> <p>In addition, the exercise of the rights described above may result in a different price, rate, or quality level of product or service where that difference is reasonably</p>

	related to the impact the right has on our relationship or is otherwise permitted by law.
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HOW TO EXERCISE YOUR PRIVACY RIGHTS

To Exercise Your Privacy Rights

Please submit a request by:

- Filling out our [online form](#); or
- Calling 1-844-786-8567.

We will need to verify your identity and confirm you are a resident of a state that offers the request right(s) before processing your request. In order to verify your identity, we will generally either require the successful login to your account or the matching of sufficient information you provide us to the information we maintain about you in our systems. As a result, we require requests to include name, email address, and country or state of residency. Although we try to limit the personal information collected in connection with a request to exercise any of the above rights, certain requests may require us to obtain additional personal information from you. In certain circumstances, we may decline a request, particularly where we are unable to verify your identity or locate your information in our systems, or where you are not a resident of one of the eligible states.

To Exercise the Right to Opt Out of the Selling or Sharing of Personal Information for Targeted Advertising Purposes

Unless you have exercised your Right to Opt Out, we may sell or share personal information (including Identifiers, Internet/Network Information, and Inferences) to certain third-party ad networks, social networks and advertising partners to deliver targeted advertising (also known as “cross-context behavioral advertising”) and personalized content to you on our services, on other sites and services you may use, and across other devices you may use, as well as to provide advertising-related services such as reporting, attribution, analytics, and market research.

The third parties to whom we sell or share personal information may use such information for their own purposes, in accordance with their own privacy statements, which may include reselling or sharing this information to additional third parties.

You do not need to create an account with us to exercise your Right to Opt Out. However, we may ask you to provide additional personal information so that we can properly identify you in our dataset and to track compliance with your opt out request. We will only use personal information provided in an opt out request to review and comply with the request. If you choose not to provide this information, we may only be able to process your request to the extent we are able to identify you in our data systems.

- *For Cookie-Based Sales & Targeted Advertising Opt-Outs:* To exercise your right to opt-out as it relates to the use of cookies and other tracking technologies for analytics and targeted ads, please use the cookie preference management tool on our website. More information about our cookie practices is available [here](#).

Authorized Agents

In certain circumstances, you are permitted to use an authorized agent to submit requests on your behalf through the designated methods set forth above where we can verify the authorized agent's authority to act on your behalf. In order to verify the authorized agent's authority, we generally require evidence of either (i) a valid power of attorney or (ii) a signed letter containing your name and contact information, the name and contact information of the authorized agent, and a statement of authorization for the request. Depending on the evidence provided and your state of residency, we may still need to separately reach out to you to confirm the authorized agent has permission to act on your behalf and to verify your identity in connection with the request.

Minors Under Age 16

We do not sell personal information of consumers we know to be less than 16 years of age unless they have opted in ("Right to Opt In"). Please contact us at dataprivacyoffice@gumulo.com to inform us if you, or your minor child, are under the age of 16.

If you wish to submit a privacy request on behalf of your minor child in accordance with applicable jurisdictional laws, you must provide sufficient information to allow us to reasonably verify your child is the person about whom we collected personal information and you are authorized to submit the request on your child's behalf (i.e. you are the child's legal guardian or authorized representative).

DATA RETENTION

We retain personal information only for as long as is reasonably necessary to fulfill the purpose for which it was collected. However, if necessary, we may retain personal information for longer periods of time, until set retention periods and deadlines expire, for instance where we are required to do so in accordance with legal, tax and accounting requirements set by a legislature, regulator or other government authority.

To determine the appropriate duration of the retention of personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of personal information and if we can attain our objectives by other means, as well as our legal, regulatory, tax, accounting and other applicable obligations.

Therefore, we retain personal information for as long as the individual continues to use our services for the purposes explained in the [How We Collect and Use Personal information](#) section in our Privacy Notice. When an individual discontinues the use of our services, we will retain their personal information for as long as necessary to comply with our legal obligations, to resolve disputes and defend claims, as well as, for any additional purpose based on the choices they have made, such as to receive marketing communications. In particular, we will retain the personal information supplied when joining our services, including complaints and any other personal information supplied during the duration of an individual's contract with us for the services until the statutory limitation periods have expired, when this is necessary for the establishment, exercise or defense of legal claims.

Once retention of the personal information is no longer necessary for the purposes outlined above, we will either delete or de-identify the personal information or, if this is not possible (for example, because personal information has been stored in backup archives), then we will securely store the personal information and isolate it from further processing until deletion or deidentification is possible.

"SHINE THE LIGHT" DISCLOSURES

The California "Shine the Light" law gives residents of California the right under certain circumstances to request information from us regarding the manner in which we share certain categories of personal

information (as defined in the Shine the Light law) with third parties for their direct marketing purposes. We do not share your personal information with third parties for their own direct marketing purposes.

UPDATES TO THIS CA NOTICE

We will update this CA Notice from time to time. When we make changes to this CA Notice, we will change the “Last Updated” date at the beginning of this CA Notice. If we make material changes to this CA Notice, we will notify you by email to your registered email address, by prominent posting on our online services, or through other appropriate communication channels. All changes shall be effective from the date of publication unless otherwise provided in the notification.

CONTACT US

If you have any questions or requests in connection with this CA Notice or other privacy-related matters, please send an email to dataprivacyoffice@qumulo.com.