

# Purpose and Scope

Stratus Silver Lining, Inc. (hereafter “StratusWorX”) is a distributor and reseller of IT products and services, headquartered in the United States but with Affiliates in different countries (a list of which is available upon request). StratusWorX delivers global technology to enable cloud migration, Infrastructure as a Service, Software as a Service, Workspace as a Service and training.

StratusWorX provides you with the ability to purchase or access a variety of product and services made available by StratusWorX and various third-party providers (“Services”) directly from StratusWorX and through resellers and distributors. EACH SERVICE MAY BE SUBJECT TO SPECIFIC PRIVACY POLICIES, WHICH MAY SUPERCEDE OR COMPLEMENT THE TERMS OF THIS PRIVACY STATEMENT. STRATUSWORX ENCOURAGES YOU TO CAREFULLY READ THE PRIVACY POLICY OF ANY SERVICE BEFORE ACCESSING OR USING THAT SERVICE.

Although we encourage you to read this entire Privacy Statement, this is a summary of some of the more important aspects of the Privacy Statement:

- Each Service may include its own specific privacy policy. You should carefully read the privacy policy of any Service before accessing or using that Service.
- We may collect both Personal Data and other information from you through a variety of sources, including Personal Data we have collected from you, whether on- or offline. We may also combine it with information we receive about you from other sources, such as Affiliates, publicly available information sources (including information from your publicly available social media profiles), and other third parties.
- We will not use or share your Personal Data except as described in this Privacy Statement.
- The failure to provide us with your Personal Data may interfere with our ability to conduct business with you, such as purchasing Services or process your transactions.
- Where applicable, we honor opt out instructions from you for certain uses of your Personal Data under this Privacy Statement, such as, for example, when you opt out of receiving marketing email communications from us or request us to delete your Personal Data. However, by opting out of receiving marketing email communications you will not receive information about incentives and sales promotions.
- We use appropriate technical and organizational controls to secure and protect your Personal Data, but we cannot ensure or warrant that your Personal Data will be completely secure from misappropriation by hackers or from other nefarious or criminal activities.

## General Principles

The principles of StratusWorX with respect to the processing of Personal Data are as follows: (1) Personal Data will be processed fairly and lawfully, (2) Personal Data will be collected for specified, explicit, and legitimate purposes and not further processed for incompatible purposes, (3) Personal Data collected by StratusWorX will be adequate, relevant, and not excessive in relation to the purposes for which it is collected, (4) Personal Data collected by StratusWorX will be accurate and,

where necessary, kept up to date to the best of our ability, (5) Personal Data will be protected against unauthorized access and processing using appropriate technical and organizational security measures and controls; and (6) Personal Data collected by StratusWorX will be retained as identifiable data for no longer than necessary to serve the purposes for which the Personal Data was collected.

If StratusWorX engages in the processing of Personal Data for purposes other than those specified in this Privacy Statement, StratusWorX will provide notice of these changes, the purposes for which the Personal Data will be used, and the recipients of Personal Data.

## Collection of Information

StratusWorX does not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation).

StratusWorX collects your Personal Data as follows:

Information You Provide Voluntarily. We may collect Personal Data directly from you when you voluntarily provide it to us. For example, when you communicate with us over the telephone or through the Website by way of email, online chat, web form, or online account registration to obtain access to Services, register for an event or training, purchase an Service, ask questions, attempt to resolve any issues related to the Website or Services, submit a job application, or submit feedback and comments.

The Personal Data that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you at the point we ask you to provide your Personal Data.

Information that We Collect Automatically. When you visit our Website, we may collect certain information automatically from your Device. In some countries, including countries in the European Economic Area, this information may be considered Personal Data under applicable data protection laws.

Specifically, the information we collect automatically may include information like your IP address, device type, unique device identification numbers, browser-type, your Media Access Control (MAC) Address, broad geographic location (e.g. country or city-level location) and other technical information. We may also collect information about how your device has interacted with our Website, including the pages accessed and links clicked.

Collecting this information enables us to better understand the visitors who come to our Website, where they come from, and what content on our Website is of interest to them. We use this information for our internal analytics purposes and to improve the quality and relevance of our Website to our visitors.

Some of this information may be collected using cookies and similar tracking technology, as explained further under the heading “Cookies and Other Website Usage Information” below.

From Other Users. We may receive Personal Data about you from other users of the Website when they provide information to us. For example, we may receive information when they communicate with you or with us through the Website.

From Resellers and Distributors. We may obtain Personal Data about you from the resellers and distributors that purchase Services available from us and provide such Services to you.

From Our Vendors. We may obtain Personal Data about you from the third-party vendors that make Services available through us.

From Third-Party Information Providers. StratusWorX may also obtain Personal Data from third parties that have obtained or collected information about you and that have the right to provide that Personal Data to us. StratusWorX will only obtain this Personal Data where we have checked that these third parties either have your consent or are otherwise legally permitted or required to disclose your Personal Data to us. For example, if you register for the Website using a third-party service or through a third-party website or service, the information you provide to that third-party will be provided to us to establish your account on the Website. We may also contract with third parties that are in the business of providing information to businesses such as ours to verify certain information about you or obtain information. We may use the Personal Data about you we receive from a third-party outside of the Website in accordance with the terms we establish with that third-party. We may also obtain Personal Data at trade shows or events where you have attended and provided your consent to collect your Personal Data. We may also obtain Personal Data from publicly-available sources such as open government databases or other data in the public domain.

## Cookies and Other Website Usage

A “cookie” is a small text file that is stored on a user’s Device. Cookies allow us to collect information such as browser type, time spent on the Website, pages visited, and language preferences. We and our service providers use the information for security purposes, to facilitate navigation, display information more effectively, and to personalize your experience while using the Website.

Generally, the cookies that are used on the Website can be broken down into the following categories:

- Strictly necessary cookies. These are cookies that are required for the operation of our Website. They include, for example, cookies that enable you to log into secure areas of our Website, display what Services are available or recommended to you, or to use a shopping cart.
- Analytical/performance cookies. These cookies are used to analyze how the Website is used and to monitor its performance, which allows us to improve your experience in using the Website. These cookies help us to tailor the content of Website to reflect what users find most interesting and to identify when technical issues with the Website arises. We may also use this data to compile reports to help us to analyze how the Website is used, what the most common issues are and how we can improve the Website.

- Functional/tracking cookies. These cookies enable us to recognize repeat visitors to our Websites. By matching an anonymous, randomly generated identifier, a tracking cookie keeps track of where a user of our Websites came from, what search engine they may have used, what link they clicked on, what keyword they used and where they were in the world when they accessed the Website. By monitoring this data, we can make improvements to our Website.
- Targeting cookies. These cookies record your visit to our Website, the pages you have visited and the links you have followed. We will use this information to make our Website and the advertising displayed on it more relevant to your interests. We may also share this information with third parties for this purpose.
- Session cookies. These cookies are used 'in-session' each time you visit and then expire when you leave a Website or shortly thereafter: they are not stored on your Device permanently, do not contain any Personal Data and help by minimizing the need to transfer Personal Data across the internet. These cookies can be deleted, or you can refuse to allow their use, but this will hamper the performance and your experience in using the Website. These cookies also take time stamps that record when you access the Website and when you leave the Website.
- Persistent Cookies. This type of cookie is saved on your Device for a fixed period (sometimes for a few hours, sometimes for a year or longer) and is not deleted when the browser is closed. Persistent cookies are used where we need to remember who you are for more than one browsing session. For example, this type of cookie can be used to store your language preferences, so that they are remembered for the next visit to the Website.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you would prefer not to accept cookies, most browsers will allow you to: (i) change your browser settings to notify you when you receive a cookie, which lets you choose whether or not to accept it; (ii) disable existing cookies; or (iii) set your browser to automatically reject any cookies. However, please be aware that if you disable or reject cookies, some features and services on our Websites may not work properly because we may not be able to recognize and associate you with your account(s). In addition, the Services we provide when you visit us may not be as relevant to you or tailored to your interests.

A "flash cookie" is a file similar to a cookie, except that they can store more complex data. Our use of Adobe Flash technology (including Flash Local Stored Objects ("Flash LSOs")) allows us to, among other things, serve you with more tailored information, facilitate your ongoing access to and use of the Website, and collect and store information about your use of the Website. If you do not want Flash LSOs stored on your computer, you can adjust the settings of your Flash player to block Flash LSO storage using the tools contained in the Adobe Flash Website Storage Settings Panel available on the Internet. You can also control Flash LSOs by going to the Adobe Flash Global Storage Settings Panel available on the Internet and following the instructions (which may include instructions that explain, for example, how to delete existing Flash LSOs (referred to as "information" on the Adobe site), how to prevent Flash LSOs from being placed on your computer without your being asked, and (for Flash Player 8 and later) how to block Flash LSOs that are not being delivered by the operator of the page you are on at the time). Please note that setting the Flash Player to restrict or limit

acceptance of Flash LSOs may reduce or impede the functionality of some Flash applications, including, potentially, Flash applications used in connection with this Website or our online content.

A “web beacon” (also known as a clear pixel or pixel tag) includes an electronic image imbedded in the Website interface that allows us to recognize when you visit that area of the Website. These may also be used in connection with some Website pages and HTML-formatted e-mail messages to, among other things, track the actions of Website users and e-mail recipients, measure the success of our marketing campaigns, and compile statistics about Website usage and response rates.

Please note that the use of cookies or these other tracking technologies by StratusWorX’s third-party service providers is not covered by this Privacy Statement. StratusWorX does not have access or control over third-party cookies. StratusWorX’s service providers may use persistent cookies for advertising and retargeting purposes. We may tie the information gathered from third-party cookies to StratusWorX’s users’ Personal Data, and we will use the combined information in accordance with this Privacy Statement.

## Use of Information

StratusWorX may use your Personal Data for a variety of purposes (the “Purposes”), including to:

- Register you as a new customer;
- Provide, maintain, and improve the Website and our Services, including to operate certain features and functionality of the Website;
- Understand user preferences to enhance users’ experience with StratusWorX and its Affiliates, contractors, and business partners;
- Research and analyze the effectiveness of the Website and the marketing, advertising and sales efforts of StratusWorX, its Affiliates, contractors, and business partners;
- Collect account receivables owed by customers of StratusWorX;
- Process orders and deliveries and payments made through the Website;
- Develop additional Services;
- Process job applications;
- Comply with a legal obligation or respond to lawful requests by public authorities (including national security or law enforcement requirements);
- Manage our everyday business needs;
- Enforce compliance with our Terms of Use and applicable law;
- Prosecute and/or defend a court, arbitration or similar legal proceedings;
- Communicate directly with you by sending you newsletters, surveys, promotions and special offers or information about new products and services on an ongoing basis in accordance with your marketing preferences. You can unsubscribe from our marketing communications by clicking “Unsubscribe” at the bottom of the email or by contacting us using the “Questions and Contact Information” details below.
- Communicate directly with you by phone to respond to customer service inquiries or comments through the Website, social media or otherwise, to discuss issues relating to your account or the Website, and to provide customer support.

- Deliver advertising to you, including to help advertisers and publishers serve and manage ads on the Website or on third-party sites, and to tailor ads based on your interests and browsing histories. Please see the section on Cookies and Other Website Usage Information for additional information related to such advertising and your related controls;
- Monitor and record your call, emails and text messages, social media messages and other communications in relation to your dealings with us;
- Add to our data base for use in developing machine learning and deep learning algorithms related to our business;
- Comply with our contractual or legal obligations to share data with credit reference agencies, fraud prevention agencies and law enforcement agencies;
- Compile aggregated statistics about the operation and use of our Website and to better understand the preferences of the visitors of our Website; and
- Other Purposes: To carry out other legitimate business purposes, as well as other lawful purposes about which we will notify you.

We may combine and enhance the Personal Data we collect about you with other information we receive from third parties.

We may also use the Personal Data we collect about you through the Website to generate anonymized, aggregated data. When we do so, we ensure that the anonymized, aggregated data is no longer personally identifiable and may not later be used to identify you. This will include, by way of example, storing the anonymized, aggregated data separately from any Personal Data.

Change of Purpose. We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your Personal Data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Credit Reference Checks and Fraud Prevention. The Personal Data that we have collected from you when setting up an account may be shared with credit reference and fraud prevention agencies who use it to prevent fraud and money laundering and to verify your identity.

We may access and use information from credit reference agencies when you open your account and periodically to:

- manage and take decisions about your account, including assessing your creditworthiness;
- prevent criminal activity, fraud and money laundering;
- check your identity and verify the accuracy of the information you provide to us; and

- trace debtors and recover debts.

Application decisions may be taken based solely on automated checks of information from credit reference agencies and internal records.

We will continue to share information with credit reference agencies about how you manage your account including any default in making payments, while you have a relationship with us. This information will be made available to other organizations so that they can take decisions about you.

If false or inaccurate information is provided and/or fraud is identified or suspected, details will be passed to fraud prevention agencies, law enforcement agencies and other organizations may access and use this information.

If we, or a fraud prevention agency, determine that you pose a fraud or money laundering risk, we may refuse to provide services to you.

A record of any fraud or money laundering risk will be retained by the fraud prevention agencies and may result in others refusing to provide services or financing to you. Fraud prevention agencies can hold your information for different periods of time.

When credit reference and fraud prevention agencies process your information, they do so on the basis that they have a legitimate interest in preventing fraud and money laundering, and to verify identity, in order to protect their business and to comply with laws that apply to them.

## Information Sharing

We may disclose your Personal Data as follows:

Vendors. StratusWorX may share Personal Data about you with the third-party vendors that make Services available through us. For example, we may share your Personal Data with a third-party vendor if you purchase or access a Service through us, or a StratusWorX reseller or distributor, and that vendor requires verification of an Service purchase in order to register that Service. We may also share your Personal Data with a third-party vendor if that vendor co-sponsors a marketing activity with us to verify your participation in the marketing activity.

Resellers and Distributors. StratusWorX may share your Personal Data with the resellers and distributors that purchase Services available through the Website. For example, we may share your Personal Data if you purchase or access a Service through a reseller or distributor, and that reseller or distributor leveraged our reseller tools and services.

Third-party Service Providers. StratusWorX may provide your Personal Data to third parties that provide services to assist us with the Website and with achieving the Purposes. For example, these third parties may include providers of customer service, payment processing, email and messaging support, hosting, management, maintenance, information analysis, offering fulfilment or delivery, or

other services we may receive on an outsourced basis. We will endeavor to require that these third parties use your Personal Data only as necessary for such reasons and protect your Personal Data consistent with this Privacy Statement and applicable law. A list of third-party service providers is available upon request.

Affiliates and Business Units. StratusWorX may share your Personal Data with our Affiliates and business partners, regardless of whether these entities share the StratusWorX brand. We may also share your Personal Data with other business units that also offer products or services under the StratusWorX brand or one of our other brands. Our Affiliates and business units will use your Personal Data we share with them in a manner consistent with this Privacy Statement.

Other Users. StratusWorX may share your Personal Data with other users when you elect to interact with those users (or request that we communicate with them on your behalf) through the Website. This may include facilitating communications with other users or enabling posting of Personal Data to areas of the Website accessible by other users. You should be aware that any Personal Data (or other information) you provide in these areas may be read, collected, and used by others who access them.

Law Enforcement and Safety. StratusWorX may share your Personal Data with any competent law enforcement, regulatory, government agency, court, other governmental officials, or other third-party where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person.

Sale or Acquisition of Assets. If StratusWorX transfers ownership or control of any portion of StratusWorX or the Website to an actual or potential buyer, whether in the context of an acquisition, merger, reorganization, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings), we may transfer your Personal Data to that actual or potential buyer, provided that the use of your Personal Data by that third-party remains subject to applicable law.

Others. We may share your Personal Data with any other person with your consent to the disclosure.

We may also share aggregated, anonymized data with third parties for other purposes. Such information does not identify you individually, but may include usage, viewing and technical information we collected through your use of our Website. If we are required under applicable law to treat such information as Personal Data, then we will only disclose it as described above.

StratusWorX will never sell your Personal Data to third parties.

## **Other Important Privacy Information**

Security of Personal Data. StratusWorX uses appropriate technical and organization controls and measures to secure and protect your Personal Data from unauthorized loss, misuse, and disclosure,

such as strong user access controls, segmented network architecture, and comprehensive employee policies and training. Unfortunately, no data transmitted over or accessible through the Internet can be guaranteed to be 100% secure. As a result, while StratusWorX attempts to protect all Personal Data, StratusWorX cannot ensure or warrant that Personal Data will be completely secure from misappropriation by hackers or from other nefarious or criminal activities, or in the event of a failure of computer hardware, software, or a telecommunications network. StratusWorX will notify you in the event we become aware of a security breach involving your personally identifiable information (as defined by the applicable foreign, federal, state, and local laws) stored by or for us, in accordance with applicable laws.

Legal Basis for Processing Personal Data (EEA Visitors Only). If you are a visitor from the European Economic Area, our legal basis for collecting and using the Personal Data information described above will depend on the Personal Data concerned and the specific context in which we collect it.

However, we will normally collect Personal Data from you only (i) where we need the Personal Data to perform a contract with you (such as to fulfill your purchase of an Service), (ii) where the processing is in our legitimate interests and not overridden by your rights, or (iii) where we have your consent to do so. In some cases, we may also have a legal obligation to collect Personal Data from you or may otherwise need the Personal Data to protect your vital interests or those of another person.

If we ask you to provide Personal Data to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Data is mandatory or not (as well as of the possible consequences if you do not provide your Personal Data).

If we collect and use your Personal Data in reliance on our legitimate interests (or those of any third-party), this interest will normally be to operate our platform and communicating with you as necessary to provide our services and Services to you, and for our legitimate commercial interest, for instance, when responding to your queries, improving our platform, undertaking marketing, or for the purposes of detecting or preventing illegal activities. We may have other legitimate interests, and if appropriate, we will make clear to you at the relevant time what those legitimate interests are.

If we collect and use your Personal Data based upon your consent, the consequences of denying or withdrawing consent will be made known at the time your consent is provided.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Data, please contact us using the contact details provided under the “Questions and Contact Information” heading below.

Accuracy. It is your responsibility to provide StratusWorX with accurate Personal Data. Except as otherwise set forth in this Privacy Statement, StratusWorX shall only use Personal Data in ways that are compatible with the purposes for which it was collected or subsequently authorized by you. To

the extent necessary for these purposes, StratusWorX shall take reasonable steps to ensure that Personal Data is accurate, complete, current and relevant to its intended use.

International Data Transfers. Your Personal Data may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country.

Specifically, our primary Website servers are located in the United States, and our Affiliates and third-party service providers and partners operate around the world. This means that when we collect your Personal Data we may process it in any of these countries. However, we have taken appropriate safeguards to require that your Personal Data will remain protected in accordance with this Privacy Statement. For Personal Data collected in the countries of the European Economic Area and Switzerland and transferred or accessed by StratusWorX in the United States, StratusWorX has self-certified to the EU-US and Swiss-US Privacy Shield Frameworks, as administered by the US Department of Commerce, for the international transfer of such Personal Data. Please see our Privacy Shield Notice to learn more. If there is any conflict between the terms of this Privacy Statement and the Privacy Shield Principles, the Privacy Shield Principles shall govern. Additionally, where required we have implemented the European Commission's Standard Contractual Clauses for transfers of Personal Data between our Affiliates outside the EEA and United States, which require us to protect Personal Data they process from the EEA in accordance with European Union data protection law. We have implemented similar appropriate safeguards with our third-party service providers and partners and further details can be provided upon request.