



Qumulo

ADDITIONAL PRIVACY DISCLOSURES FOR THE EUROPEAN ECONOMIC AREA, UNITED KINGDOM, AND SWITZERLAND

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The following disclosures (“**Privacy Disclosures**”) supplement the [Qumulo Privacy Notice](#) and apply to you if you access or use the Sites or the Services from the European Economic Area, United Kingdom or Switzerland. Capitalized terms that are used but not defined below have the meanings set out in the [Qumulo Privacy Notice](#).

We process most of the personal data that our business customers and their users upload to the Services as a processor on behalf of the relevant business customer. This means that the relevant business customer determines and is responsible for how we process that personal data. If a business customer has uploaded your personal data to our Services, you should consult that business customer’s privacy notice for information about how that personal data is used.

Where Qumulo collects information directly from you and uses it for the purposes set out below, for example when you use the Qumulo Sites, Qumulo is the data controller of your personal information

when we use it as described in these Privacy Disclosures, meaning that we determine and are responsible for how your personal information is processed.

EU / UK Representative: We have appointed European Union (“**EU**”) and United Kingdom (“**UK**”) Representatives under Article 27 of the EU General Data Protection Regulation (“**GDPR**”) and UK GDPR respectively.

	EU Legal Representative	UK Legal Representative
Company	Instant EU GDPR Representative Ltd.	GDPR Local Ltd
Name	Adam Brogden	Adam Brogden
Email address	contact@gdprlocal.com	contact@gdprlocal.com
Telephone number	+353 01 554 9700	+44 1772 217800
Postal Address	Instant EU GDPR Representative Ltd. Office 2 12A Lower Main Street, Lucan Co. Dublin K78 X5P8 Ireland	GDPR Local Ltd 1st Floor Front Suite 27-29 North Street Brighton BN1 1EB England

Personal information we collect about you and how we use it

We collect the categories of personal information set forth in the [Personal Information Collected Directly from You](#) section of our Privacy Notice. The table below sets out in detail the categories of personal information we collect about you and how we use that information when you use the Sites and/or Services, as well as the legal basis which we rely on to process the personal information and recipients of that personal information.

We will indicate to you if the provision of certain personal information is mandatory or optional. If you choose not to provide any personal information marked as mandatory, we may not be able to respond to your queries or provide other services to you or respond to your other requests.

Category of personal information	How we may use it	Legal basis for the processing
Contact Information , including first and last name, company or firm, job title, email address, phone number, mailing address, the type of service interested in, and communication preferences.	We use this information to send you communications, including service-related communications and respond to your customer service requests by users designated by you as systems administrators.	The processing is necessary for our legitimate interests, namely communicating with you regarding the Services or your customer service requests.
	We use this information to deliver information and product updates and marketing communications to you, in accordance with your preferences.	We will only process your personal information in this way to the extent that you have given us your consent to do so.

<p>Inquiry, Feedback, Communications Information and Survey Information: including information provided in custom messages sent through forms, in chat messages, on our Slack channels, to one of our email addresses, through any other 'contact us' mechanism, questions submitted through surveys, or the content of any testimonials. provided on our Services.</p>	<p>We use this information to improve the Sites and Services as well as our customer support responses.</p>	<p>The processing is necessary for our legitimate interests, namely identifying ways in which we can improve the Sites and Services.</p>
<p>Preferences: set for marketing communications.</p>	<p>We use this information solely for the purpose of providing you with marketing materials in accordance with your preferences.</p>	<p>The processing is necessary to comply with a legal obligation that we are subject to (ePrivacy Directive 2002/58/EC (as amended) in the EU and the Privacy and Electronic Communications (EC Directive) Regulations 2003 in the UK).</p>
<p>Event and Webcast Information, including registration information (such as first name, last name, email address, company, role and event details), dietary information for in-person events, call-in details, attendee badge information, as well as audio and video recordings of these events and webcasts (where permitted by law).</p>	<p>We use this information to administer and facilitate in-person and virtual events.</p>	<p>The processing is necessary for our legitimate interests, namely, to facilitate in-person and virtual events.</p>
	<p>We use this information for customer support purposes.</p>	<p>The processing is necessary for our legitimate interests, namely, to provide you with customer support in relation to in-person and virtual events you are attending.</p>
	<p>We use this information to send you marketing communications, in accordance with your preferences.</p>	<p>We will only process your personal information in this way to the extent that you have given us your consent to do so.</p>
<p>Information Collected Through the Use of the Services, including any configuration data, systems logs, core dumps, performance capacity statistics and hardware and software failure alerts.</p>	<p>We use this information to test, enhance, update and monitor the Services.</p>	<p>The processing is necessary for our legitimate interests, namely testing and improving our Services and developing new features and functionalities of the Services.</p>

Events, Contests, and Promotions: If you participate in Qumulo’s events, competitions sweepstakes, or other promotional events, we may collect your contact information (such as your name, email, and phone number, postal code), and any other information requested on the form (such as eligibility to participate), at sign up, or a part of your competition entry. On occasion, we may also collect your shipping and billing information, such as if you are a competition winner or purchase our products or services (where available).	We use this information to contact you regarding an event, contest and/or promotion.	The processing is necessary for the performance of a contract with you.
	We use this information to send you marketing communications, in accordance with your preferences.	We will only process your personal information in this way to the extent that you have given us your consent to do so.
	We use this information for our own marketing purposes, for example if you win an event, contest or promotion we may include this information in our marketing materials.	We will only process your personal information in this way to the extent you have given us your consent to do so.

Personal information we collect about you automatically

We also automatically collect personal information indirectly about how you access and use the Sites and the Services, information about the device you use to access the Sites or the Services and usage information about the length of time you are using the Sites or the Services. We use this information for our own analytical purposes to improve the Sites or the Services and our other services. We typically collect this information through a variety of tracking technologies, including cookies and similar tracking technologies.

We collect the categories of personal information set forth in the [Personal Information Automatically Collected About You](#) section of our Privacy Notice directly when you use the Sites or the Services. The table below sets out in further detail the categories of personal information we collect about you automatically and how we use that information. The table also lists the legal basis which we rely on to process the personal information and recipients of that personal information.

We may link or combine the personal information we collect about you and the information we collect automatically. This allows us to provide you with a personalized experience regardless of how you interact with us. We may also anonymise and aggregate any of the personal information we collect (so that it does not directly identify you). We may use anonymised information for purposes that include testing our IT systems, research, data analysis, improving the Sites and Services or developing new services and features. We may also share such anonymised and aggregated information with others.

For more information on cookies and other tracking technologies we use, please see our [Cookie Policy](#).

Category of personal information	How we may use it	Legal basis for the processing
Analytics Data , including the electronic path you take to our services, through our services and when exiting our services, Urchin Tracking Module (“UTM”) source, as well as your usage and activity on our services, such as the time zone, activity information (first and last	We use this information to improve and monitor the Sites and Services.	Where required by law, we will only process your personal information in this way to the extent that you have given us your consent to do so.

<p>active date and time), usage history (flows created, campaigns scheduled, emails opened, total log-ins) as well as the pages, links, objects, products and benefits you view, click or otherwise interact with. We may also analyze the interaction between you and your customer using our Services.</p>	<p>We use this information to analyze preferences, trends and statistics to better improve the Sites and / or Services.</p>	<p>Where required by law, we will only process your personal information in this way to the extent that you have given us your consent to do so.</p>
	<p>Where relevant and where permitted under applicable law, we use this information to identify any potential risk of unlawful behavior including fraud detection, theft prevention, emergency response purposes and legal compliance.</p>	<p>The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behavior to protect the Sites, Services and users.</p>
<p>Location Data and your IP address, such as general geographic location that we may derive from your IP address.</p>	<p>We use this information to enable you to use location features of the Sites and / or Services.</p>	<p>Where required by law, we will only process your personal information in this way to the extent that you have given us your consent to do so.</p>
	<p>Where relevant and where permitted under applicable law, we use this information to identify any potential risk of unlawful behavior including fraud detection, theft prevention, emergency response purposes and legal compliance.</p>	<p>The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behavior to protect the Sites, Services and users.</p>
<p>Log files and information about your device. We also collect information about the tablet, smartphone or other electronic device you use to connect to the Sites and Services. This information can include details about the type of device, unique device identifying numbers, operating systems, browsers and applications connected to any of the Sites through the device, your mobile network, your IP address and your device's telephone number (if it has one).</p>	<p>We use this information to improve and monitor the Sites and Services.</p>	<p>Where required by law, we will only process your personal information in this way to the extent that you have given us your consent to do so.</p>
	<p>We use this information to analyze preferences, trends and statistics to better improve the Sites and / or Services.</p>	<p>Where required by law, we will only process your personal information in this way to the extent that you have given us your consent to do so.</p>
	<p>Where relevant and where permitted under applicable law, we use this information to identify any potential risk or unlawful behavior including fraud detection, theft prevention, emergency response purposes and legal compliance.</p>	<p>The processing is necessary for our legitimate interests, namely identifying and mitigating the risk of unlawful behavior to protect the Sites, Services and users.</p>

Personal information we collect from third-party sources

We also obtain personal information from third parties; which we often combine with personal information we collect either automatically or directly from an individual, including:

- **Your Employer / Company:** If you interact with our Sites and/or Services through your employer or company, we may receive your information from your employer or company, including: Contact Information
- **Business Partners:** We may receive your personal information from our business partners, such as lead generation providers and companies that offer their products and/or services on our Services, including: Contact Information, Preferences, Analytics Data

Recipients of Personal Information

We may also share your personal information, or make it available to third parties, including:

Recipient	Why we share it and how they will use it	Lawful basis
<p>Qumulo entities, we may share personal information with other companies owned or controlled by Qumulo, and other companies owned by or under common ownership as Qumulo, which also includes our subsidiaries (i.e., any organization we own or control) or our ultimate holding company (i.e., any organization that owns or controls us) and any subsidiaries it owns.</p>	<p>This information is shared to facilitate centralized management of the Sites and Services (including customer service and IT support).</p>	<p>The processing is necessary for our legitimate interests, namely delivering the Sites and Services and providing customer service and IT support.</p>
<p>Service providers, such as marketing providers, customer service and communication providers, IT providers (including website hosting, infrastructure provisioning, IT services and analytics services), employment application-related providers, administrative service providers and contest, sweepstake and survey providers.</p>	<p>These third-party vendors and other service providers perform services for us or on our behalf. We may share your: name, contact information, your preferences and information about your communications with us and any related activities.</p>	<p>These service providers will use your personal data as processors on our instructions.</p>
<p>Business partners, such as those we jointly offer products or services with.</p>	<p>These third parties will use your information for their own business and commercial purposes, including to send you any information about their</p>	<p>The processing is necessary for our legitimate interests, namely facilitating the contract with our third-party business partners.</p>

	products and/or services that we believe may be of interest to you.	
Advisors , such as legal advisors or accountants.	Our advisors may need to access personal data in order to develop and provide their advice to us or otherwise perform their services. These recipients will use your personal data in accordance with their own privacy policies, but in a manner consistent with this privacy notice.	The lawful basis we rely on for sharing personal data in this way is that it is necessary for our legitimate interests, namely receiving professional legal, financial and accountancy advice.
Purchasers and third parties in connection with a business transaction. Your personal data may be disclosed to third parties in connection with a transaction, such as a merger, sale of assets or shares, reorganization, financing, change of control or acquisition of all or a portion of our business.	These recipients will use your personal data to assess the potential transaction with us, and otherwise only as disclosed in this privacy notice.	The lawful basis we rely on for transferring this personal data is that the processing is necessary for our and the third party's legitimate interests, namely assessing and executing a potential transaction with us.
Law enforcement, regulators and other parties for legal reasons. We may share your personal information with third parties as required by law or if we reasonably believe that such action is necessary to (i) comply with the law and the reasonable requests of law enforcement; (ii) detect and investigate illegal activities and breaches of agreements; and/or (iii) exercise or protect the rights, property, or personal safety of Untamed, its users or others.	These recipients will use your personal data in the performance of their regulatory or law enforcement role, or to advise us in connection with a potential claim or regulatory enforcement action.	The lawful basis we rely on for sharing personal data with these recipients is that the processing is either necessary to comply with a legal obligation to which we are subject or is necessary for our legitimate interests, namely enforcing our rights or complying with requests from regulatory authorities.

<p>Third party ad networks and advertising partners, such as advertising agencies and exchanges that use personal data to serve adverts to you based on your browsing history when you browse the internet.</p>	<p>These recipients will use your personal data to identify your interests based on your browsing history and serve you adverts that align with those interests.</p> <p>We may share your: usage data (such as clickstream information, browser type, time and date you visited one of the Sites / used the Services, AdID and other similar information), location data (through GPS or WiFi) and account identifiers (hashed email address and/or UserID).</p> <p>For more information, please refer to the Third-Party Data Collection and Online Advertising section of our Privacy Notice.</p>	<p>We will only share your personal data in this way to the extent you give us your consent to do so.</p>
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Marketing

From time to time we may contact you with information about our products and Services, including sending you marketing messages and asking for your feedback on our products and Services.

Our marketing messages will be sent by email, social media and/or post. We will only send you marketing messages if you have given us your consent to do so. You can withdraw your consent at a later date by clicking on the unsubscribe link in the footer of our marketing emails or by contacting us at dataprivacyoffice@qumulo.com. We make every effort to promptly process all unsubscribe requests.

International Transfers of your Personal Information

The personal information we collect may be transferred to and stored in countries outside of the jurisdiction you are in where we and our third-party service providers have operations. If you are accessing the Services or Sites from the European Economic Area (“**EEA**”), UK or Switzerland, your personal information may be processed outside of the EEA, UK or Switzerland.

In the event of international transfers of your personal information, we will ensure that: (i) the personal information is transferred to countries recognized as offering an equivalent level of protection; or (ii) the transfer is made pursuant to appropriate safeguards, such as the Standard Contractual Clauses adopted by the European Commission for data transfers between EU and non-EU countries, which are recognized as offering adequate protection for the rights and freedoms of individuals.

We may transfer your personal information to, or store your personal information in, the following countries:

Country	Appropriate Safeguard
USA	We ensure that recipients either:

	<ul style="list-style-type: none"> • are certified under the EU-U.S. Data Privacy Framework, the UK Extension and the Swiss-U.S. Data Privacy Framework; or • enter into agreements governing the transfer of personal information that incorporate standard contractual clauses annexed to Commission Implementing Decision (EU) 2021/914 and/or terms approved under s119A of the Data Protection Act 2018 for transfers of personal information to recipients in third countries.
(For EU users) UK	Adequacy Decision as adopted by the European Commission on the basis of Article 45 of Regulation (EU) 2016/679 (the GDPR).
(For UK users) EU	Adequacy Decision as adopted by the UK Secretary of State on the basis of Sections 17A and 17B(12) (and 74A and 74B) of the Data Protection Act 2018.
Australia	<ul style="list-style-type: none"> • For Swiss and EU users: the standard contractual clauses annexed to Commission Implementing Decision (EU) 2021/914. • For UK users: agreements that incorporate terms approved under s119A of the Data Protection Act 2018 for transfers of personal information to recipients in third countries.
Japan	<ul style="list-style-type: none"> • For EU users: an adequacy decision as adopted by the European Commission on the basis of Article 45 of Regulation (EU) 2016/679 (the GDPR). • For UK users: an adequacy decision as adopted in Schedule 21 clause 5(a)(e) and clause 5(2)(m) of the Data Protection Act 2018.
Singapore	<ul style="list-style-type: none"> • For Swiss and EU users: the standard contractual clauses annexed to Commission Implementing Decision (EU) 2021/914. • For UK users: agreements that incorporate terms approved under s119A of the Data Protection Act 2018 for transfers of personal information to recipients in third countries.
Canada	<ul style="list-style-type: none"> • For EU users: an adequacy decision as adopted by the European Commission on the basis of Article 45 of Regulation (EU) 2016/679 (the GDPR). • For UK users: an adequacy decision as adopted in Schedule 21 clause 5(a)(e) and clause 5(2)(b) of the Data Protection Act 2018.

We will take appropriate steps to ensure that your personal information is treated securely and in accordance with applicable law and this Privacy Notice regardless of where it is processed.

If you wish to enquire further about the safeguards we use, please contact us using the details set out at the end of this Privacy Notice.

Retention of Personal Information

The criteria used to determine the period for which personal information about you will be retained varies depending on the legal basis under which we process the personal information:

- **Contract.** Where we are processing personal information based on a contract, we generally will retain your personal information for the duration of the contract plus some additional limited period of time that is necessary to comply with law or that represents the statute of limitations for legal claims that could arise from our contractual relationship.

- **Legitimate Interests.** Where we are processing personal information based on our legitimate interests, we generally will retain such information for a reasonable period of time in order to fulfill the legitimate interests, taking into account your fundamental interests and your rights and freedoms.
- **Consent.** Where we are processing personal information based on your consent, we generally will retain your personal information until you withdraw your consent, or otherwise for the period of time necessary to fulfill the underlying agreement with you or provide you with the applicable service for which we process that personal information.
- **Legal Obligation.** Where we are processing personal information based on a legal obligation, we generally will retain your personal information for the period of time necessary to fulfil the legal obligation.
- **Legal Claim.** We may need to apply a “legal hold” that retains information beyond our typical retention period where we face threat of legal claim or intent to establish a claim. In that case, we will retain the information until the hold is removed, which typically means the claim or threat of claim has been resolved.

Your Rights in Respect of your Personal Information

You have the following rights in relation to your personal information (subject to certain limitations):

Access	<p>You have the right to obtain:</p> <ul style="list-style-type: none"> ● confirmation of whether we are processing your personal data; ● information about the categories of personal data we are processing, the purposes for which we process your personal data and information about applicable retention periods; ● information about the categories of recipients with whom we have or may share your personal data; and ● a copy of the personal data we hold about you.
Rectification	You have the right to obtain rectification of any inaccurate or incomplete personal data we hold about you without undue delay.
Restriction of Processing	You have the right, in some circumstances, to require us to limit the purposes for which we process your personal data if the continued processing of the personal data in this way is not justified, such as where the accuracy of the personal data is contested by you.
Erase	You have the right, in some circumstances, to require us to erase your personal data without undue delay if the continued processing of that personal data is not justified.
Portability	You have the right, in certain circumstances, to receive a copy of the personal data you have provided to us in a structured, commonly used, machine-readable format that supports re-use, or to request the transfer of your personal data to another person.
Objection to Processing	You also have the right to object to any processing based on our legitimate interests where there are grounds relating to your particular situation. There may be compelling reasons for continuing to process your personal information, and we will assess and inform you if that is the case. You can also object to the processing of personal information for direct marketing purposes for any reason at any time.
Right to	Where we rely on your consent for processing of your personal information, you also

Withdraw Consent	have the right to withdraw your consent to such processing, subject to certain limitations at law. Withdrawing consent shall not affect the lawfulness of processing carried out on the basis of that consent before it was withdrawn.
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If you wish to exercise one of these rights, please contact us using the contact details at the end of this Privacy Notice. We will not charge you a fee for complying with your request to exercise one of these rights, other than where the request is manifestly unfounded or excessive (such as if you submit a number of repeated requests), in which case we may charge you a reasonable fee to cover our administrative costs.

Please note that if the exercise of these rights limits our ability to process personal information, we may not be able to provide our Services to you, or otherwise engage with you going forward.

Right to Lodge a Complaint

You also have the right to lodge a complaint to your local data protection authority. If you are based in the EEA, information about how to contact your local data protection authority is available [here](#). If you are based in the UK, information about how to contact your data protection authority is available [here](#). If you are based in Switzerland, information about how to contact your data protection authority is available [here](#).

Automated Decision Making and Profiling

You have the right not to be subject to a decision based solely on automated processing, including profiling, if the decision is not necessary for the conclusion or performance of a contract, is not required by mandatory legal provisions or is not based on your express consent.

We do not use your personal information for automated individual decision-making.

Tracking Technologies Used in Our Emails

Our emails may contain tracking pixels that identify if and when you have opened an email that we have sent you, how many times you have read it and whether you have clicked on any links in that email. This helps us measure the effectiveness of our marketing email campaigns, make the emails we send to you more relevant to your interests and to understand if you have opened and read any important administrative emails we might send you.

Most popular email clients will allow you to block these pixels by disabling certain external images in emails. You can do this through the settings on your email client – these generally give you the option of choosing whether emails will display "remote images", "remote content" or "images" by default.

Some browsers also give you the option of downloading and installing extensions that block pixels and other tracking technologies.