

# Gradient Cyber WEBSITE PRIVACY POLICY

LAST MODIFIED: October 20, 2020

Gradient Cyber Inc. (“Gradient Cyber”) takes privacy seriously and wants you to be familiar with how we collect, use, and disclose information on our website. Please read the following to learn more about our policies and procedures regarding the collection, use and disclosure of information that we collect through Gradient Cyber websites such as gradientcyber.com, through Gradient Cyber products and services offered via Gradient Cyber and third party websites, through Gradient Cyber social media pages, through email in that Gradient Cyber sends to you, through Gradient Cyber’s offline interactions with you, and through other means offered and controlled by Gradient Cyber (collectively, the “Services”).

By using Gradient Cyber Services and/or by providing Personal Information to Gradient Cyber, you agree to and are consenting to be bound by the terms and conditions of this Privacy Policy.

## PERSONAL INFORMATION

PERSONAL INFORMATION. “Personal Information” is information about you that is personally identifiable, including your:

- Name
- Postal address (including billing and shipping addresses, and state/province and zip/postal code)
- Email address
- Telephone number
- Usernames and passwords you create to use the Gradient Cyber Services

If you submit any Personal Information relating to other people to us or to our service providers in connection with the Services, you represent that you have the authority to do so and to permit us to use the information in accordance with this Privacy Policy.

## HOW WE MAY COLLECT PERSONAL INFORMATION

We and our service providers may collect Personal Information from you in a variety of ways. You may provide Gradient Cyber with your Personal Information when you create an account on any Gradient Cyber website, register for support, sign up for services or other product or service offerings from Gradient Cyber, register for a seminar or webinar, purchase software, participate in a survey, or solicit communication from Gradient Cyber. We may also receive your Personal Information from other online and offline sources, such as public databases, joint marketing partners, social media platforms, and other third parties. You may refuse to supply Personal Information when doing any of the foregoing, with the understanding that this may prevent you from engaging in certain activities or using certain products or services.

## HOW WE MAY USE PERSONAL INFORMATION

Gradient Cyber collects your Personal Information because it helps Gradient Cyber deliver the highest possible level of customer service to you. For example, we may use Personal Information:

- To respond to your inquiries and fulfill your requests.
- To provide you with our products or services

- To allow you to sign up for an account so that you can, among other things, participate in our online communities or submit and track a support case.
- To send administrative information, for example, announcements regarding our products or services, and changes to our terms, conditions, and policies.
- To send you marketing communications that we believe may be of interest to you, including product announcements, educational materials, special offers and upcoming online and offline events that Gradient Cyber determines you might like to be notified about.
- To personalize your experience by focusing on and presenting products and offers tailored to your interests. For our business purposes, such as performing data analysis and audits, developing new products, improving our services, identifying usage trends, and determining the effectiveness of our promotional campaigns.
- As we believe to be necessary or appropriate: (a) under applicable laws, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

If you do not want Gradient Cyber to keep you updated with the latest information on Gradient Cyber products and services, you may opt out of Gradient Cyber communications by clicking on the communication preferences link at the bottom of email communications from Gradient Cyber.

## HOW WE MAY DISCLOSE PERSONAL INFORMATION

Gradient Cyber may disclose your Personal Information:

- To our affiliates for the purposes described in this Privacy Policy. Gradient Cyber Inc. is the party responsible for the management of the jointly-used Personal Information.
- To our third-party service providers, vendors, and strategic partners who provide services such as data hosting, data analysis, order fulfillment, delivery of products or services, management and enhancement of user data, infrastructure provision, IT services, customer service, email delivery services, auditing services, and other similar services, to enable such third parties to provide the foregoing services.
- To third parties, including our strategic partners and resellers, to permit them to assess your interest in Gradient Cyber's products and services or conduct user research and surveys and to send you their own marketing communications.
- By you, on message boards, blogs and other services within the Services to which you are able to post information and materials. Please note that any information
- you post or disclose through these open services will become public information and may be available to visitors to those services and to the general public. We urge
- you to be very careful when deciding to disclose your Personal Information, or any

- other information, on these services.
- As we believe to be necessary or appropriate: (a) under applicable laws, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

The aforementioned third-party service providers, vendors, strategic partners and resellers may have their own privacy policies if you link to or access their websites or systems.

### PROTECTION OF PERSONAL INFORMATION

Gradient Cyber takes reasonable administrative, technical and physical measures to safeguard your Personal Information against loss, theft, unauthorized access, disclosure, alteration, misuse or destruction. For this reason, all Personal Identification that is gathered onsite with our Big Data Appliance as part of our Software as a Service (SaaS) remains on site.

For all other Personal Information presented during the course of marketing and non cyber related activities Gradient Cyber also takes reasonable administrative, technical and physical measures to safeguard your Personal Information against loss, theft, unauthorized access, disclosure, alteration, misuse or destruction. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the “Contact Gradient Cyber” section below.

### CHOICES AND ACCESS

Accurate data is important and necessary to provide the Services to you. We take steps to ensure that the personal information we collect and process is accurate, complete, and current. Nonetheless, we depend on you to update or correct your personal information. We give you choices regarding our use and disclosure of your Personal Information, including for marketing purposes. You may opt-out from:

- **RECEIVING ELECTRONIC COMMUNICATIONS FROM US.** If you no longer want to receive marketing-related emails from us on a going-forward basis, you may opt-out of receiving them by clicking on the communication preferences link at the bottom of the email, or by sending emails to [privacy@gradientcyber.com](mailto:privacy@gradientcyber.com).
- **OUR SHARING OF YOUR PERSONAL INFORMATION WITH AFFILIATES FOR THEIR DIRECT MARKETING PURPOSES:** If you would prefer that we not share your Personal Information on a going-forward basis with our affiliates for their direct marketing purposes, you may opt-out of this sharing by e-mailing your

request to us at [privacy@gradientcyber.com](mailto:privacy@gradientcyber.com)

If you would like to review, correct, update, change or delete Personal Information that you have previously provided to us, you may contact us in accordance with the “Contact Gradient Cyber” section below. In your request, please make clear what information you would like to have changed, or otherwise let us know what limitations you would like to put on our use of your Personal Information that you have provided to us. We will try to comply with your request as soon as reasonably practicable. We will address promptly any disputes regarding your Personal Information or our Privacy Policy. We will utilize independent mediation if we cannot resolve privacy concerns directly with a user. Please be aware that we may not be able to expunge information 1) from historical log records or 2) when legally required to keep the information.

### RETENTION PERIOD

We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or not prohibited by law.

### USE OF SERVICES BY MINORS

We do not knowingly collect or maintain personally identifiable information or non-personally identifiable information from persons under 13 years of age, and no part of the Services is directed to persons under 13 or the age as allowed in your jurisdiction, and we request that these individuals do not provide Personal Information through the Services. If we learn that personal information of persons less than 13 years of age has been collected without verified parental consent, we will take reasonable and appropriate steps to delete this information.

### CROSS-BORDER TRANSFER

The Services are controlled and operated by us from the United States and are not intended to subject us to the laws or jurisdiction of any state, country, or territory other than that of the United States. Your Personal Information not associated with Cyber Security may be stored and processed in any country where we have facilities or in which we engage service providers, and by using our website(s), product(s), and/or service(s), you consent to the transfer of information to countries outside of your country of residence, including the United States, which may have different data protection rules than in your country.

### SENSITIVE INFORMATION

We ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background, or trade union membership) to us.

### OTHER INFORMATION: HOW WE COLLECT, USE, AND DISCLOSE OTHER INFORMATION

Gradient Cyber also collects information that does not reveal your specific identity or does not directly relate to an individual (“Other Information”). Please note that we may use and disclose Other Information for any purpose, except where we are required to do otherwise under applicable

law.

If we are required to treat Other Information as Personal Information under applicable law, then we will use it for all the purposes for which we use and disclose Personal Information, as well as for the purposes described below. In some instances, we may combine Other Information with Personal Information (such as combining your name with your geographical location). If we do, we will treat the combined information as Personal Information as long as it is combined. Examples of such Other Information, and Gradient Cyber's collection, use, and disclosure of same, include:

- **AGGREGATED PERSONAL INFORMATION.** Aggregated Personal Information does not personally identify you or any other user of the Services (for example, we may aggregate Personal Information to calculate the percentage of our users who have a particular telephone area code).
- **COMPUTER INFORMATION.** Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Macintosh), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version, and the name and version of the website, product, and/or service you are using. We use this information to ensure that our Services
  - are functioning properly. This is not the same data that is collected on premise during the course of our Cyber Security Management Software.
- **COOKIES.** A cookie is a small data file sent to your browser from a web server and stored on your hard drive. Cookies allow Gradient Cyber to collect certain information about its website visitors, in order to remember their preferences, facilitate navigation, display information more effectively, understand usage and for other purposes. Click here to review Gradient Cyber's Cookie Policy.
- **OTHER INFORMATION COLLECTED FROM YOU.** Information such as your preferred means of communication is collected when you voluntarily provide it to Gradient Cyber. Unless combined with Personal Information, this information does not personally identify you or any other user of the Services.
- **IP ADDRESSES.** Your IP address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider (ISP). The Gradient Cyber online services automatically identify, capture, and log IP addresses in our server log files whenever you use them, along with the time of your visit and the page(s) that you visited. Gradient Cyber uses IP addresses to analyze trends, administer the services, track user movement, ensure the security of your interaction and gather broad demographic information for aggregate use.

### LINKS TO OTHER PARTIES

The Services may link to other companies. This Privacy Policy does not address, and Gradient Cyber is not responsible for, the privacy, information, or other practices of any third parties, including any third party operating any sites and/or services to which the Services contain a link or any other app developer, app provider, social media platform provider, operating system provider, wireless service provider or device manufacturer. The inclusion of a link within the Gradient Cyber Services does not imply endorsement of the linked site or service by us or our affiliates. Gradient Cyber encourages you to review the privacy policies and learn about the

privacy practices of those companies whose websites you choose to visit.

### APPS AND OTHER THIRD-PARTY CONTENT

The Gradient Cyber product is extensible through the use of software called apps and add-ons. These extensions are versatile and have access to a broad set of web technologies, including some that could be used to track your usage or collect Personal Information. This data remains on premise and only analytic summaries are utilized for follow on analytics in the cloud.

This Privacy Policy does not extend to third party software, even if packaged by Gradient Cyber or offered through a Gradient Cyber web property. While Gradient Cyber makes reasonable efforts to encourage app developers to follow privacy guidelines that meet or exceed what is described in this policy, we cannot and do not compel them to do so. When choosing to use apps, add-ons or other third- party extensions, you are entering into a license agreement with those parties. You should familiarize yourself with the privacy policy of the organization or individual providing you with software that runs in or with your Gradient Cyber product.

### UPDATES TO THIS PRIVACY POLICY

We may change this Privacy Policy from time to time. Please take a look at the “Last Modified” legend at the top of this page to see when this Privacy Policy was last revised. If we change our Privacy Policy, we will post an updated privacy policy here, and it will become effective as of the date of posting. Your use of the Services following these changes means that you accept the revised Privacy Policy.

### CONTACT Gradient Cyber

If you have any questions or comments about this Privacy Policy, the practices of the Services or your dealings with Gradient Cyber, you can contact us at any time:

Gradient Cyber Inc. Chief Administrative Officer 16400 N. Dallas Parkway Unit 100  
Dallas, TX 75254 USA