

PACHYDERM PRIVACY POLICY

EFFECTIVE DATE: [11-20-2019]

1. PURPOSE OF POLICY

Pachyderm is committed to protecting your privacy as you use our service! We created this Privacy Policy (“Policy”) to give you confidence as you visit and use the Pachyderm website, service, and related services, which may include a data science platform and/or other related services provided by us (collectively, the “Service”). This Policy covers how we collect, use, store, and share your information when you use our Service. The provisions of our Terms of Use (pachyderm.com/support/TOU.pdf) apply to this Policy as well. All references to “we”, “us”, “our”, or “Pachyderm” refer to Pachyderm, Inc., a Delaware corporation. All references to “you”, “your”, or “Client” refers to the user of the Service, which includes individuals and entities that seek analytics and metrics in order to improve their own services. You may upload data containing information about your own users who you provide your products and/or services to, and such users are referred to as “your End-Users”. Further, you agree that this Privacy Policy and our Terms apply to your past use, if any, of the Service prior to the Effective Date.

Do not hesitate to contact us at privacy@pachyderm.com if you have any questions or want to discuss this Policy. Capitalized terms used but not defined shall have the respective meanings given to them in the Terms.

2. INFORMATION WE COLLECT AND HOW WE USE IT

Required Information You Voluntarily Provide Us.

To access the Service, you will be required to have a valid account with GitHub (offered by GitHub, Inc.) and agree to GitHub’s terms and conditions. To create a GitHub account, please visit github.com. To create a GitHub account, you will be required to create a username and password, and to provide your email address.

When you attempt to access the Service, you will be asked to authorize Pachyderm to access information about your GitHub account using OAuth. If you grant us access, we will collect certain personally identifiable information, including your name, profile photo, username, and email address associated with your GitHub account. We may also collect other information pertaining to your GitHub account, including but not limited to your GitHub repositories, projects, packages, stars, and followers.

We use this information for the purpose of providing you with the core aspects of the Service and to provide you with information and updates about the Service, and for any other purposes with your consent. In addition, by accessing the Service with your GitHub account, you agree to receive commercial emails from us, including promotional emails. If you receive a commercial email from us, you may unsubscribe at any time by following the instructions contained within the email. You may also opt-out from receiving commercial email from us, and any other

promotional communications that we may send to you from time to time, by contacting us as described at the end of this Policy.

Optional Information You Voluntarily Provide Us.

In addition to the required information that you provide to Pachyderm by accessing the Service using your GitHub account, there are various pieces of information you can, or may in the future be able to or choose to provide through the Service, including through integrations with third party goods and services.

We also may collect and store communications that occur through the Service between you and Pachyderm, and communications that occur through the Service between Clients. These communications may contain your personally identifiable information.

The various categories of information in this subsection is, or may be, considered personally identifiable information, and is used for the purpose of providing you with the Service's functionality.

End-User Data.

Through the Service, you will be able to upload data and create Clusters. Sometimes, the data that you upload will contain End-User Data. We will have access to such information, and we may share such information with third parties in order to provide you with the core aspects of the Service (for example, with third parties that provide hosting services). You agree Pachyderm is not responsible for any such End-User Data. Further, you are solely responsible for obtaining your End-Users' permission to share End-User Data with us in connection with your Service. Further, you understand that Pachyderm's data collection and processing procedures is currently not compliant with certain data privacy laws and regulations, including HIPAA or the GDPR. As such, you understand and agree that you will not upload End-User Data that contains sensitive data that are subject to these data privacy laws and regulations (for example, health information or personally identifiable information of individuals in the European Union).

Information Collected Automatically As You Use The Service.

In addition to the information that you provide to us voluntarily, Pachyderm may automatically collect information through the Service about how you use and interact with the Service and other similar activities in order to better understand our users and how they use the Service, and to improve the Service.

Cookies, Web Beacons and Analytics

We may use cookies, web beacons and other technologies, like web bugs, to automatically collect information about your use of the Service. You can learn more about these technologies below. We may use this information to provide you with a better user experience, to comply with our legal obligations under anti-money laundering and related laws, to protect you and detect irregular or suspicious account activities, to customize our services and content for you, and to better understand how our users interact with the Service.

Cookies. A cookie is a small file placed on your computer when you visit certain websites.

Cookies may be either first-party or third-party cookies, and they may be either permanent or temporary (i.e. session) cookies. It may be possible to refuse to accept cookies by activating the appropriate setting within your browser. However, if you disable or refuse cookies, please note that some parts of the Service may be inaccessible or may not function properly.

Web Beacons. Pages of the Service may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit us, for example, to count users who have visited those pages, opened emails, and for other related Service statistics (for example, recording the popularity of certain content and verifying integrity).

Other Technologies. We may use other third party services that automatically collect information about you to better understand how you use and interact with the Service. These may include, but are not limited to, [Marketo](#) and [Hubspot](#). We may also use third-party services to deliver advertising with such third parties. The information collected through this process by the third-party service providers does not enable us or them to identify your name, contact details or other personal information that directly identifies you unless you choose to provide these.

Do Not Track Signals.

To the extent that we receive any Do-Not-Track signals, we reserve the right to not comply with them.

3. HOW WE SHARE YOUR INFORMATION

First of all, we do not sell or share your personally identifiable information or End-User Data with advertisers. We also do not share your personally identifiable information or End-User Data with other third parties except to the extent that it is in furtherance of the Service, or when you choose to do so (as described below).

Information Shared By You Through The Service.

You may, now or in the future, be able to choose to voluntarily share information collected through the Service through email, or other means of communication. In addition, as described in this Policy, some aspects of the functionality of the Service will require us to share your personally identifiable information, including End-User Data, with third parties.

Our Personnel.

To be able to effectively provide you with the Service, and to improve the functionality of the Service, we may disclose your personally identifiable information and End-User Data to our employees, contractors, and agents to the extent that such persons or entities have a need-to-know such information in furtherance of the Service.

Our Vendors.

We work with third party service providers to provide website, application development, hosting, maintenance, data processing, customer service, and other services for us in furtherance of the Service. These third parties may have access to or process your personally identifiable information and End-User Data as part of providing those services for us. However, we limit the information provided to these service providers to that which is reasonably necessary for them to

perform their functions.

Sale of Company or Assets.

In the event that we sell all or substantially all of our company or its assets, including the personally identifiable information and End-User Data collected through our Service, we may transfer your information, upon reasonable notice to you, to the acquiring company.

Other Third Parties.

In addition to our practices described above, we may share your information if we have a good-faith belief that such action is necessary to (1) comply with the law (see the section below on “Government Requests”), (2) protect and defend the rights or property of Pachyderm, or (3) prevent an emergency involving danger of death or serious physical or mental injury to any person.

4. STORING YOUR INFORMATION

Storage and Retention Of Your Information.

We will store your personally identifiable information for as long as it is needed to provide the Service, however, we may not know if you have stopped using the Service so we encourage you to contact us at the email listed below if you are no longer using the Service. However, if required by applicable law, we may retain your personally identifiable information for such period as may be required by such law. To continue to provide an effective service, we may store non-Personal Data perpetually and may anonymize your Personal Data and store that anonymized information perpetually.

If you would like to review your information that we have access to, or request deletion of any information, you may contact us via email at the email listed below.

Security.

We use reasonable efforts to secure your information and to attempt to prevent the loss, misuse, and alteration of the information that we obtain from you. For example, we will require our personnel to sign confidentiality agreements that extend to your personal information; we review the privacy practices of new products and services that we integrate into our Service; we train our personnel on privacy issues; we will have personnel to monitor privacy issues; we restrict access to your personal information to individuals within and outside of Pachyderm who need access to such information to provide the Service; and we use encryption technology to secure data at rest and in transmission. In addition, we rely on the technical safeguards provided by the third-party vendors we use to host, store, and process your information. However, you acknowledge and agree that loss, misuse, and alteration may occur despite our efforts to protect your information. We are not responsible to our users or to any third party due to any such loss, misuse, or alteration.

5. GOVERNMENT REQUESTS

From time to time, we may receive requests from government agencies to obtain information about our users. In handling such government requests, we greatly value the privacy of your information. While we may be required to turn over user information at times, we will strive to require a search warrant or subpoena, to the extent that we can reasonably demand such warrant

or subpoena, before we turn over information about you and we will also strive to notify users when we receive government requests about their data.

6. THIRD PARTY SERVICES AND PRACTICES ARE BEYOND OUR CONTROL

Our Service may utilize numerous third party services as part of the functionality of the Service, such as hosting services, analytics providers, communications services, and other vendors; and we may share your information with third parties to the extent explained in this Policy.

Additionally, we use third party payment processing services, such that we do not receive any of your sensitive financial information. We have no control over such third parties. Thus, we make no guarantees about, and assume no responsibility for the information, services, or data/privacy practices of third parties, which may differ significantly from our practices described in this Policy. We encourage you to review the privacy practices of such third parties to the extent possible, and we encourage you to use caution in deciding the information you choose to make available on the Service.

7. CHANGES TO THIS POLICY

Pachyderm reserves the right to change this Policy from time to time, with reasonable notice to you. Any changes to this Privacy Policy will become effective on the “Effective Date” indicated above. If you continue to use the Service after the Effective Date, you consent to the new Policy. Pachyderm will always have the latest Policy posted on the Service.

8. PLEASE REACH OUT TO US WITH ANY QUESTIONS OR FEEDBACK

If you have any questions about this Policy or our Service, please feel free to contact us by email at privacy@pachyderm.com.