

PRIVACY NOTICE

Effective Date: July 31, 2020

Your privacy is very important to us. T5 Data Centers is committed to respecting privacy and protecting personal information. This Privacy Notice sets forth T5 Data Centers and its affiliates (“our,” “we,” or “T5’s”) policies with respect to personal information we collect and process (“Notice”). **This Notice applies only to interactions with our website or when you otherwise contact us.**

This Notice is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a PDF version of the policy here. Please read this Notice carefully to understand our views and practices regarding your personal information and how we will treat it.

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1. **Data Controller**

To the extent the GDPR applies, and for other data privacy laws with a data controller requirement, T5 and its affiliates are the data controllers that direct the purposes for which personal information is processed.

T5 is located at: 3344 Peachtree Road, N.E., Suite 2550, Atlanta, GA 30326

We will use personal information about you only for the purposes and in the manner set forth below, which describes the steps we take to ensure the processing of personal information is in compliance with applicable data protection law, including California’s Consumer Privacy Act (“CCPA”) and the European Union’s General Data Protection Regulation (“GDPR”).

2. **Information we collect**

We collect personal information from a number of sources, including:

- when you provide it to us in correspondence (including when you make inquiries about our services) and conversations via our call center
- when you visit our website, through the use of cookies and similar technologies

The types of personal information we collect and share depend on the product or service you have with us. The personal information we collect, the basis of processing and the purposes of processing are detailed below. For EU/UK data subjects, to the extent the GDPR applies, we have a lawful basis under the GDPR for each of our processing activities, as set out below:

What we collect	Why do we collect it	Lawful Basis
Personal details such as name, address, postal and email address, phone number	To receive and respond to your inquiries.	It is in our legitimate interests to respond to queries and to provide you with information relating to our services and to maintain our website. Our interests are not overridden by your interests or fundamental rights and freedoms, particularly because you voluntarily made an inquiry and sought a response.
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement	To manage our website and its security, and to provide you with, and inform you about, our services and keep you updated.	It is in our legitimate interest to optimize performance of our websites, to audit our interactions with our website visitors, and to detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity, and for data analytics. Our interests are not overridden by your interests or fundamental rights and freedoms. For marketing purposes, consent. For further information, see section 7 below.

For California Residents

The personal information about you that we collect includes information within the below categories of personal information. These categories also represent the categories of personal information that we have collected over the past 12 months. We collect this information as **per section 2 above**, and we share this information as **per section 3 below**.

Note that the categories listed below are defined by California state law. Inclusion of a category in the list below indicates only that, depending on the services we provide you, we may collect some information within that category. It does not necessarily mean that we collect all information listed in a particular category for all of our customers.

Categories of data collected	Purpose of collection
<p>Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, internet protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers.</p>	<p>We collect this data to respond to queries and to provide you with information relating to our services and to manage our website.</p>
<p>Information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, your name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, wire transfer information, or any other financial information, such as the amount invested and details of the investment made, medical information, or health insurance information.</p>	<p>We collect this data to respond to queries and to provide you with information relating to our services and to manage our website.</p>
<p>Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer’s interaction with an Internet Web site, application, or advertisement.</p>	<p>To optimize performance of our websites, provide services to our customers, and to audit our interactions with our customers. It is also processed to detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity, and for data analytics. It is also necessary to ensure compliance with our policies and procedures.</p> <p>We also use this data for marketing purposes (see section 7 below).</p>

3. Sharing your personal information

We do not, and will not, share or sell personal information to third parties for any purpose, as the term “sell” is defined by California law, nor have we done so in the past 12 months.

4. Retention of your personal information

As a general principle, we do not retain your personal information for longer than we need it. We keep your personal information only for as long as it is required to deal with your enquiries. Section 7 sets out how long we retain the information collected by the cookies. In some instances, we may keep your personal information:

- for as long as necessary to comply with any legal requirement;
- for backup and disaster recovery systems in accordance with our backup and disaster recovery policies and procedures;
- for as long as necessary to protect our legal interests or otherwise pursue our legal rights and remedies; or
- for data that has been aggregated or otherwise rendered anonymous in such a manner that you are no longer identifiable, indefinitely.

5. Your rights regarding your personal information

Depending on where you live, your current jurisdiction and applicable data protection laws, and subject to any relevant restrictions/exemption, you may be entitled to certain rights with regards to our processing of your personal information. (**Please note:** depending on the country you live in and the applicable data protection laws, you may only have access to some of the rights listed below).

Your rights under the California Consumer Privacy Act (“CCPA”)

As a resident of California, you have the rights described below with respect to personal information about you, including:

- **Right of access** – You may be entitled to request that we disclose the categories and specific pieces of personal information that we have collected about you, the categories of sources from which the information was collected, the purposes of collecting the information, the categories of third parties we have shared the information with, and the categories of personal information that have been shared with third parties for a business purpose.
- **Right of data portability** – In some instances, you may have the right to receive the information about you in a portable and readily usable format. Before providing this information, we must be able to verify your identity akin to the request.
- **Right to have personal information erased** – Subject to certain conditions, you may be entitled to request that we delete personal information that we hold. We will not delete personal information about you when the information is required to fulfill a legal obligation, is necessary to exercise or defend legal claims, or where we are required or

permitted to retain the information by law. Data solely retained for data backup purposes is principally excluded.

- **Right to “opt-out” of a sale of personal information** – if our business practices change and we sell personal information you will be provided with notice and be given the opportunity to opt out of the sale of your personal information.

You may also appoint an authorized agent to make a request on your behalf.

If you chose to exercise any of these rights, to the extent that they apply, U.S. state law prohibits us from discriminating against you on the basis of choosing to exercise the privacy rights. We may, however, charge a different rate or provide a different level of service to the extent permitted by law.

Your GDPR rights

To the extent the GDPR applies, data subjects of the EU/UK may have certain rights, including:

- **Access and Update.** Subject to certain conditions, you are entitled to have access to your personal information (this is more commonly known as submitting a “data subject access request”). You can also review and change any inaccurate personal information by notifying us. We may not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect. Data solely retained for data backup purposes is generally excluded.
- **Restrictions.** You may have the right to restrict our processing of your personal information under certain circumstances. In particular, you can request we restrict our use of it if you contest its accuracy, if the processing of your personal information is determined to be unlawful, or if we no longer need your personal information for processing but we have retained it as permitted by law.
- **Portability.** To the extent the personal information you provide is processed based on your consent or on our contract with you and when the processing is carried out by automated means (i.e. not for paper records), you have the right to request that we provide you a copy of, or access to, all or part of such personal information in structured, commonly used and machine-readable format. You also have the right to request that we transmit this personal information to another controller, when technically feasible. This right covers only the personal data that has been provided to us by you.
- **Withdrawal of Consent.** To the extent that our processing of your personal information is based on your consent, you may withdraw your consent at any time. Withdrawing your consent will not, however, affect the lawfulness of the processing based on your consent before its withdrawal, and will not affect the lawfulness of our continued processing that is based on any other lawful basis for processing your personal information.
- **Right to Deletion.** You may have the right, subject to some exceptions, to request that we delete personal information about you that we have collected or maintain. We will not delete personal information about you when the information is required to fulfill a legal obligation, is necessary to exercise or defend legal claims, or where we are required or permitted to retain the information by law. For example, we cannot delete information about you while continuing to provide you with certain services or where we are legally required to retain certain information. This right is generally excluded from data kept for

- **Complaints.** You have the right to lodge a complaint with the applicable supervisory authority in the country you live in, the country you work in, or the country where you believe your rights under applicable data protection laws have been violated. However, before doing so, we request that you contact us directly in order to give us an opportunity to work directly with you to resolve any concerns about your privacy.

You may exercise your right to make these requests/objections by contacting us at [404.239.7140] or sending us an email at info@t5datacenters.com at any time if you wish to do so.

For a listing of EU Privacy Regulators, please click here: https://edpb.europa.eu/about-edpb/board/members_en

6. Submitting Requests

To exercise your rights to request information or the deletion of your personal information, please contact us at [404.239.7140], use our [online webform](#), or send us an email at info@t5datacenters.com at any time if you wish to do so.

Before providing information requests in accordance with your rights, we must be able to verify your identity. In order to verify identity, you will need to submit information about yourself, including, to the extent applicable, account information, name, government identification number, date of birth, contact information, or other personal information. We will match this information against information we have previously collected about you to verify your identity and request.

Please note that under California law, we are only obligated to respond to personal information requests from the same consumer up to two times in a 12-month period. Under both EU and California law, if an individual makes unfounded, repetitive, or excessive requests (as determined in our reasonable discretion) to access personal information, we may charge a fee subject to a maximum set by law.

If you would like to appoint an authorized agent to make a request on your behalf, you must provide the agent with written, signed permission to submit privacy right requests on your behalf, or provide a letter from your attorney. The agent or attorney must provide this authorization at the time of request. We may require you to verify your identity with us directly before we provide any requested information to your approved agent.

Information collected for purposes of verifying your request will only be used for verification.

If you chose to exercise any of these rights, to the extent that they apply, U.S. state law prohibits us from discriminating against you on the basis of choosing to exercise your privacy rights. We may, however, charge a different rate or provide a different level of service to the extent permitted by law.

We are, of course, happy to provide any further information or explanation needed.

7. Cookies

A cookie is a small piece of data that a website asks your browser to store on your computer or mobile device. The cookie allows the website to “remember” your actions or preferences over

time. Cookies are widely used in order to make websites work, or to work more efficiently, as well as to provide reporting information. Some cookies are strictly necessary for the functioning of our website.

Why do we use cookies?

We use cookies to learn how you interact with our content and to improve your experience when visiting our website. For example, some cookies remember your preferences and where you left off so that you do not have to repeatedly make these choices when you visit one of our websites.

What types of cookies do we use?

Third-party cookies belong to and are managed by other parties, such as Google Analytics. These cookies may be required to render certain forms, such as email list sign-up, or to allow for some advertising outside of our website. Session cookies are temporary cookies that are used to remember you during the course of your visit to the website, and they expire when you close the web browser. Persistent cookies are used to remember your preferences within the website and remain on your desktop or mobile device even after you close your browser or restart your computer. We use these cookies to analyze user behavior to establish visit patterns so that we can improve our website functionality for you and others who visit our website.

How do I reject and delete cookies?

You can choose to reject or block all or specific types of cookies for T5 by changing your browser settings. Please note that most browsers automatically accept cookies. Therefore, if you do not wish cookies to be used, you may need to actively delete or block the cookies. If you reject the use of cookies, you will still be able to visit our websites but some of the functions may not work correctly. You may also visit www.allaboutcookies.org for details on how to delete or reject cookies and for further information on cookies generally. By using our website without deleting or rejecting some or all cookies, you agree that we can place those cookies that you have not deleted or rejected on your device.

See also:

<https://tools.google.com/dlpage/gaoptout>

<https://support.google.com/ads/answer/2662922?hl=en>

Third-party cookies used on our websites:

Cookie	Type	Durati on	Description
_ga	Analytics	2 years	This cookie is installed by Google Analytics. The cookie is used to calculate visitor, session, campaign data and keep track of site usage for the site's analytics report. The cookies store information anonymously and assign a randomly generated number to identify unique visitors.

_gid	Analytics	1 day	This cookie is installed by Google Analytics. The cookie is used to store information of how visitors use a website and helps in creating an analytics report of how the website is doing. The data collected including the number visitors, the source where they have come from, and the pages visited in an anonymous form.
_gat_UA-28714056-1	Performance	1 minute	This is a pattern type cookie set by Google Analytics, where the pattern element on the name contains the unique identity number of the account or website it relates to. It appears to be a variation of the _gat cookie which is used to limit the amount of data recorded by Google on high traffic volume websites.
NID	Advertisement	5 months	This cookie is used to a profile based on user's interest and display personalized ads to the users.
__hstc	Analytics	1 year	This cookie is set by Hubspot and is used for tracking visitors. It contains the domain, utk, initial timestamp (first visit), last timestamp (last visit), current timestamp (this visit), and session number (increments for each subsequent session).
hubspotutk	Analytics	1 year	This cookie is used by HubSpot to keep track of the visitors to the website. This cookie is passed to Hubspot on form submission and used when deduplicating contacts.
__hssrc	Necessary		This cookie is set by Hubspot. According to their documentation, whenever HubSpot changes the session cookie, this cookie is also set to determine if the visitor has restarted their browser. If this cookie does not exist when HubSpot manages cookies, it is considered a new session.

__hssc	Functional	30 minutes	This cookie is set by HubSpot. The purpose of the cookie is to keep track of sessions. This is used to determine if HubSpot should increment the session number and timestamps in the __hstc cookie. It contains the domain, viewCount (increments each pageView in a session), and session start timestamp.
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8. Data Security

We implement and maintain security appropriate to the nature of the personal information that we collect, use, retain, transfer or otherwise process, and will take reasonable steps to protect your personal information against loss or theft, as well as from unauthorized access, disclosure, copying, use or modification, regardless of the format in which it is held. While we are committed to developing, implementing, maintaining, monitoring and updating a reasonable information security program. Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. Data security incidents and breaches can occur due to vulnerabilities, criminal exploits or other factors that cannot reasonably be prevented. Accordingly, while our reasonable security program is designed to manage data security risks and thus help prevent data security incidents and breaches, it cannot be assumed that the occurrence of any given incident or breach results from our failure to implement and maintain reasonable security.

9. Do Not Track Signals

Various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party website or online services (e.g., browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

10. Children

We do not offer our services to minors and do not knowingly collect personal information from children under the age of 16. We will delete any personal information we determine to have been collected from a child or user under the applicable age of consent. If you are a parent or guardian of a child under the relevant digital age of consent and believe he or she has disclosed personal information to us, please contact us at [404.239.7140] or send us an email at info@t5datacenters.com.

11. Changes to this Notice

We reserve the right to modify this Notice at any time and without prior notice. Updated privacy policies will be made available through our websites. We will comply with applicable data privacy laws when making changes to our privacy practices. The date at the top of this privacy policy indicates the date when the policy was last updated and the updates went into effect.

12. Contact Us

If you have any questions regarding this policy or the treatment of your non-public personal information, please contact us at [404.239.7140] or send us an email at info@t5datacenters.com.