

PRIVACY NOTICE

Last updated: 16th August 2022

Rakuten India Enterprise Private Limited (hereafter “**Rakuten India**”, “**we**”, “**our**” and/or “**us**”). This privacy notice (“**Notice**”) describes how we collect, use, and disclose Personal Information (as defined below) about you when you use our website (“**Website**”) or cloud analytics services relating to the Rakuten SixthSense observability platform and test acceleration platform (“**Services**”).

We may change this Notice from time to time. If we make changes, we will notify you by revising the date at the top of this statement and, in cases where there are material changes we will provide you with additional notice (such as adding a statement to our website homepage or sending you a notification) prior to the changes becoming effective. We encourage you to review the Notice whenever you access the Website, Services or otherwise interact with us to stay informed about our information practices and the choices available to you.

Rakuten India and its group companies are part of the Rakuten Group, which includes the affiliates and subsidiaries of our parent company Rakuten Group, Inc., based in Tokyo, Japan. More information about Rakuten is available at <http://global.rakuten.com/corp/about/company>.

NOTE: You must be at least 18 years old to access or use the Services.

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What This Notice Covers

This Notice applies to your use of Website and Services operated by us. Please be aware that for certain other services rendered by other Rakuten Group companies, we or the other Rakuten Group companies may provide you with separate privacy notices applicable to those services.

Please only use the Services after you have carefully read and understood this Notice, our Website and Services ‘terms of use’ and other applicable terms. In accessing the Website or using the Services, you represent that you understand the contents of this Notice describing our collection, use, transfer and retention of your information herein.

If you have any questions or inquiries regarding this Notice, please contact us using the information provided in the ‘Contact Us’ section below.

The Information We Collect

For the purposes stated in the Section titled “Use, Legal Basis of Use and Retention of Your Information”, we collect information about you as described in this Section. This includes information that you give us

directly, information about your use of the Services, and information received from third parties. All the personal information that we collect and use in accordance with this Notice is centrally managed and stored by Rakuten India.

Information that you give us

Identifiers are:

- Your full name
- Your login username and password
- Your business email address
- Your phone number
- Your company/ employer name
- Your region of operations/ business
- Your designation in your organisation/ company
- IP address
- Server log information
- Information related to products and services displayed and searched; and

Information we collect from other sources

We may obtain information about you from other sources such as our third-party marketing and outreach partners. We may combine this information with those listed above, or collected through your use of the Website or Services.

Use, Legal Basis of Use and Retention of Your Information

We use your personal information to provide you information regarding our Services, including demos, product details, security information, and other particulars regarding Services and their functionalities, and access to our Website.

We will also use your personal information to advertise and market our Services in accordance with your interests and preferences, to conduct research and development, to respond to customer inquiries, and to prevent and mitigate fraudulent or illegal activities.

Use of Your Information

Specifically, we may use your information for the purposes listed below:

To provide you with details regarding our Website and Services:

- For the provision of personalized services, content, and information related to the Services.
- For the provision of product information such as pricing, demos, security information, and other such particulars.

To provide you with advertisements, promotion and marketing content:

- To display or send to you advertising content, such as direct mail or email newsletters, with your consent, or via methods otherwise permitted under applicable law.
- For the display, introduction, or advertisement of products and services offered by us.

To undertake service improvement, research and development:

- To improve existing services and conduct R&D for the development of new services or improvements to our Services.

To respond appropriately to customer inquiries:

- So that we may respond appropriately to customer inquiries, complaints, or requests in relation to our Services, advertisements, and marketing.

To prevent and mitigate fraudulent or illegal activities:

- For the prevention, identification and investigation of scams, cyber-attacks, and other potentially illegal or fraudulent activities, or in relation to any other activities necessary to protect the legal rights of Rakuten India, the Rakuten Group and/or the rights of third parties.

Legal Basis of the Use of Your Information

In the European Economic Area, we are obliged to have a legitimate reason (or legal basis) for each processing activity and in most cases, the basis on which we rely will be one of the following:

- to fulfil our contractual obligations to you, for example to provide Services to you in the event that you purchase them;
- to comply with our legal obligations, for example to provide you with necessary information to ensure the Services you purchase are in accordance with committed service levels; and
- to meet our legitimate interests, for example to understand how you use the Services and to improve them and to provide tailored marketing messages to you via certain channels.

Additionally, we may ask you to give us your consent to collect and use certain types of personal information, for example, when we would like to send you e-mail marketing messages and process Sensitive Information. If we ask for your consent to process your personal information, we will ensure that you may withdraw your consent at any time. In the event you withdraw your consent, certain aspects of the Services may not be available to you, and may impact your enjoyment of use of the Services.

Retention of Your Information

Unless instructed by you, we will keep your personal information necessary to fulfil our contractual obligations for as long as we have a relationship with you, and for a period of three (3) years thereafter. We will only retain your personal information after this time if we are required to do so to comply with the applicable laws, or if there are outstanding claims or complaints that will reasonably require your personal information to be retained.

Disclosure of Information about You

Disclosure to our vendors

We provide your personal information to sellers and relevant service providers (each a “Merchant”), including those located outside of India, when you use the Website or Services. These include:

- customer relationship management services and forms integrated with our Website;
- hosting of our products on cloud services;
- service providers engaged to communicate alerts.

Disclosure to Other Third Parties

In addition to the disclosures described above, we may also disclose your personal information to certain trusted third party service providers, including those located outside of India, where necessary to carry out our business operations.

Please be assured that we will only disclose your personal information in compliance with the applicable law, and with the appropriate management and supervision of the relevant third parties.

On occasion, judicial or regulatory authorities may request access to or disclosure of information about you for law enforcement purposes. Such requests typically pertain to criminal investigations or other legal proceedings. Where they are necessary and legitimate, we will respond to such requests in accordance with our internal policies and applicable law.

Additionally, in cases where it is necessary to prevent and mitigate fraudulent or illegal activities, or to protect life, body, or property, we may disclose your personal information to another Rakuten Group company or to a third party.

Furthermore, we may share your personal information with any third party that purchases, or to which we transfer, all or substantially all of our assets and business. Should such a transfer occur, we will use reasonable efforts to try to ensure that the entity to which we transfer your personal information uses it in a manner that is consistent with this Notice.

We may disclose any types your information in the section titled “The Information We Collect” to the minimum necessity in order to achieve the purpose of the disclosure.

We will not use or disclose your information for purposes not set forth in this Notice without informing you and taking any necessary steps in advance as required under applicable law.

Your Rights and Choices

Your Rights

You may have certain rights regarding your personal information, subject to the applicable law. These may include the following rights to:

- **access your personal information:** you can request access the information about your personal information, such as the categories, the purposes of the processing or any other information required under the applicable law;
- **rectify your personal information:** you can rectify inaccurate personal information concerning you;
- **erase your personal information:** you can ask us to erase your personal information we have collected;
- **restrict** our use of your personal information;
- **object to our use of your personal information:** you can object to certain types of our processing of your personal information depending on the circumstances, such as profiling or any other processing required under the applicable law;
- **data portability:** receive your personal information in a usable electronic format and transmit it to an external party;
- **learn** more about the sources from which we collect information, the purposes for which we collect and share information, the information we hold, and the categories of parties with whom we share your information;
- **be free from discrimination:** You can freely exercise these rights without fear of being denied goods or services.; and
- **lodge a complaint:** you can lodge a complaint with us at ISPDprod-RS_support@rakuten.com.

We do not “sell” your personal information to any third-parties outside of the scope of disclosure and transfer provided under this Notice.

If you would like to ask about or exercise such rights, please contact us in accordance with the section titled ‘Contact us’. You may use an authorized agent to exercise your rights in accordance with the applicable law. In that case, please ensure that you give the written permission to the agent.

Once we receive the request, we will verify your identity based on your personal information that we already have and that we may additionally require from you for the verification purpose.

In the event your user account and personal information is provided to us by your employer, we will initiate your request/ inquiries with your employer for the purposes of verification. Once verified and instructed by your employer to address or carry out your request/ inquiry, we shall do so within the timeline provided under applicable law.

Please note that we may also require additional information from you in order to respond your request appropriately.

We encourage you to contact us to update or correct your information if it changes or if the personal information we hold about you is inaccurate.

Please also note that your rights are not absolute, and there are some grounds where we may decline your request as permitted under the applicable law.

Your Choices

You may either access our Services or contact the sales department for access, updates to, or any changes to their personal information that they have provided by logging into the Services. You may also email us at ISPDprod-RS_support@rakuten.com to exercise your choices and rights with respect to your personal information.

In the event your user account and personal information is provided to us by your employer, we will initiate your request/ inquiries with your employer for the purposes of verification. Once verified and instructed by your employer to address or carry out your request/ inquiry, we shall do so within the timeline provided under applicable law.

As a principle, you will have a choice whether to provide information to us. However, where you have a choice and decide not to provide us with certain information, you may not be able to make use or take advantage of all the features provided by the Services. You may also be unable to receive certain information that may otherwise benefit you, such as notifications of campaigns or promotions.

You can change your preferences for receiving promotional email and your preferred contact methods at any time by following the relevant instructions on our websites.

Updating Your Information

We want to do all we can to keep your personal information accurately recorded in our system. To this end, we endeavour to provide you with easy access to your information. Please remember to update information about you that has become inaccurate or outdated. You may reach out to us as per the information provided under the section titled 'Contact us'.

Security and International Transfers

We are committed to handling your personal information in accordance with high security standards and in compliance with applicable law. We do so in order to prevent unauthorized access or unauthorized disclosure of your information, to maintain the accuracy of such information and, when necessary, to ensure its proper destruction. When collecting or transferring your personal information, we employ data encryption technology, and restrict access only to those persons who require it to fulfil their job responsibilities. We conduct periodic reviews of our practices to ensure that our safeguards are properly implemented and remain state of the art.

No Collection of Information from Children

Our Services are not designed for or directed towards children or minors. We do not intentionally collect or process any personal information from any person below 18 years old (or any such age as applicable to establish adulthood in your jurisdiction). If you discover that anyone younger than 18 years (or the permitted age in your jurisdiction) has provided us with any personal information, please contact us promptly on ISPDprod-RS_support@rakuten.com. We will aim to permanently delete all such personal information without undue delay.

Changes to this Notice

From time to time, in order to comply with changes in applicable laws or for legitimate business purposes, we may make changes to this Notice. Any changes we make will be displayed on this page. Please check back from time to time to ensure that you have read the most recent version of this Notice.

Contact Us

If you have any questions or concerns regarding the contents of this Notice or other aspects of how your personal information is handled, please contact your product 'point of contact' or write to us at ISPDprod-RS_support@rakuten.com.

Once you contact us, we will respond without undue delay to you. Please note that when contacting us, we may ask you for certain information in order to verify your identity and respond to your request appropriately.

This Notice has been updated. Please see below the dates for all issued versions (including changes where applicable):

- *13th April 2022.*
- *16th August 2022 (added details pertaining to not collecting information from minors, and information collected from customers when their employers procure Services from us).*

Please contact ISPDprod-RS_support@rakuten.com if you would like to view any earlier copies of this Notice.