

## NEURAL MAGIC, INC. PRIVACY POLICY

Neural Magic, Inc. (“Neural Magic” “we” “our” “us”) is committed to protecting the privacy of individuals who visit our website, and individuals who are authorized users of the Services (as defined below). We are providing this privacy policy ("Privacy Policy") to help you understand how we collect and use information, including personally identifiable information that you may provide to us or that we may obtain as a result of your use of this website, [www.neuralmagic.com](http://www.neuralmagic.com) (the "Website") or through of the services we provide (“Services”), as well as your choices regarding use, access and correction of Personal Information.

By using the Website (as clearly described on the Website) and the Services (pursuant to your Agreement with us regarding the Services) you consent to our collection and use of your Personal Information as described herein (and in the agreement you have with us, if you use the Services), and consistent with applicable data protection laws. Personally identifiable information ("Personal Information") is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. For the purposes of this Privacy Policy, “Information” refers to both Personal Information as well as other types of non-personal information we may collect.

For the avoidance of doubt, this Privacy Policy also applies to any access to the Website and/or Services via a mobile application. All use of “Website” and “Services” as used herein should be read to include any such mobile applications.

### INFORMATION COLLECTED

Depending on how you use our Website and Services, we may collect, use, share and secure different kinds of Information. The types of Personal Information we collect, with your consent, are detailed below.

### WHAT INFORMATION DO WE COLLECT FROM THE SERVICE?

If you use our Services, we will not use your Company/Customer Data or Company/Customer Content (each as defined in your applicable license agreement with us (“Agreement”)) except as set forth in the Agreement. In the Agreement, you consent that in order to provide the Services to you, we collect Information about how you use the Services, including your frequency of use, the number of models you run with our software, the amount of data associated with each model, and the actions you perform within the Service. The Personal Information that you provide directly to us through the Services will be apparent from the context in which you provide the data.

We do not control the data or type of data that our customers may choose to use with the Service, except as set forth in our Agreement with that customer. The information used with our Service and provided by a customer belongs to the customer, and is used, disclosed and protected by them according to their privacy policy, not this Privacy Policy. We process Information provided by our customers as directed by each customer, and in accordance with our Agreement with the particular customer. We do not control management of the data by our customers. If you use our

Services, we will not use your Company/Customer Data or Company/Customer Content (each as defined in your Agreement with us) except as set forth in our Agreement with you.

We acknowledge that you have a right to access your Personal Information. We have no direct relationship with individuals whose Personal Information is processed as a result of a customer using our Service. Please note that if the data is provided by a customer for use with our Service, that customer controls the data and is responsible for correcting, deleting, or updating the Information they use with the Service. Please note that we are not responsible for how our customers use the data they store within the Service.

We may transfer Personal Information inputted into our Service only to companies that help us provide the Service. Such transfers are addressed in our Agreement with our customers.

#### WHAT INFORMATION DO WE COLLECT FROM THE WEBSITE?

Information you choose provide to us or input into the Service is collected (for example, any content, data, images or other Information you upload into the Service). Examples of the types of Personal Information we collect, should you choose to provide it, include: name, company name, job title, address, email, phone number, geographic location and IP address. The Personal Information that you provide directly to us through the Website will be apparent from the context in which you provide the data.

When you browse our Website, we receive Information that helps us learn about your browser and operating system. There are ways to control your browser settings to indicate when we have set a cookie in your browser, and you have the ability to control our use of cookies and third-party analytics with respect to your use of Website (please see the section on cookies below). Please note that disabling certain cookies may prevent the Website from functioning properly. Your device may also have controls that determine the information collected. Browser and operating system information, if provided by you, helps us analyze trends in the aggregate and improve and administer our Website. If you consent to our use of cookies and third party analytics, this Information may include your IP address (or proxy server), device ID, your location, your browser type, your internet service provider, the pages you viewed, your searches, your operating system and system configuration information, and date/time stamps associated with your usage.

Due to Internet communication standards, when you visit the Website, we automatically receive the URL of the website from which you came and the website to which you go when you leave our website. Again, please note that you have the ability to control our use of cookies and third-party analytics with respect to your use of Website (please see the section on cookies below).

Any other Information you consent to provide on our Website will also be stored. For example, if you join our email list, your name and email address will be stored, and if you register on our Website, we will use the information you provided on our Website (including name, company name, job title, union/guild information, address, email, and phone number) in order to contact you regarding the Services.

We also may partner with certain third parties to collect, analyze, and use some of the personal and non-personal information described in this section. For example, we may allow third parties to set cookies on the Site or in email communications from us. Again, please note that you have

the ability to control our use of cookies and third-party analytics with respect to your use of Website and Services (please see the section on cookies below).

If you have any questions about other types of Information we collect and use, please feel free to contact us (see the Contact Information section below for information on how to do this).

## WHAT DO WE DO WITH YOUR INFORMATION?

We use Information we collect to help our Services create a better experience for you. Collecting Information about how you use Services helps us provide you with better service, including understanding which features are the most interesting to you, so that we are able to improve them.

We use your Information to create your account, to provide you Services you have ordered, to communicate with you about Services you've purchased, to offer you additional Services, to bill you, and to fulfill the terms of any agreement you have with us. We also use the Information to the extent necessary to enforce our Website and Services terms of service and to prevent imminent harm to persons or property. Certain Information may be used for anti-fraud and anti-theft purposes. We will use your Information to send out important notices, if necessary.

We use the non-personal Information that we collect for such purposes as: counting and recognizing visitors to the Website; analyzing how visitors use the Website and various Website features; improving the Website and enhancing users' experiences with the Website and Services; creating new products and Services or improving our existing Services; enabling additional website analytics and research concerning the Website; and managing our business, and to comply with legal and/or regulatory requirements.

We may link non-personal Information gathered using cookies with Personal Information, but we will treat the combined information as Personal Information. We use Information this linked Information for internal research and data analysis to help with product development, and to help us create and improve our Services. If we use any linked Information for our own advertising and marketing purposes, we do so only after it has been converted to anonymized or aggregated form.

From time to time, Neural Magic may also share anonymized and aggregated information about the Website and Services, such as by publishing a report on trends in the usage of the Website and/or Services. With respect to the Services, more information on this is contained in our agreement with our customers.

## HOW LONG DO WE KEEP YOUR INFORMATION?

How long we keep Information depends on the type of Information.

- If you are a customer, Information you input into the Service is stored as set forth in your Agreement with us.
- If you are a customer, Information we collect regarding your use of the Service is collected and stored as described in your Agreement with us, but at least as long as you continue to use the Service.

- We retain Personal Information where we have an ongoing legitimate business need to do so (for example, to provide you the Service, to respond to questions you may have, to enforce our agreements, and to resolve disputes). We will stop using the Personal Information when we no longer have a legitimate business need to do so. If you request that we remove your Personal Information at an earlier date in accordance with this Privacy Policy we will do so provided we do not have a separate legal obligation to keep it (for example, a lawsuit involving the data).
- If you have consented to receiving marketing communications (emails, etc.) from us, we will retain your Personal Information for a reasonable period of time from the date you last provided consent, unless you request that we remove it.
- If we receive Information derived from cookies or other tracking technologies, we will retain that Information for a reasonable period of time from the date it was collected.

At the conclusion of our use of the data, we will either delete or anonymize your Information or, if that is not possible, then we will securely store your information and isolate it from any further use until deletion is possible.

## SECURITY

Your Personal Information is contained behind secured networks and is only accessible by a limited number of persons who have special access rights to such systems, and are required to keep the information confidential.

To protect your Personal Information, we take reasonable precautions and follow industry best practices to make sure it is not inappropriately lost, misused, accessed, disclosed, altered or destroyed.

Unfortunately, even with these measures, we cannot guarantee the security of Personal Information. By using our Website and Services, you acknowledge and agree that we make no such guarantee.

## CONSENT AND DATA CORRECTION

How do you get my consent?

You provide your consent to our using Information in accordance with this Privacy Policy. If you are using the Website, you provide consent when you enter your information into various fields. If you are using the Service, you consent when you execute an agreement with us, and by continuing to use the Service.

How do I modify Information or withdraw my consent if I am a customer of the Service?

You may modify, review, correct, or delete what Information is collected and who it is shared with by modifying your settings within the Services, other than your email address. You may also stop using the Services (in accordance with the terms of your Agreement with Neural Magic). If you would like Neural Magic to delete your account, please contact Neural Magic using the contact information below.

How do I modify Information or withdraw my consent for Personal Information collected via the Website?

You may ask to be removed by emailing us here: [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com).

What if I have questions about consent or your use of my Information?

If you have questions at any time regarding the continued collection, use, storage or disclosure of your Information, you may contact us at [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com) or mailing us at:

Neural Magic, Inc.  
240 Elm Street, 2nd Floor  
Somerville, MA 02144  
ATTN: Privacy Compliance

Prior Consent

Where the processing of your Personal Information is based on your previously given consent, you have the right to withdraw your consent at any time. You may also have the right to object to the processing of your Personal Data on grounds relating to your particular situation.

## DISCLOSURE

We may be legally required to disclose your Information if: (i) we believe it is reasonably necessary to comply with legal process (such as a court order, subpoena, search warrant, etc.) or other legal requirements of any governmental authority, (ii) it would potentially mitigate our liability in an actual or potential lawsuit, (iii) it is otherwise necessary to protect our rights or property, (iv) it's necessary to protect the legal rights or property of others (v) to protect the safety of our customers, users, employees or others.

## THIRD PARTY SERVICE PROVIDERS

We may share Information with our contracted service providers so that these service providers can provide services on our behalf. These service providers are authorized to use Information only as necessary to provide the requested services to us. We do not sell any Information to third parties.

Services may integrate certain third-party plug-ins (including but not limited to license management, usage analytics). We partner with certain third parties to collect the non-personal Information and to engage in analysis, auditing, research, and reporting. These third parties may use web logs or web beacons, and they may set and access cookies on your computer or other device. Even if you do not click on these plug-ins, they may collect information about you, such as your IP address and the pages that you view. They also may set and/or access a cookie. If you prefer to prevent third parties from setting and accessing cookies on your computer, you may set your browser to block cookies. These plugins are governed by the privacy policy of the company providing them (and not this policy), so we advise you to read their privacy statements.

You may request information about service providers at any time. If you would like Neural Magic to stop providing your Personal Information to any service provider, please contact us at [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com).

## LINKS

Our Website and Services may contain links to third party websites. When you click on these links, they may direct you away from our site. We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements. This Privacy Policy only governs information collected on the Website and from the Services, or that may be provided to us by a third party pursuant to this privacy policy.

## SOCIAL MEDIA

The Website links to third-party websites that incorporate comment and social media features. If you choose to use these features, you may disclose your Information not just to those third-party websites and services, but also to their users and the public more generally. Because these third-party websites and services are not operated by Neural Magic, Neural Magic is not responsible for the content or practices of those websites or services. The collection, use, and disclosure of your personal and non-personal information will be subject to the privacy policies of the third party websites or services, and not this Privacy Policy.

## MOBILE APPLICATIONS

With your consent, mobile applications may provide us with information related to your use of the mobile application services, information regarding your computer systems, and information regarding your interaction with mobile applications, which we may use to provide and improve the mobile application Services.

## COOKIES

With your consent, we use cookies to collect website navigational information so that our Website can remember you and provide you with the information you're most likely to need. Website navigational information includes standard information from your web browser (such as browser type and browser language), your IP address, and the actions you take on our Website (such as pages viewed and links clicked). Please note that some cookies last only for your current browser session, while others persist for longer periods of time. For instance, when you return to our Website, cookies identify you and prompt the site to provide your username (not your password), so you can sign in more quickly. We also use information gained through cookies to compile statistical information about use of our Website, such as the time users spend at the site and the pages they visit most often. Those statistics do not include Personal Information. You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You do this through your browser (like Safari or Chrome) settings. Each browser is a little different, so look at your browser's Help menu to learn the correct way to modify your cookies. If you disable cookies off, some features will be disabled that make your site experience more efficient and some of our Services will not function properly. If you would like more information about what cookies we use and how they are used, please contact us at: [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com).

## AGE OF CONSENT

This Website and the Services are not directed at children. If a person under 13 submits information through any part of this Website and the Services, and we learn the person submitting the information is under 13, we will attempt to delete this information as soon as possible. If you are aware of a user under the age of 13, please contact us at: [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com).

## SPECIAL NOTICE TO INTERNATIONAL VISITORS AND CUSTOMERS

Although many of our sites can be viewed internationally, many of our computer systems are currently based in the United States. Therefore, please note that all personal information may be processed by us in the U.S. For more details regarding how we collect, use, and disclose personal information from European Economic Area (EEA) visitors and the additional rights are available to EEA visitors in respect of this personal information, see below:

Neural Magic, Inc.  
240 Elm Street, 2nd Floor  
Somerville, MA 02144  
ATTN: Privacy Compliance  
[privacy@neuralmagic.com](mailto:privacy@neuralmagic.com)

### Information about how and when we process your Personal Information

- We process your Personal Information as required by applicable law. Applicable law may require us to process your information: for tax purposes, to prevent/detect fraud, and in disclosures to law enforcement and other regulatory or government agencies as required by law.
- We also process your Personal Information when it is in our legitimate interest to do so, and the legitimate interest is not overridden by your data protection rights. Here are some examples of our legitimate business interests:
  - Understanding how our customers use our Services and the Website;
  - Improving our Services
  - Understanding and responding to feedback;
  - Researching and analyzing the Services our customers want; and
  - Securing our business and services.

If you have any questions regarding the legitimate interests you can contact us at [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com).

When we ask you to supply us with Personal Information you will see whether the information we are asking for: (i) must be supplied so that we can provide Services under your Agreement with us (if you are a customer), (ii) must be supplied because it is required by law; or (iii) is optional, and if optional, what happens if you do not provide the information (for example, if you do not provide your email address, you will not be added to our email list).

Where applicable law requires us to ensure that an international data transfer is governed by a data transfer mechanism, we use the following mechanisms: EU Standard Contractual Clauses with a data recipient outside the EEA (as permitted under GDPR), or we will ask for your consent.

## CHANGES TO THIS PRIVACY POLICY

We reserve the right to modify this privacy policy at any time, so please review it frequently. If we make material changes to this policy, we will notify you here that it has been updated, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we use and/or disclose it. If we make changes to this privacy policy that materially change the way we use your previously-collected personal information, we will communicate with you either via e-mail or a prominent posting on the Website and in our Services.

## YOUR RIGHTS AND CONTACT INFORMATION

You have the right to:

- Ask us for a copy of your Personal Information (see section titled use of the service by our customers)
- Correct Personal Information, erase Personal Information or to transfer it to other organizations (when technically feasible) at your request (see section titled use of the service by our customers).
- Object to some processing and, where we have asked for your consent to process your personal information, to withdraw this consent.
- Object to some processing where we have a legitimate interest in processing (as explained in the Special Notice to EU Customers and Visitors section)
- To restrict processing in certain circumstances (for example, where we can demonstrate that we have a legal requirement to process your Personal Information, it is possible that we may continue to do so).

We may ask you to verify your identity and to provide other details to help us to respond to your request.

If you would like to: access, correct, amend or delete any Personal Information we have about you, register a complaint, or simply want more information contact our Privacy Compliance Officer at [privacy@neuralmagic.com](mailto:privacy@neuralmagic.com) or by mail at:

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