

## **SDL Inc. : Safe Harbor Privacy Policy**

SDL Inc and its U.S. subsidiaries and affiliates (collectively, “SDL”) respect your concerns about privacy. SDL has certified that it abides by the Safe Harbor privacy principles as set forth by the U.S. Department of Commerce regarding the collection, storage, use, transfer and other processing of Personal Data and Customers’ Personal Data transferred from the European Economic Area (“EEA”) or Switzerland to the United States in connection with the activities described below. This Policy outlines SDL’s general policy and practices for implementing the Safe Harbor privacy principles for Personal Data and Customers’ Personal Data, as applicable.

**ADVISORY:** On October 6, 2015, the European Court of Justice issued a judgment declaring as “invalid” the European Commission’s Decision 2000/520/EC of 26 July 2000 “on the adequacy of the protection provided by the safe harbor privacy principles and related frequently asked questions issued by the US Department of Commerce.” In response to this decision, the Department of Commerce announced that it will continue to administer the Safe Harbor program, including processing submissions for self-certification to the Safe Harbor Framework. We intend to maintain a Safe Harbor Certification; please be advised, however, that due to the ECJ’s decision, we may be required to undertake additional steps, such as entering into European Commission (EC) Model Contract Clauses. For business customers impacted by this recent decision who are seeking an alternate compliance basis for EU-U.S. personal data transfers, please contact us by submitting an email to [privacy@sdl.com](mailto:privacy@sdl.com). We are monitoring the developments with regard to the replacement to Safe Harbor, the EU-US Privacy Shield and will take appropriate action when the new arrangements are published.

For purposes of this policy:

“Consumer” means any natural person who is located in the EEA or Switzerland, but excludes any individual acting in his or her capacity as an Employee or who is a Representative.

“Customer” means any entity that registers for or purchases products or services from SDL or SDL-affiliated entities.

“Customers’ Personal Data” means any information that (i) is recorded in any form, (ii) relates to an identified or identifiable individual who is located in the EEA or Switzerland, and (iii) SDL obtains in the U.S. on behalf of its Customers.

“Employee” means any current, former or prospective employee of SDL or any SDL-affiliated entities, and who is located in the EEA or Switzerland. For purposes of this Policy, “Employee” includes any temporary employee, intern, other non-permanent employee, contractor or consultant of SDL or any SDL-affiliated entity, who is located in the EEA or Switzerland.

“Personal Data” means any information, including Sensitive Personal Data, that (i) is transferred to SDL in the U.S. from the EEA or Switzerland, (ii) is recorded in any form, (iii) relates to an identified or identifiable Consumer, Employee or Representative, and (iv) can be linked to that Consumer, Employee or Representative, as appropriate.

“Representative” means any current, former or prospective representative of any Customer or Vendor, and who is located in the EEA or Switzerland.

“Sensitive Personal Data” means Personal Data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership,

sex life, the commission or alleged commission of any offense, any proceedings for any offense committed or alleged to have been committed by an individual or the disposal of such proceedings, or the sentence of any court in such proceedings.

“Vendor” means any supplier, vendor or other third party located in the EEA or Switzerland that provides services or products to SDL.

SDL’s Safe Harbor certification can be found at <https://safeharbor.export.gov/list.aspx>. For more information about the Safe Harbor principles, please visit <http://www.export.gov/safeharbor>.

For more information about SDL’s processing of Personal Data collected on the following SDL websites: [www.sdl.com](http://www.sdl.com), [www.freetranslation.com](http://www.freetranslation.com), [www.click2translate.com](http://www.click2translate.com) and [www.languagecloud.sdl.com](http://www.languagecloud.sdl.com) (the “Sites”), please visit the applicable SDL online privacy policies [here](#) and [here](#).

## **How SDL Obtains Personal Data and Customers’ Personal Data**

SDL obtains Personal Data about Consumers and Representatives and Customers’ Personal Data in connection with SDL’s various products and services, as more fully described below. SDL obtains Personal Data about Employees in connection with SDL’s human resources functions and activities, as more fully described below.

SDL obtains certain Personal Data, such as contact information, directly from Consumers. This collection occurs, for example, when a Consumer visits one of the Sites and provides Personal Data through such Site. In addition, SDL obtains Personal Data associated with Representatives, such as contact information, in connection with providing its products and services to Customers, and administering and managing its relationships with Customers and Vendors.

SDL obtains Customers’ Personal Data in connection with providing (i) hosted software-as-a-service (SAAS) products to its Customers (including, without limitation, its web content management, analytics, social intelligence, campaign management and translation products), (ii) on-premise software products (including, without limitation, translation products) to its Customers, (iii) professional translation services, and (iv) Customer support services related to the SAAS and on-premise software products, and professional translation services. In connection with the activities described in (i) through (iv), SDL acts as a service provider to its Customers and pursuant to their instructions.

SDL obtains Personal Data about its Employees when carrying out and supporting administrative and human resources functions and activities, including: (i) recruiting and hiring job applicants, (ii) managing Employee performance, (iii) determining Employee compensation, (iv) for other general human resources purposes, and (v) for information technology-related purposes (such as data storage, application hosting and maintenance; email; telephony and network connectivity; data back-up and restoration; disaster recovery and business continuity planning; and other technical, organizational and administrative functions). In addition, SDL obtains Personal Data about Employees’ emergency contacts, dependents and beneficiaries to the extent our Employees provide the information to us. We process this information to comply with our legal obligations and for internal administrative purposes.

SDL’s practices regarding the collection, storage, use, transfer, and other processing of

Personal Data and Customers' Personal Data comply, as appropriate, with the Safe Harbor principles of notice, choice, onward transfer, access, security, data integrity, and enforcement and oversight.

## **Notice**

Through this Safe Harbor Privacy Policy, SDL notifies Consumers, Employees and Representatives about the purposes for which SDL collects and uses their Personal Data, the types of third parties to whom SDL discloses the Personal Data, the choices Consumers, Employees and Representatives have for limiting the use and disclosure of their Personal Data, and how to contact SDL about the company's practices concerning Personal Data. Information regarding SDL's Employee Personal Data practices also is contained in the SDL Group HRGlobal Privacy Policy, which is available on SDL's intranet or from the local human resources representative.

With respect to Customers' Personal Data, SDL acts as a service provider for its Customers and consequently the relevant Customers are responsible for providing appropriate notice to the individuals whose information may be transferred to the U.S. and obtaining any requisite consent.

Relevant information also may be found in privacy notices pertaining to specific data processing activities.

## **Choice**

SDL offers Consumers, Employees and Representatives the opportunity to choose whether SDL may (i) disclose their Personal Data to certain third parties or (ii) use their Personal Data for purposes incompatible with the purposes for which the information was originally collected or subsequently authorized by the Consumer, Employee or Representative. Consumers, Employees and Representatives may contact SDL as indicated below regarding SDL's use or disclosure of their Personal Data.

With respect to Customers' Personal Data, SDL acts as a service provider for its Customers and consequently the relevant Customers are responsible for providing individuals with certain choices with respect to the Customers' use or disclosure of the individuals' information.

SDL may disclose Personal Data and Customers' Personal Data without offering an opportunity to opt out (i) to service providers SDL has retained to perform services on its behalf, (ii) if it is required to do so by law or legal process, (iii) to law enforcement or other government authorities, or (iv) when SDL believes disclosure is necessary to prevent physical harm or financial loss, or in connection with an investigation of suspected or actual illegal activity. SDL also reserves the right to transfer Personal Data and Customers' Personal Data in the event it sells or transfers all or a portion of its business or assets (including in the event of a reorganization, dissolution or liquidation). SDL uses Personal Data and Customers' Personal Data only for the purposes indicated in this Policy unless it has a legal basis, such as consent, to use it for other purposes. To the extent required by law, SDL obtains prior opt-in consent at the time of collection for the processing of (i) Personal Data for marketing purposes and (ii) Sensitive Personal Data.

## **Onward Transfer of Personal Data**

SDL may share Personal Data and Customers' Personal Data with third parties as indicated in the "Choice" section above. Except as permitted or required by applicable law, SDL requires third parties to whom it discloses Personal Data or Customers' Personal Data and who are not subject to the European Union Data Protection Directive 95/46 or an adequacy finding to either (i) subscribe to the relevant Safe Harbor principles or (ii) contractually agree to provide at least the same level of protection for Personal Data or Customers' Personal Data as is required by the relevant Safe Harbor principles.

## **Access**

Where appropriate or required by applicable law, SDL provides Consumers, Employees and Representatives with reasonable access to the Personal Data SDL maintains about them. SDL also provides a reasonable opportunity for Consumers, Employees and Representatives to correct, amend or delete that information where it is inaccurate, as appropriate. SDL may limit or deny access to Personal Data where providing such access is unreasonably burdensome or expensive under the circumstances, or as otherwise permitted by the Safe Harbor principles. The right to access Personal Data also may be limited in some circumstances by local law requirements. Consumers, Employees and Representatives may request access to their Personal Data by contacting SDL as indicated below.

With respect to Customers' Personal Data, SDL acts as a service provider for its Customers and consequently the relevant Customers are responsible for providing individuals with access to their information and the right to correct, amend or delete the information where it is inaccurate. In these circumstances, individuals should direct their questions to the appropriate Customer. When an individual is unable to contact the appropriate Customer, or does not obtain a response from such Customer, SDL will provide reasonable assistance in forwarding the individual's request to the relevant Customer.

## **Security**

SDL takes reasonable precautions to protect Personal Data and Customers' Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction.

## **Data Integrity**

SDL takes reasonable steps to ensure that the Personal Data (and, as appropriate, Customers' Personal Data) it processes are (i) relevant for the purposes for which they are to be used, (ii) reliable for their intended use, and (iii) accurate, complete and current. In this regard, SDL depends on Consumers, Employees and Representatives and, with respect to Customers' Personal Data, on Customers, to update and correct Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized by the relevant individual. Consumers, Employees and Representatives, and Customers, as appropriate, may contact SDL as indicated below to request that SDL update or correct relevant information.

## **Enforcement and Oversight**

SDL has established procedures for periodically verifying implementation of and compliance with the Safe Harbor principles. SDL conducts an annual self-assessment of its practices to

verify that the attestations and assertions SDL makes about its privacy practices are true and that its privacy practices have been implemented as represented.

Consumers, Employees and Representatives may file a complaint concerning SDL's processing of their Personal Data at [privacy@sdl.com](mailto:privacy@sdl.com). SDL will take steps to remedy any issues arising out of a failure to comply with the Safe Harbor principles.

With respect to Customers' Personal Data, SDL acts as a service provider for its Customers and consequently individuals should submit complaints concerning the processing of their information to the relevant Customer, in accordance with the Customer's dispute resolution process. SDL will participate in this process at the request of the Customer or the individual.

If a Consumer or Representative complaint cannot be resolved through SDL's internal processes, or a complaint related to Customers' Personal Data cannot be resolved through the relevant Customer's dispute resolution process, SDL will cooperate with JAMS in accordance with the JAMS Safe Harbor Program, which is described on the JAMS website at <http://www.jamsadr.com/safeharbor/>. JAMS and the relevant individual also may refer the matter to the U.S. Federal Trade Commission, which has Safe Harbor enforcement jurisdiction over SDL.

If an Employee complaint cannot be resolved through SDL's internal processes, SDL will cooperate with the relevant EEA or Swiss data protection authority, as appropriate.

### **How to Contact SDL**

To contact SDL with questions or concerns about this Safe Harbor Privacy Policy or SDL's practices concerning Personal Data or Customers' Personal Data:

Write to:

SDL Inc  
The Legal Department  
101 Edgewater Drive, Suite 210  
Wakefield, MA 01880

Email: [privacy@sdl.com](mailto:privacy@sdl.com)