



Rubrik Privacy Statement - Polaris

Last Updated: July 23, 2018

In this Privacy Statement, Rubrik, Inc. (“**Rubrik**” or “**we**”) provides information about how it receives, collects, uses and transfers information about any user (“**you**”) of Rubrik’s Polaris Service (the “**Service**”). If you are located in the European Economic Area, please also see the Supplemental European Privacy Statement below. In this Privacy Statement, we use the term “personal data” to mean any information relating to an identified or identifiable information.

Information You Actively Submit. If you create an account or otherwise submit data using the Service, Rubrik collects information about you and the company or other entity you represent (*e.g.*, your name, organization, address, email address and phone number). In such instances, you will know what personal data is collected by Rubrik because you will have actively submitted it.

Information Passively Submitted. Rubrik automatically collects information during your use and navigation of the Service, including the browser type and software you use, your Internet Protocol (IP) address, the size of your display screen, visits of the dashboard, search queries, date/time of access, data transferred, features accessed, amount of time you spend on the Service and how you interact with the Service, including the elements you have interacted with. We collect this information through our use of cookies; for more information, please see our [Privacy Policy](#).

Use of Information. Rubrik uses information that you actively and passively submit via the Service to:

- Create an account for you or the organization for which you work;
- Provide and secure the Service;
- Respond appropriately to your inquiries;
- Discharge Rubrik’s contractual obligations to you;
- Personalize features and your experience of the Service;
- Improve the content, design, navigation and user experience of the Service and other Rubrik services; and
- Protect, investigate and deter against any fraudulent, unauthorized or illegal activity.

To the extent permitted by applicable law, Rubrik may combine the various types of personal data collected through the Service and use such data to achieve the purposes set forth above, as well as to protect your legal interests and those of Rubrik and its affiliates and service providers.

Sharing and Transfers of Information. Rubrik will not disclose your personal data to third parties, except in the following circumstances:

- With your consent;
- To Rubrik’s subsidiaries, affiliates and service providers, who act on Rubrik’s behalf and instructions to fulfill product orders, deliver services, provide IT support, and fulfill the other purposes set forth above;
- As required by applicable law, including, without limitation, in response to any government or regulatory agency request, to cooperate with law enforcement investigations, or upon receipt of any court order;



- To a prospective or actual purchaser or seller in the context of a merger, acquisition or other reorganization or sale of Rubrik’s business or assets; and
- To courts and public authorities to protect you, Rubrik or third parties from harm, including fraud or instances where somebody’s physical safety is at risk.

Service providers acting on Rubrik’s behalf shall be obliged to adhere to confidentiality requirements no less protective than those set forth herein and will only receive access to your personal data as necessary to perform their functions.

Server location. When you use the Service, you are transferring information to the United States and to other countries where Rubrik operates the Service.

Retention and Access. Rubrik keeps data at least as long as required by applicable law, and may keep data as long as permitted by applicable law. You may access, correct, and/or update your information by accessing your accounts or profiles on the Service. Alternately, you may at any time request access to a summary of information that Rubrik holds about you by contacting privacy@rubrik.com; you may also request corrections, updates, or deletion of your information. Rubrik will make reasonable efforts to respond promptly to such requests in accordance with applicable laws.

Information Security. Rubrik takes commercially reasonable technical, physical, and organizational steps to safeguard any information you provide through the Service, and to protect it from unauthorized access, loss, misuse, or alteration. Although Rubrik takes reasonable security precautions, no computer system or transmission of information can ever be completely secure or error-free, and you should not expect that your information will remain private under all circumstances. In addition, it is your responsibility to safeguard any passwords, ID numbers, or similar individual information associated with your use of the Service.

Information Processed Under the Direction of Customers. If an organization has registered for the Service (a “Customer”) and your personal data has been collected by Rubrik as a result of such organization’s use of the Service, Rubrik collects and processes any such personal data of yours under the directions of the relevant Customer. If these circumstances apply to you and you wish to access, edit, delete or exercise any rights you may have under applicable data protection laws with respect to any personal data that we have collected about you, please direct your query to the relevant Customer as this may expedite the completion of your request. We provide reasonable assistance to Customers to give effect to data subject rights as appropriate and required by applicable laws.

Changes to this Privacy Statement. Rubrik reserves the right to change this Privacy Statement from time to time. Rubrik will alert you when changes have been made by indicating the date this Privacy Statement was last updated as the date the Privacy Statement became effective. It is recommended that you periodically revisit this Privacy Statement to learn of any changes.

Questions and Comments. If you have questions or comments about this Privacy Statement or about how any information you submit through the Service is used, please contact privacy@rubrik.com.

SUPPLEMENTAL EUROPEAN PRIVACY STATEMENT

As of May 25, 2018, European Union Regulation 2016/679 of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“EU GDPR”), requires Rubrik, Inc. (“Rubrik” or “we”) as the data controller of the Service to provide additional and different information about its data processing practices to data subjects in the European Economic Area (“EEA”). If you are accessing the Service from a member state of the EEA, this Supplemental European Privacy Statement applies to you in addition to the Privacy Statement above.



Cookies. With respect to web cookies and similar technologies, Rubrik seeks consent from users of the Service in the EEA based on a separate [Privacy Policy](#).

Legal Basis of Processing. The legal basis for Rubrik's processing of your personal data in connection with the Service is Article 6(1)(b) of the EU GDPR, which allows processing of personal data as necessary for the performance of a contract. When you access, use or register for the Service, you form a contract with Rubrik based on the applicable End User License Agreement or terms of sale, and Rubrik needs to process your personal data to respond to your requests, provide the Service and satisfy its obligations with respect to the other purposes listed in the Privacy Statement.

As exceptions, Rubrik relies on your consent with respect to cookies that are not strict necessary and direct marketing emails per Article 6(1)(a) of the EU GDPR; and pursues legitimate interests under Article 6(1)(f) of the EU GDPR with respect to situations where Rubrik needs to process your personal data to comply with applicable laws (as a U.S.-based company, Rubrik, Inc. is subject to U.S. laws and must comply with them) or improve the Service and other Rubrik services.

Personal Data Transfers outside of the EEA. Rubrik may transmit some of your personal data to a country where the data protection laws may not provide a level of protection equivalent to the laws in your jurisdiction, including the U.S. As required by applicable law, Rubrik will provide an adequate level of protection for your personal data using various means, including, where appropriate:

- relying on a formal decision by the European Commission that a certain country ensures an adequate level of protection for personal data (a full list of such decisions may be accessed online here: http://ec.europa.eu/justice/data-protection/international-transfers/adequacy/index_en.htm);
- entering into appropriate data transfer agreements based on language approved by the European Commission, such as the Standard Contractual Clauses (2010/87/EC and/or 2004/915/EC), which are available upon request at privacy@rubrik.com;
- implementing appropriate physical, technical and organizational security measures to protect personal data against accidental or unlawful destruction, accidental loss or alteration, unauthorized disclosure or access, and against all other unlawful forms of processing; and
- taking other measures to provide an adequate level of data protection in accordance with applicable law.

Any onward transfer is subject to appropriate onward transfer requirements as required by applicable law.

Data Retention. Rubrik keeps personal data as long as required to provide the Polaris Service and comply with applicable laws.

Data Subject Rights. You have a right to request from Rubrik access to and rectification or erasure of personal data or restriction of processing concerning the data subject or to object to processing as well as the right to data portability under the EU GDPR; you can exercise such rights by accessing the information in your account and/or by emailing privacy@rubrik.com.

If you have provided consent for cookies that are not strictly necessary or other data processing, you have the right to withdraw your consent at any time, without affecting the lawfulness of processing based on consent before its withdrawal. You have the right to lodge a complaint with a supervisory authority.

Your Choices. You are not required to provide any personal data to Rubrik, but if you do not provide any personal data to Rubrik, you may not be able to use the Service effectively. You can use the Service without consenting to cookies that are not strictly necessary; the only consequence is that the Service will be less tailored to you.



Profiling. Rubrik does not use in connection with the Service automated decision-making, including profiling, as these terms are used in Article 22(1) of the EU GDPR; that is, in a way that produces legal effects concerning you or which significantly affects you.