

## Nomadix GDPR compliance statement

*May 2018*

Europe's new General Data Protection Regulation (GDPR) replaces the 1995 EU Data Protection Directive. It unifies the data protection rules across Europe, strengthens the rights of EU citizens by emphasizing transparency, fairness, and accountability required to participate in the global digital economy.

Nomadix is in compliance with the GDPR across all of our products that we provide globally. That includes our gateway products, deep packet inspection engine Alloc8, services associated with existing products, as well as any products and services that we launch in the future.

This GDPR compliance statement is an addendum to Nomadix Privacy Policy, that can be found on our website (<https://nomadix.com/download/legal/NomadixGDPRComplianceStatement.pdf>)

We, at Nomadix, realize that as a business and as a network operator, you may be marketing to and/or providing services to EU residents. Nomadix products are continuously updated to respect personal data, no matter where it comes from or where it flows. We comply with mandatory privacy laws worldwide, and with GDPR compliance - our networking products are more secure and meet the standards of applicable data protection rules that preserve the rights of EU citizens.

In order to do business, you may have provided your personal details to Nomadix such as address, phone number, email address or business cards. The information you provide is stored on secure systems owned or operated by Nomadix and its service vendors. The information you provide is used to communicate with you regarding new firmware releases, product updates, surveys and other critical information such as this compliance statement.

### Nomadix data protection program

Nomadix data protection programs covers following topics:

**Personal Data:** Any information relating to an identified or identifiable natural person (i.e., the data subject).

**Processing:** Any operation or set of operations which is performed on personal data, whether or not by automated means, such as collection, recording, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure, or destruction.

**Data Controller:** The entity responsible for making decisions regarding the processing of personal data and has the direct relationship with the individual data subjects (e.g., when handling employee data, Nomadix acts as the Data Controller).

**Data Processor:** The natural or legal person processing personal data on behalf of the data controller. The GDPR has significantly changed the level of responsibility and accountability of the data processor. Under GDPR, data processors have direct liability and are directly subject to regulatory enforcement and civil actions. The GDPR also imposes statutory obligations with regard to documenting processing, reporting data breaches to the data controller, deleting personal data, etc. Notably, when providing products and services to our customers, Nomadix acts primarily as a data processor with respect to customer content.

### Privacy by default

Nomadix does not analyze, share, sell, or monetize its customer and subscriber data for marketing purposes, and has not done so in the past. We are committed to maintaining the privacy of our customers and subscribers.

**Network Subscriber data:** Nomadix removes all of the subscriber's personal information such as MAC address of a laptop, phone or other Wi-Fi connected devices from its appliances as soon as the subscriber access expires from the network. All of the subscriber information is removed from Nomadix products as soon as network access is no longer required by a subscriber. Subscriber accounts that are manually added by the gateway administrator and the subscriber accounts without an expiration date are perpetually stored on the Nomadix gateway till the time those accounts are manually removed by the network administrator. Any information that can aid in subscriber identification is not transmitted to any other server owned or operated by Nomadix, unless explicitly authorized and initiated by a Nomadix customer for firmware upgrades or for support purposes.

**Distributor/Reseller/End Customer data:** To conduct sales and support operations, Nomadix maintains a database of its distributors, resellers, service vendors, and end customers in order to conduct business. We take adequate measures to ensure that only the absolutely required customer data is collected. The collected data is available to limited Nomadix staff, and we have legal contracts in place with our service vendors such as CRM providers, infrastructure providers, and contracted helpdesk agencies to safeguard our customer's contact and financial information. One example of such provider is our email notification provider that receives the email addresses and sends out newsletters regarding new firmware releases, product updates, surveys and other critical information such as this compliance statement.

Business cards are considered as an implicit opt-in for direct communications only. Information printed on business card that has been handed over to a Nomadix employee may be digitally stored on employee's devices for purposes such as direct phone call, direct email or regular mail. Information printed on business card may also be digitally stored on database servers for maintaining customer relations but is not added to our email notification lists.

**Corporate Website visitor data:** Nomadix does not track its general visitors using cookies or any other mechanism. Any personal information explicitly entered by existing or potential distributors, resellers, or end customers is transferred to our CRM and email system for sales and support activities.

### Security by design

Nomadix periodically reviews its inventory of personal data. With use of techniques such as mapping to identify what are we doing with it, where it is, where it flows, and who has access to it, all personal data is classified based on risk and sensitivity. Organizational and product-related workflows are then reviewed to minimize or eliminate the collection and use of personal data.

**Product Engineering:** Nomadix Product Engineering utilizes secure product design and development methodologies to embed data protection, privacy, and security requirements into every firmware release cycle from ideation to launch.

**Customer Support:** On occasion, Nomadix Customer Support team may receive support request containing personal or pseudonymous subscriber data in order to resolve a customer issue. Nomadix has designed its customer support workflows to ensure that any subscriber data is kept confidential during the resolution process. Data from resolved issues is purged within 30 days upon request.

**International transfer of data:** As a global organization, Nomadix (in the United states) may transfer the personal information provided to it in the form of customer-initiated contact to any of its subsidiaries or contractors worldwide, or to business partners that are located in various countries around the world. By using our website and products or providing any personal information to us, where applicable law permits, you consent to the transfer, processing, and storage of such information outside of your country of residence where data protection standards may be different.

Nomadix has a publicly available "EU - Data Processing Addendum" for customer support requests that includes Standard Contractual Clauses to allow the transfer of personal data from the EU to the rest of the world.

**Incident Response:** Nomadix implements an enterprise-wide data incident response process that is integrated with its business continuity process such as offsite backups to quickly restore operations. Our corporate legal teams ensure that appropriate agencies are notified in a timely manner if an unfortunate event of data breach occurs.

### Information on use of personal information as a "data controller"

We may collect and use your personal information for the purposes of operating our business, delivering, improving, and customizing our products, sending marketing and other communications related to our business, and for other legitimate purposes permitted by applicable law or otherwise with your consent. Some of the ways we may use personal information include:

- Processing your order, including payment transactions.
- Sending emails, such as notifications for software licenses, new firmware releases, and product updates.
- Sending marketing communications and newsletters, such as new product releases and surveys.
- Creating an account for access to partner portal.
- Providing customer service.
- Managing a job application.

"*Personal information*" is any information that can be used to identify an individual, and may include name, address, email address, phone number, login information (account number, password), marketing preferences, social media account information, or payment card number. If we link other data with your personal information, we will treat that linked data as personal information. We may store personal information on trusted third-party systems that act in the capacity of "data processor" for us and are bound by legal contracts to maintain the privacy of data.

### Sharing your personal data

If you choose to provide Nomadix with a third party's personal information, you represent that you have the third party's permission to do so. Examples include forwarding reference or marketing material to a friend or sending job referrals. Third parties may request us to not send any future communication, as outlined in section "Contacting Nomadix for Data Privacy".

We may share personal information in the following ways:

- Within Nomadix and any of our worldwide subsidiaries and contractors for purposes of data processing or storage.

- With Nomadix distributors, resellers, business partners or service vendors, so that they may share information with you about a requested Solution, service or transaction. Examples include but are not limited to: processing of orders and credit card transactions, product training, assisting with sales-related efforts or post-sales support, and providing customer support.
- In connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or to another company.
- In response to a request for information by a competent authority if we believe disclosure is in accordance with, or is otherwise required by, any applicable law, regulation or legal process.
- With law enforcement officials, government authorities, or other third parties as necessary to comply with legal process or meet national security requirements; protect the rights, property, or safety of Nomadix, its business partners, you, or others; or as otherwise required by applicable law.
- In aggregated and/or anonymized form which cannot reasonably be used to identify you.
- If we otherwise notify you and you consent to the sharing.

#### Removal or maintaining the accuracy of your personal information

We need your help in keeping your personal information accurate and up to date. If you believe we have inaccurate data, or would like to delete your personal information, you can exercise your rights of access and request corrections, suppression, or deactivations under applicable data protection laws by contacting us as outlined in section "Contacting Nomadix for Data Privacy"

We make good faith efforts to honor reasonable requests to access, delete, update, suppress, or correct your data. We will respond to your request within 30 days. If we are unable to honor your request, we will provide you with an explanation.

#### Information on use of personal information as a "data processor"

Nomadix may receive personal information for following reasons:

- Providing customer service for a subscriber, such as a hotel guest or a network user.

"*Personal information*" is any information that can be used to identify an individual and may include MAC address of a Wi-Fi connected device (laptop, phone etc.) name, email address, phone number, login information (account number, password), social media account information, or payment card number.

If you, as service vendor or a reseller, choose to provide Nomadix with a third party's personal information, you represent that you have the third party's permission to do so. Nomadix will act only as a “data processor” for the service vendor or reseller and would not seek permission from the end customer or the subscriber.

Nomadix has a publicly available "EU - Data Processing Addendum" for customer support requests that includes Standard Contractual Clauses to allow the transfer of personal data from the EU to the rest of the world for the purposes of providing customer support.

During the customer support and issue resolution process, Nomadix may have access to subscriber’s personal or pseudo-personal information such as MAC address, VLAN of the subscribers, name and room number of a hotel guest or residential identifiers for non-hospitality customers, that can lead to identification of a subscriber. The information may also be available to our third-party infrastructure providers that are contractually act as a “data processor” for Nomadix.

Nomadix will make reasonable attempts to destroy the subscriber data included with the support requests as soon as that data has served its purpose. Support data containing subscriber data will be removed from backups within 30 days upon request.

### [Security of Your Personal Information](#)

We intend to protect the personal information entrusted to us and treat it securely in accordance with this Privacy Statement. Nomadix implements physical, administrative, and technical safeguards designed to protect your personal information from unauthorized access, use, or disclosure. We also contractually require that our operational vendors protect such information from unauthorized access, use, and disclosure. The Internet, however, cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any personal information you provide to us.

### [Retention of Personal Information](#)

We will retain your personal information as needed to fulfill the purposes for which it was collected. We will retain and use your personal information as necessary to comply with our business requirements, legal obligations, resolve disputes, protect our assets, and enforce our agreements.

## Information on contacting Nomadix for data privacy

You may contact us using following methods either to amend your personal data, remove it, or for other requests regarding data privacy.

- by following the link in a newsletter sent to you
- by sending an email to [privacy@nomadix.com](mailto:privacy@nomadix.com)
- by regular mail
- by phone during regular business hours

Please be sure to include your name, email address, and specific, relevant information about your request.

We make good faith efforts to honor reasonable requests to access, delete, update, suppress, or correct your data. We will respond to your request within 30 days. If we are unable to honor your request, we will provide you with an explanation. Once the data has been removed from active systems, it will be removed from all backups within 30 calendar days.

By using our website for sales/support, or otherwise providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use. Nomadix customers cannot opt-out of certain required communications such as notifications for software licenses, new firmware releases, and product updates, which they may receive periodically unless they stop using or cancel the subscription in accordance with its terms and conditions. We may attempt to notify you electronically by posting a notice on our websites, by sending an email, or otherwise contacting you.

## Guidance to Nomadix customers for GDPR compliance

We also offer guidance to our customers and managed service providers on how to minimize the sharing of personal information either with their own systems or with Nomadix and offer transparency to network service providers through clear explanations of how we process subscriber data in case we happen to receive it for support operations.

## Updates to this Nomadix Privacy Statement

We may update this Privacy Statement from time to time. If we modify our Privacy Statement, we will post the revised version here, with an updated revision date. You agree to visit these pages periodically to be aware of and review any such revisions. If we make material changes to our Privacy Statement, we may also notify you by other means prior to the changes taking effect, such as by posting a notice on our websites or sending you a notification. By continuing to use our website after such revisions are in effect, you accept and agree to the revisions and to abide by them.

The Nomadix Privacy Statement was revised and posted as of May 8, 2019.

The latest version of this statement can be found at [www.nomadix.com/#gdpr](http://www.nomadix.com/#gdpr).

## Revision History

May 25, 2018 – Original statement posted

May 8, 2019 – Updated website links on page 1 and page 8.