

# EXTREME NETWORKS PRIVACY NOTICE

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**Effective Date: April 15, 2024**

When you use our products and services, you're trusting us with your information. We know this is a big responsibility, and we work hard to make sure we safeguard your data. This Privacy Notice identifies the data we collect and why we collect it. By visiting our Website or using our products or services, you acknowledge you have read and understood the terms of this Privacy Notice. This Privacy Notice is a statement of the privacy practices of the Extreme Networks group, which means Extreme Networks, Inc. and our direct and indirect subsidiaries (collectively "Extreme" or "us"). If you do not agree with this Privacy Notice do not use our products or services.

## 1. INFORMATION WE MAY COLLECT FROM YOU

1.1 We may collect and process the following data about you:

1.1.1 Information you provide by visiting our website, filling in forms on our website, participating in Extreme-sponsored programs, events or promotions, information provided to us by you or by business partners in connection with our end user license agreements and your use of Extreme's products or services, or otherwise information we receive by you choosing to engage with Extreme or our partners, including information that you provide in queries to Extreme Artificial Intelligence or machine learning ("AI") products or tools (for example customer support tools). We may also ask you for information when you enter a competition or promotion sponsored by us, sign-up for email newsletters, when you contact us in connection with products or services and when you report a problem with our website. This may include, but is not limited to, information provided at the time of registering to use Extreme products or services (including educational services), information provided when you use our website, subscribe to our service, sign up for our newsletter, register for a seminar or webinar, use a chat function (including queries made to AI tools), or request further information, services or products. Such information may include, for example, your name, home and/or business address, email address, IP address, telephone number, demographic information such as age, and/or other information that may identify you as an individual, and any other data you provide in queries to AI tools. In some instances, you can choose not to provide us with some of this information, but doing so may affect your ability to use our website and our products or services.

1.1.2 If you contact us, we may keep a record of that correspondence.

1.1.3 We may also ask you to complete surveys that we use for research purposes, although you do not have to respond to them.

1.1.4 Details of your visits to our websites and the resources that you access, including, but not limited to, traffic data, location data, IP addresses, weblogs and other communication data, whether this is required for our own purposes or otherwise. This may include data such as pages or screens you viewed, how long you spent on a page or screen, navigation paths between pages or screens, information about your activity on a page or screen, and access times and duration of access.

1.1.5 Information regarding your interaction with emails we send you, including whether or not you opened the email.

1.1.6 Information we may receive about you if you use any of the other websites we operate or the other products and services we provide. We work closely with third parties including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, large language model providers, and search information providers. The purposes for which we may use that information, and the legal bases for doing so, are set out in section 2 of this Privacy Notice.

1.1.7 Information you share with us in connection with your use of Extreme's products and services.

1.1.8 Information provided to us by distributors/resellers in connection with our end-user license agreements or in connection with the provision of our products and services and for the purposes of marketing.

## **2. HOW WE USE YOUR INFORMATION**

2.1 We use information provided by you or information about you provided to us by business partners in the following ways:

2.1.1 To ensure our products and services are properly provided, to promote our products and services, and to provide you with information about our products and services.

2.1.2 To ensure that content from our website and/or our products is presented in the most effective manner for you and for your devices.

2.1.3 Subject to your expressed marketing preferences, to send you marketing information about goods and services that may be of interest to you by post, telephone, email or other means. You have the right to

“opt in” and “opt out” of certain uses of your personal information for these purposes.

- 2.1.4 For any specific purpose for which it was provided or volunteered.
- 2.1.5 To perform analysis and research in relation to transactions, including analyzing our users’ demographics, interests, browsing and viewing preferences.
- 2.1.6 To manage our business needs, such as monitoring, analyzing, modifying and improving our technical support and other products and services and the functionality and performance of our websites, emails, products, and services;
- 2.1.7 To determine which features and functionality of the products and services users like best to help us operate, enhance, and improve the products and services;
- 2.1.8 To train and fine-tune AI/ML systems, including with data from interactions with our AI tools, and interactions with chatbots and/or technical support teams, for the purposes of improving our products and services.
- 2.1.9 To provide customers with data and analytics regarding network traffic and usage.
- 2.1.10 To send you notices (for example, in the form of e-mails, SMS, and mailings), and otherwise correspond with you, about products, services, companies, and events, sponsored by us and others, that we think might interest you, where you have consented to be contacted for such purposes.
- 2.1.11 To grow our business.
- 2.1.12 To get to know our potential and existing clients, consumers, and users.
- 2.1.13 To identify relevant content shared with potential and current users.

The legal basis for the above purposes will typically be that we have your consent to our use of your personal information or that processing is necessary for our legitimate interests, including:

- to ensure our products and services are properly provided,

- to promote our products and services, and to provide you with information on our products and services.
- To prevent fraud and abuse on, and unauthorized access to, the products, services, and websites.
- To meet reporting requirements (e.g., filing tax forms).
- To retain documents and information related to a legal action.
- To develop, market, sell or provide products and services.
- To send you information about our or our partners' products or services. Sometimes, when you have shown interest in a particular product, our partners may contact you directly. We may provide your information directly to our partners so that they may contact you directly.

2.1.9 To carry out our obligations arising from any contracts or transactions entered or contemplated to be entered into between you and us, or to provide you with the website and any products or services requested by you.

2.1.10 To notify you about changes to our products and services.

2.1.11 To assist you in finding a reseller channel partner so that you can order products and services for your company;

2.1.12 To fulfill orders and provide you with products and services you have requested and/or paid for;

2.23 To enforce your and our legal rights under an agreement; and

2.24 To provide you with an estimate for our products or services.

2.1.25 To provide you with educational materials, webinars and training that you request. provide you with educational materials, webinars and training that you request.

The legal basis for the above purposes will typically be that the processing is necessary to fulfil any contractual obligation we have in relation to you.

2.1.26 To enforce any agreements we have with you.

2.1.27 To report data breaches or unauthorized access to the products or services.

2.1.28 To meet reporting requirements (e.g., filing tax forms).

2.1.29 To retain documents and information related to a legal action.

The legal basis for these purposes will typically be to comply with our regulatory and legal obligations or to enforce our legal rights.

### **3. WHERE WE STORE YOUR INFORMATION**

3.1 The data that we collect from you may be transferred to, stored at, or processed from a location outside the jurisdiction in which you reside. This means it may be transferred to countries that do not offer the same level of legal protection as exists in your country of residence. Whenever we transfer your information outside of your country of residence, we will take steps to ensure that adequate safeguards are in place to make sure it is treated securely and in accordance with this Notice. You may contact us for a copy of the safeguards that we have put in place.

### **4. SERVICE PROVIDERS**

4.1 We may use third-party partners, carefully selected by us, to help operate our website and deliver our products and services and operate our business, and may share your information with our service providers that provide products or services for or through this website or for our business (such as accreditation providers, website or database hosting companies, data analysis providers, address list hosting companies, e-mail service providers, research, analytics and customer experience and survey companies, distributors and partners who sell our products and services fulfillment companies, marketing and promotional companies, and other similar service providers that use such information on our behalf).

4.2 We may disclose to our partners statistics regarding user behavior in the form of aggregated data, such as overall patterns or demographic reports that do not describe or identify any individual user.

### **5. PARTNER MARKETING**

5.1 If you have indicated an interest in our products or services (including by clicking on an email or download, participating in a webinar or other educational event, conference, or Extreme sponsored program or event, or by visiting our website), including on behalf of your company, we may provide your contact information and information about your company to one of our resale channel partners or provider of managed services (a “Partner”) so they can provide information regarding those products or services to your company. If you become a customer of a Partner, the Partner may use your information in accordance with its policies. For questions about how that Partner may use your information, please contact that company.

5.2 Our Partners participate with us in marketing programs to offer to prospective and existing customers product trials, event invitations and marketing content and other offerings. Our Partners may do so independently or by using our systems or platforms, or based on customer data and information we may provide. Where a Partner refers you to our marketing program, you may be asked to enter personal or company information on intake forms or “click-through” webpages. We may capture this information and share it with the Partner, so that we and the Partner may communicate further with you, as appropriate, and to assess your engagement with and the results of the marketing programs. We will retain and only use this personal information for these marketing and assessment purposes.

## **6. DISCLOSURE OF YOUR INFORMATION**

6.1 We may disclose your personal information to any member of Extreme.

6.2 We may also use your personal information to maintain our internal record keeping and/or share it with our affiliates for marketing or other purposes.

6.3 We may disclose your personal information to third parties such as service providers or partners as set out in sections 4 and 5 of this Notice.

6.3.4 In the event that we sell or buy any business or assets, in which case we may disclose your personal information to the prospective seller or buyer of such business or assets.

6.3.5 If Extreme, or substantially all of our assets, are acquired by a third party, in which case personal information we hold about our customers will be one of the transferred assets.

6.3.6 We may disclose your personal information if we are under a duty to disclose or share this information to comply with any legal obligation, or to enforce or apply our agreements; or to protect the rights, property, or safety of Extreme, our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

6.3.7 We may disclose user information to government authorities, and to other third parties, when compelled to do so by government authorities or otherwise as required or permitted by law, including, but not limited to, in response to court orders and subpoenas. We also may disclose user information when we have reason to believe that someone is causing injury to or interference with our rights or property, other users of our website, or

anyone else that could be harmed by such activities. Additionally, we cooperate with law enforcement inquiries and other third parties when in good faith, we believe that we are lawfully authorized or required to do so, or that doing so is reasonably necessary or appropriate to comply with the law or with legal process or authorities, respond to any claims, or to protect the rights, property or safety of the website or the products, services, users, our employees or the public, including, without limitation, disclosures intended to protect Extreme or users from fraudulent, abusive, inappropriate or unlawful use of the website or our products or services or to enforce laws, intellectual property rights, and other rights.

## **7. RETENTION**

7.1 Your personal information will be retained for as long as is reasonably necessary for the purposes listed above or as required by applicable local law. Please contact us for further details of applicable retention periods.

7.2 We may keep an anonymized form of your personal information, which will no longer refer to you, for statistical purposes or for improvement of our products, without time limits, to the extent that we have a legitimate and lawful interest in doing so.

## **8. IP ADDRESSES AND COOKIES**

8.1 We may collect information about your computer, mobile phone, personal electronic device, and all other similar electronic or mobile devices, including where available your IP address, operating system and browser type, for system administration and to report aggregate information to our advertisers. This is statistical data about our users' browsing actions and patterns and does not show personal details that identify you.

8.2 For the same reason, we may obtain information about your general internet usage by using a cookie file that is stored on the hard drive of your computer. Cookies are small pieces of information (e.g., cookies, web beacons, pixels, gifs tags or other similar technologies) sent by a web server to a web browser that allow the web server to recognize the web browser. This operates as a piece of data stored on your browser or device, or may identify, compile, aggregate and/or collect information through other means. They help us to improve our website and to deliver a better and more personalized service. They enable us:

8.2.1 To estimate our audience size and usage pattern.



8.2.2 To store information about your preferences, and so allow us to customize our website according to your individual interests.

8.2.3 To speed up your searches.

8.2.4 To recognize you when you return to our website.

8.3 You can control how your browser handles cookies received from our website. You can choose to refuse all cookies, or to be prompted before a cookie is saved to your hard drive, or to only accept cookies from certain selected websites that you designate. Information on deleting or controlling cookies is available at [www.AboutCookies.org](http://www.AboutCookies.org). By refusing to accept cookies from us, you may not be able to use some of the features and functionality available on our website.

## 9. **ADVERTISING AND ONLINE TRACKING**

9.1 We may allow third-party companies to serve ads and collect certain information when you visit the website. These companies may use certain information (e.g., click stream information, web browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the website to provide advertisements about goods and services likely to be of interest to you. These companies typically use a cookie or third-party clear gif/web beacon to collect this information. Our systems do not recognize browser “Do Not Track” signals, but several of our service providers who utilize these cookies or web beacons on our website enable you to opt out of targeted advertising practices. To learn more about these advertising practices or to opt out of this type of advertising, you can visit [www.networkadvertising.org](http://www.networkadvertising.org) or [www.aboutads.info/choices](http://www.aboutads.info/choices).

## 10. **CHILDREN’S PRIVACY**

10.1 Protecting the privacy of young children is especially important. Our websites, products, and services are not directed to children under the age of 13, and we do not knowingly collect personal information on our own behalf from children under the age of 13 without obtaining parental consent. If you are under 13 years of age, then please do not use or access our website, products, or services. If we learn that personal information has been collected by us on our website or through our products from persons under 13 years of age and without verifiable parental consent, then we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child under 13 years of age has obtained an account on the service, then you may alert us at [privacyinquiries@extremenetworks.com](mailto:privacyinquiries@extremenetworks.com) and request that we delete that child’s personal information from our systems.



## 11. YOUR RIGHTS

11.1 You may have the right to request access to, and rectification or erasure of, the personal information Extreme holds about you. You may also have the right to object to or restrict certain types of processing of your personal information and can request to receive a machine-readable copy of the personal information you have provided to Extreme.

11.2 Extreme will assess any request to exercise one of these rights on a case-by-case basis. There may be circumstances in which we are not legally required to comply with your request because of relevant legal exemptions provided for in data protection legislation.

11.3 Please note that by continuing to use our website, products, or services, and by providing any personal information to us offline or via the website, products, or services, you are consenting to our use of your personal information as set out in this Privacy Notice. Please do not provide us any personal information if you do not want that information to be used by us in this manner.

## 12. YOUR CALIFORNIA PRIVACY RIGHTS

12.1 Under the California Consumer Privacy Act of 2018 as amended by the California Privacy Rights Act of 2020 (“California Privacy Law”), California Consumers have certain privacy rights. This section is intended to provide further information and notification pursuant to California Privacy Law. Capitalized terms that are not defined in this Privacy Notice are used in accordance with their definitions under California Privacy Law. California Consumers who wish to request information about our compliance with CCPA or who have questions more generally about this Privacy Notice and our privacy commitments should contact us at [privacyinquiries@extremenetworks.com](mailto:privacyinquiries@extremenetworks.com).

12.2 Categories of Personal Information We Collect:

Category	Definition	Collected?
A. Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers.	YES

<p>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</p>	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.</p>	<p>YES</p>
<p>C. Protected classification characteristics under California or US federal law.</p>	<p>Race, color, ancestry, national origin, religion, creed, age (40 and above), disability (mental and physical), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sexual orientation, gender identity, gender expression, medical condition, genetic information, marital status, military and veteran status</p>	<p>NO</p>
<p>D. Commercial information.</p>	<p>Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	<p>YES</p>
<p>E. Biometric information.</p>	<p>Physiological, biological, or behavioral characteristics identifying an individual's DNA that can be used, singly or in combination with each other or with other identifying data, to establish individual identity. Examples include imagery of the iris, fingerprint, face, hand, palm, vein patterns, voice recordings, keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data</p>	<p>NO</p>
<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on a consumer's interaction with an internet website, application, or advertisement.</p>	<p>YES</p>
<p>G. Geolocation data.</p>	<p>Location data generated by a consumer device capable of connecting to the Internet that directly identifies the precise physical location of the identified individual at</p>	<p>NO</p>

	particular times and that is compiled and retained.	
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

12.3 We obtain the Personal Information in categories A, B, D, and F from the following categories of sources:

12.3.1 Directly from you; for example, when you enter your name and contact information on a form on our website.

12.3.2 From third-parties that perform services on our website; for example, when you interact with a chat agent on our website and provide your name and contact information.

12.3.3 Indirectly from you; for example, we may collect records about your interactions with our website, email, or transactions you conduct with us.

12.3.4 From our Partners; for example, we may receive your contact information or information about transactions you are considering from our Partners.

12.3.5 From a customer's network; for example, geolocation of attached devices collected by those networks may be processed to provide services to our customers.

12.4 We may use the Personal Information in categories A, B, D, and F that we collect as described in clause 2 above.

12.5 We do not sell your Personal Information to third parties. However, we may disclose Personal Information in categories A, B, D, and F as described in clauses 5 and 6 above.

12.6 Under California Privacy Law, you have the following rights:

12.6.1 You may request once every 12 months that we disclose to you information about our collection and use of your Personal Information.

- You may request, subject to certain exemptions, that we delete the Personal Information we have collected about you.
- You may request information about your Personal Information that we have disclosed in the previous 12 months.
- We will not discriminate against you if you exercise any of your rights under California Privacy Law.

12.7 Direct requests to exercise your rights under California Privacy Law to [privacyinquiries@extremenetworks.com](mailto:privacyinquiries@extremenetworks.com) or 1-800-245-1621. Only you or your agent registered with the California Secretary of State's office may make a verifiable request related to your Personal Information. You may make a request on behalf of your minor child.

12.7.1 We will attempt to verify your request, generally by asking you to provide evidence that matches the Personal Information we have maintained. The exact method of verification will depend on the type of request made and the type of Personal Information maintained.

12.7.2 After we receive your request to exercise your rights under California Privacy Law, we will take reasonable steps to verify that your request is a valid request from you. We will try to respond within 45 days, and will inform you in writing if we need an extension of time up to 90 additional days. Any disclosure of information will cover the previous 12-month period. If we cannot comply with your requests, we will inform you of the reason why.

12.7.3 If a verifiable consumer request is excessive, repetitive, or manifestly unfounded, we may charge a reasonable fee to process the request. If we determine that a fee is applicable, we will explain our reasons for charging a fee, and provide you with an estimate before completing your request.

### 13. CHANGES TO THIS NOTICE

13.1 This Notice may be amended by us at any time. Please check this page periodically to inform yourself of any changes.

#### 14. **HOW TO CONTACT US**

14.1 If you have any questions, need further information about our privacy practices, or would like to let us know that your details require updating, please contact us at [privacyinquiries@extremenetworks.com](mailto:privacyinquiries@extremenetworks.com).

14.2 You may also have the right to complain to a data protection authority if you think we have processed your personal information in a manner that is unlawful or breaches your rights. If you have such concerns, we request that you initially contact us (at the email address provided above) so that we can investigate, and hopefully resolve, your concerns.

