

## Privacy Notice for California Residents

**Effective Date:** October 5, 2020

This **Privacy Notice for California Residents** supplements the information contained in Penumbra's Privacy Notice and solely applies to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Notice.

### **Section 1. Information We Collect and the Sources**

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device ("**personal information**"). Personal information does not include information that is aggregated or information that cannot be reasonably linked to you. In particular, We have collected the following categories of personal information from users within the last twelve (12) months:

- A. Identifiers.** This category includes information such as your name, address, email address or other forms of identifiers that can identify a particular user, family or device.
- We may collect: a real name, an alias, a postal address, or other types of unique personal identifiers that are voluntarily provided by you through the Website. We may also collect an online identifier, Internet Protocol address, email address or other similar identifiers.
- B. Customer records (California Customer Records statute Cal. Civ. Code § 1798.80(e)).** This category includes information such as 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.
- We may collect: a real name, an alias, a postal address, telephone number, email address or any other information that are voluntarily provided by you through the Website.
- C. Protected classification characteristics under California or federal law.** This category includes characteristics of protected classifications under California or federal law like race, national origin, religion, gender or sexual orientation.
- We may collect this information directly from you or we may make inferences based on information you or our partners provide us. For

example, we may identify your gender based on information such as your name.

**D. Commercial information.** This category includes information such as records of personal property and purchasing habits.

- We may collect information about products you have purchased, obtained or considered or other purchasing and consuming histories or tendencies on other websites.

**E. Internet or other similar network activity.** This category includes information like browsing history and search history.

- We may collect user browsing history, search history, and information on a consumer's interaction with a website, email or application. We may also collect information about your devices used to access the Penumbra Platform (e.g. your operating system, your name that may be associated with the device, geolocation data, screen resolution, browser type and service provider).

**F. Geolocation data.** This category includes information like physical location or movements.

- We may collect information about a user's physical location and movements. This information may be collected from observing your actions on our websites or if this information is provided by you through the Penumbra Platform.

**G. Professional or employment-related information.** This category includes information like current or past job history or performance evaluations.

- For example, we may collect information about your previous or current employers and institutional affiliations you might have.

**H. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).** This category includes information regarding 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.

- For example, we may collect information about your educational institutions(s) and when you graduated.

**I. Audio or visual information.** This category includes information such as photos and videos.

- For example, we may collect audio or visual information if you participate in a webinar or seminar.

**J. Inferences.** This category includes information about you which could include your preferences, interests, and other information about you.

- For example, we may collect your purchasing history, consumer preferences, inquiries with us, information about how and where you use our products, and other information about your experience with our products. We may also collect information about your consumer preferences and interests from your web traffic on other websites.

We obtain the categories of personal information listed above from the following types of sources:

- Directly from you. We collect information you provide when you use our products or interact with us, including when you sign up to receive more information about our products and services or communicate with us.
- Indirectly from you. We collect information from and about the computers, phones, and other web-connected devices you use. For example, from observing your actions with our emails, on our websites, and from your devices. We may use third-party cookies and other tracking technologies. Please reference the Privacy Notice for more information about our use of cookies.
- Partners. We collect information about you from service providers, vendors and partners. Partners receive your personal information when you visit or use their services or through third parties they work with. For example, we use Google Analytics which provides us with information about your actions on other websites.

## **Section 2. Use of Personal Information**

We may use or disclose the personal information we collect described in Section 1 for one or more of the following business purposes:

- a. To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question about our products, we will use that personal information to respond to your inquiry.
- b. To provide support, personalization, and development of our websites, products and services for you.
- c. To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- d. To help maintain the safety, security, and integrity of our products and services, including our websites, products, databases and other technology assets, and business.
- e. For testing, research, analysis, and product development, including to develop and improve our website, products and services.
- f. For promoting and marketing Penumbra products and services.
- g. For protecting or enforcing our rights and properties or the rights and properties of others.

- h. To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- i. As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- j. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Website users is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Section 3. Sharing Personal Information**

Penumbra does not sell, rent or trade any of the personal information described in Section 1.

We may disclose your personal information described in Section 1 to a third party for the business purposes described in Section 2. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

In the preceding twelve (12) months, we have disclosed personal information with the following categories of third parties:

- Service providers.
- Affiliates, subsidiaries, partners.
- Internet cookie data recipients.
- Third parties to whom you consent to sharing your information.
- Entities pursuant to legal process (e.g. in response to subpoenas, court orders, warrants).

### **Section 4. Your Rights and Choices**

This section describes your CCPA rights regarding personal information and explains how to exercise those rights.

#### **A. Access to Specific Information and Data Portability Rights**

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Please see Exercising Access, Data Portability, and Deletion C below for instructions to submit such a request.

#### **B. Deletion Request Rights**

You have the right to request that we delete your personal information that we collected from you and retained, subject to certain exceptions. Please see Exercising Access, Data Portability, and Deletion Rights below for instructions to submit such a request.

### **C. Exercising Access, Data Portability, and Deletion Rights**

To exercise the access, data portability, and deletion rights described above, you (or your authorized agent) can submit a verifiable consumer request by either:

- Calling us at +1 877-577-4829
- Emailing us at [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com)

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

### **D. Response Timing and Format**

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information easily.

## **Section 5. Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights. Discrimination could include denying you goods, charging you different prices or rates for goods, or providing you a different quality of goods based on you exercising any of your CCPA rights.

## **Section 6. Changes to Our Privacy Notice**

We reserve the right to amend this Privacy Notice for California Residents at our discretion and at any time. If material changes are made in how personal information is collected, used, disclosed, or otherwise processed, we will post the updated notice on the Website and update the notice's "Effective Date" at the top of this notice. We recommend that you review this notice each time you visit the Website or use the Penumbra platform to stay informed of our privacy practices. **Any changes will be effective when we post the updated notice.**

Please email [dataprivacy@penumbrainc.com](mailto:dataprivacy@penumbrainc.com) for any CCPA related questions you might have.