

# Privacy Policy

Effective as of November 4, 2024.

**California Notice at Collection:** If you are a California resident, see the California Privacy Rights Notice section below for important information about your rights under California law. You can download a printable copy of this Privacy Policy here.

**NOTICE TO EUROPEAN USERS:** *If you are located in the European Economic Area or United Kingdom (which we refer to below as “Europe”, and “European” should be understood accordingly), see the Notice to European Users section for additional information.*

Pendo.io, Inc. and our subsidiaries and affiliates, including Pendo.io Pty Ltd (Australia), Pendo IO Israel LTD (Israel), Pendo.io Japan Ltd. (Japan), and Pendo.io UK Ltd (United Kingdom) (“Pendo,” “we,” “us” or “our”) provides a product analytics platform that helps software companies improve digital experiences for their prospects and customers. This Privacy Policy describes how Pendo processes personal information that we collect from you when you use our products analytics platform, visit our other digital or online properties (including, when applicable, our website and social media pages), participate in our marketing activities such as live events, and use or engage in any of our other services and activities described in this Privacy Policy (collectively, the “Service”). From time to time, Pendo may provide additional or supplemental privacy policies to individuals for specific products or services that we offer at the time we collect personal information. For example, we may provide separate privacy policies or notices to job applicants in certain jurisdictions or to individuals whose personal information we collect in connection with our Mind the Product services (see <https://www.mindtheproduct.com/privacy/>). For more information on potentially relevant privacy notices, please visit: <https://www.pendo.io/legal-information/>.

**IMPORTANT:** This Privacy Policy does not apply to your information that we process on behalf of our corporate customers (such as businesses, partnerships and other organizations) while providing them with the Pendo Subscription Services (as defined in the [Pendo Software Services Agreement](#)). Our corporate customers, not Pendo, choose the type of personal information collected by their applications, and then submitted and processed through their use of the Pendo Subscription Services. We process such personal information only on behalf of and according to the instructions of our corporate customers, and such processing is governed by our agreements with such customers. If you have any questions or concerns regarding your personal information that we process on behalf of a corporate customer, please refer to the appropriate corporate customer’s privacy notices and direct your request to them.

Our websites, products, and services are designed for corporate customers and their representatives. We do not offer products or services for use by individuals for their personal, familial, or household purposes.

## Pendo on Pendo

Pendo’s mission is to elevate the world’s experience with software. Application owners who use the Service can access extensive event information, better understand usability challenges, and drive engagement and adoption with the help of guides, tooltips, and other prompts. Please note that we use Pendo on Pendo which includes our product analytics platform, and digital and online properties. In this regard, we have a subscription to our own Service to elevate our users’ and visitors’ experiences with our platform and properties.

## Index

- **Personal information we collect**
- **Tracking Technologies**
- **How we use your personal information**
- **Retention**
- **How we share your personal information**
- **Your choices**
- **Other sites and services**
- **Security**
- **International data transfers**
- **Children**
- **Changes to this Privacy Policy**
- **How to contact us**
- **California privacy rights notice**
- **Notice to European users**

## **Personal information we collect**

**Information you provide or make available to us, or that we generate about you.** Personal information you may provide or make available to us through the Service, or that we may generate about you, includes:

- **Contact data**, such as your first and last name, email address, billing and mailing addresses, professional title and company name, and phone number.
- **Account data**, such as the username and password that you may set to establish an online account on the Service and any other information that you add to your account profile.
- **Feedback and communications data** based on your exchanges with us or other third parties, including when you contact or communicate with us or our other users through the Service as part of responding to a survey or participating in the Discussion Forum, for troubleshooting or debugging purposes, during a trial and/or demo, chat content, social media outreach, or otherwise.
- **Audiovisual data**, such as audio and/or video recordings of your participation in user research interviews and marketing calls, as well as transcripts and other analyses derived from such recordings.
- **Transactional data**, such as information relating to or needed to complete your orders on or through the Service, including order numbers and transaction history.
- **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Payment data**, such as information you provide in connection with your payment. Please note that we use third party payment processors to process payments made to us. As such, we do not retain any personally identifiable financial information such as credit card numbers. Rather, all such information is provided directly by you to our third-party processor. The payment processor's use of your personal information is governed by their privacy policy.
- **Promotion data**, including information you share when you fill out any forms relating to Pendo events, surveys, contests, sweepstakes, or other promotional events, we collect your contact and other personal information such as your dietary restrictions, and any other information you volunteer on the form or at sign up. We use this information to fulfill

the purpose of the form or sign up, facilitate the event, survey, contest, sweepstakes, and promotion, and to inform you about future programs that may be of interest to you.

- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

**Third-party sources.** We may combine personal information we receive from you with personal information falling within one of the categories identified above that we obtain from other sources, such as:

- **Third-party services**, such as services that you use to log into or otherwise link to your Service account. This data may include your username, profile picture and other information associated with your account on that third-party service that is made available to us based on your account settings on that service or as part of enabling an integration.
- **Data providers**, such as information services and data licensors.
- **Partners**, such as marketing partners and event co-sponsors.
- **Customers**, such as our corporate customers.
- **Public sources**, such as government agencies, public records, social media platforms, and other publicly available sources.
- **Business transaction partners.** We may receive personal information in connection with an actual or prospective business transaction. For example, we may receive your personal information from an entity we acquire or are acquired by, a successor, or assignee or any party involved in a business transaction such as a merger, acquisition, sale of assets, or similar transaction, and/or in the context of an insolvency, bankruptcy, or receivership.

**Automatic data collection.** Like most digital platforms, we, our service providers, and our business partners may automatically log information about you, your computer or mobile device depending on what you're using, and your interaction over time with the Service, our communications, and other online services, such as:

- **Device data**, such as your computer or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address (and, as such, general location information such as city, state, or geographic area), unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, or radio/network information (e.g., Wi-Fi, LTE, 3G).
- **Online activity 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.
- **Communication interaction data** such as your interactions with our email, text, or chatbot communications.

For more information concerning our automatic collection of data and the relevant technologies we may use (including, without limitation, cookies and session replay technologies), please see the [Tracking Technologies](#) section below.

**Data about others.** We may offer features that help users invite their contacts to use the Service, and we may collect contact details about these invitees so we can deliver their invitations. Please do not refer someone to us or share their contact details with us unless you have their permission to do so.

## Tracking Technologies

**Cookies and other tracking technologies.** Some of our automatic data collection may be facilitated by cookies or pixel tags. Pixel tags are also known as clear gifs, web beacons, or web bugs, and are tiny graphic images with a unique identifier similar to cookies that are used to track the online movements of web users such as whether you open and/or forward emails. Our emails may also contain tracking pixels that identify if and when you have opened an email that we have sent you, how many times you have read it and whether you have clicked on any links in that email. This helps us measure the effectiveness of our marketing email campaigns, make the emails we send to you more relevant to your interests and to understand if you have opened and read any important administrative emails we might send you.

For more information about which cookies and other tracking technology we use, see our [Cookie Policy](#). We will also store a record of your preferences in respect of the use of these technologies in connection with the Service.

**Local Storage.** We also store a small amount of data locally on your device to deliver a consistent and better user experience on our Service. For example, local storage allows us to track whether or not you have seen a guide and to afford cool-off periods. We also use local storage to quality-control our Service against connectivity issues so that your application's events and other metadata are safely uploaded to our servers when connectivity is regained.

**Session replay technology.** Consistent with all the above, Pendo uses first-party cookies and local storage to create a viewable reconstruction of your online activity data. Session replay does not require access to your device's camera and is not a video recording of your screen. We use session replay to understand our users' difficulty in navigating our Service, troubleshoot and conduct fixes, offer better customer support, amongst other purposes.

For more information concerning your choices with respect to Pendo's use of tracking technologies, please see [Your choices](#).

## How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

**Service delivery and operations.** We may use your personal information to:

- provide, operate, and maintain the Service;
- implement security protections and other features of the Service;
- provide customer service, technical support, and other forms of account-related matters for the Service, including responding to your requests, questions and feedback and for related training and monitoring purposes;
- communicate with you about the Service, including by sending Service-related announcements, updates, security alerts, and support and administrative emails and messages; and
- communicate with you about our events, contests, or other promotional programs in which you participate, including to facilitate your invitations to contacts who you want to invite to join the Service.

**Service personalization,** which may include using your personal information to:

- understand your needs and interests;
- personalize your experience with the Service and our Service-related communications; and
- remember your selections and preferences as you navigate webpages.

**Analytics and service improvement.** We may use your personal information to analyze your usage of the Service, improve the Service, improve the rest of our business, and help us understand your activity on the Service, including which pages are most and least visited, how visitors move around the Service, user interactions with our emails, to develop new products and services, and for training and monitoring purposes.

For more information on analytics, see our [Cookie Policy](#). For example, we use Google Analytics for this purpose. You can learn more about Google Analytics and how to prevent the use of Google Analytics relating to your use of our sites here: <https://tools.google.com/dlpage/gaoptout?hl=en>.

**Marketing and advertising.** We, our service providers and our third-party advertising partners may collect and use your personal information for marketing and advertising purposes:

- **Direct marketing.** We may send you direct marketing communications and may personalize these messages based on your needs and interests. You may opt-out of our marketing communications as described in the [Opt-out of communications](#) section below.
- **Interest-based advertising.** We and our third-party advertising partners may use cookies and other tracking technologies to collect information about your interaction (including the data described in the automatic data collection section above) with the Service, our communications and other online services over time, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms. You can learn more about your choices for limiting interest-based advertising in our [Cookie Policy](#).

**Events and promotions.** We may use your personal information to:

- administer promotions or sweepstakes and communicate with you about promotions or sweepstakes in which you participate; and
- contact or market to you after collecting your personal information at an event.

**Compliance and protection.** We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas, investigations, or requests from government authorities;
- protect our, your, or others' rights, privacy, safety, or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements or our internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate, and deter fraudulent, harmful, unauthorized, unethical, or illegal activity, including cyberattacks and identity theft.

**To create de-identified, aggregated, and/or anonymized data.** We may create de-identified, aggregated, or anonymized data from your personal information and other individuals whose

personal information we collect. We make personal information into de-identified or aggregated data by removing information that makes the data identifiable to you and we will not attempt to re-identify you using any such data. We may use this de-identified, aggregated, or anonymized data and share it with third parties for our lawful business purposes, including to promote our business or analyze and improve our services. Our analytics and service improvement may be supported by machine learning, otherwise known as artificially intelligent, functionality. We only develop such functionality after de-identifying, aggregating, and/or anonymizing your information, although sometimes it may appear that such functionality was developed in a way that is specific to you. We understand that many people have concerns about machine learning and artificial intelligence, and you can learn more about Pendo's AI principles here: <https://pendo.trust.page/#artificial-intelligence>.

**Further uses.** In some cases, we may use your personal information for further uses, in which case we will ask for your consent to use your personal information for those further purposes if they are not compatible with the initial purpose for which information was collected. If you choose not to consent to use of your personal information as necessary to serve a particular purpose, those particular products or services may not be available to you or may not function properly.

## Retention

We retain personal information to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements, to establish or defend legal claims, or for fraud prevention purposes. To determine the appropriate retention period for personal information, we may consider factors such as the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal requirements.

When we no longer require the personal information we have collected about you, we may either delete it, anonymize it, or isolate it from further processing.

## How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy, in other applicable notices, or at the time of collection.

**Affiliates.** Our corporate parent, subsidiaries, and affiliates.

**Service providers.** Third parties that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, integration services, customer support, online chat functionality providers, email delivery, marketing, security and fraud prevention consultants and providers, consumer research, and website analytics).

**Payment processors.** Any payment card information you use to make a purchase on the Service is collected and processed directly by our payment processors, such as Stripe. Stripe may use your payment data in accordance with its privacy policy: <https://stripe.com/privacy>.

**Advertising partners.** Third-party advertising companies for the [interest-based advertising purposes](#) described above. We may not control the privacy practices of these third-party advertising companies and how they may use your personal information.

**Third parties designated by you.** We may share your personal information with third parties where you have instructed us or provided your consent to do so. We may not control the privacy

practices of these third-parties and how they may use your personal information.

**Partners.** Third parties with whom we partner, including parties with whom we co-sponsor events or promotions, with whom we jointly offer products or services, or whose products or services may be of interest to you. We may not control the privacy practices of these partners and how they may use your personal information

**Linked third-party services.** If you log into the Service with, or otherwise link your Service account to, a third-party service, we may share your personal information with that third-party service. The third party's use of the shared information will be governed by its privacy policy and the settings associated with your account with the third-party service.

**Professional advisors.** Professional advisors, such as lawyers, auditors, bankers, and insurers, where necessary in the course of the professional services that they render to us.

**Authorities and others.** Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the [Compliance and protection purposes](#) described above.

**Business transferees.** We may disclose personal information in the context of actual or prospective business transactions (e.g., investments in or financing of Pendo or the sale, transfer, or merger of all or part of our business, assets, or shares), for example, we may need to share certain personal information with prospective counterparties and their advisers. We may also disclose your personal information to an acquirer, successor, or assignee of Pendo as part of any merger, acquisition, sale of assets, or similar transaction, and/or in the event of an insolvency, bankruptcy, or receivership in which personal information is transferred to one or more third parties as one of our business assets.

**With your consent.** We may disclose your information publicly or with another third party with your prior authorization, such as the feedback, communications, and other user-generated content you provide when you create a new post or post a comment in our Discussion Forum. Except for the details in your profile (e.g., full name), the categories of data disclosed in these circumstances will depend on what information you choose to provide.

We may disclose de-identified, aggregated, and/or anonymized information about our corporate customers' use of the Service, or visitors to our digital and online properties, that does not identify any individual.

## Your choices

In this section, we describe the rights and choices available to all users. Users who are located in California and Europe can find additional information about their rights below.

**Access or update your information.** If you have registered for an account with us through the Service, you may review and update certain account information by logging into the account and going to Settings.

**Opt-out of communications.** You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by [contacting us](#). Please note that if you choose to opt out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.

**Cookies and other tracking technologies.** For information about cookies and other tracking technologies employed by the Service and how to control them, see our [Cookie Policy](#). In addition, most browsers and devices allow you to configure your device to prevent pixel tags, clear gifs, web beacons, and/or web bugs from loading. To do this, follow the instructions in your particular

browser or device settings.

**Session replay's controls.** Pendo may run session replay technology on some of our digital and online properties such as our website(s), in which case we will offer the same controls as we do for cookies and other tracking technologies described in our [Cookie Policy](#). Pendo may also run session replay technology on our products analytics platform, in which case we will offer the same controls via tooltips, guides, settings, other in-application notices, or some combination of these. You will be able to opt out at any time by going into your settings.

**Advertising choices.** You may be able to limit use of your information for interest-based advertising through the following settings/options/tools:

- **Browser settings.** Changing your internet web browser settings to block third-party cookies.
- **Privacy browsers/plugin-ins.** Using privacy browsers and/or ad-blocking browser plug-ins that let you block tracking technologies.
- **Platform settings.** Certain platforms offer opt-out features that let you opt-out of use of your information for interest-based advertising. For example, you may be able to exercise that option for Google and Facebook, respectively, at the following websites:
  - Google: <https://adssettings.google.com/>
  - Facebook: <https://www.facebook.com/about/ads>
- **Ad industry tools.** Opting out of interest-based ads from companies that participate in the following industry opt-out programs:
  - Network Advertising Initiative: [http://www.networkadvertising.org/managing/opt\\_out.asp](http://www.networkadvertising.org/managing/opt_out.asp)
  - Digital Advertising Alliance: [opt out.aboutads.info](http://optout.aboutads.info).
- **Mobile settings.** Using your mobile device settings to limit use of the advertising ID associated with your mobile device for interest-based advertising purposes.

You will need to apply these opt-out settings on each device and browser from which you wish to limit the use of your information for interest-based advertising purposes.

**Do Not Track.** Some Internet browsers may be configured to send "Do Not Track" signals to the online services that you visit. We currently do not respond to "Do Not Track" signals. To find out more about "Do Not Track," please visit <http://www.allaboutdnt.com>.

**Declining to provide information.** We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

**Linked third-party platforms.** If you choose to connect to the Service through another third-party platform, you may be able to use your settings in your account with that platform to limit the information we receive from it. If you revoke our ability to access information from a third-party platform, that choice will not apply to information that we have already received from that third party.

## Other sites and services

The Service may contain links to websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online



services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications, or online services operated by third parties, and we are not responsible for their actions. We encourage you to read the privacy policies of the other websites, mobile applications, and online services you use.

## Security

No transmission over the Internet is 100% secure. While security risk is inherent in all internet and information technologies, we employ technical, organizational, and physical safeguards designed to protect the personal information we collect. You can learn more on our Data Privacy & Security page here: <https://www.pendo.io/data-privacy-security/>.

## International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Users in Europe should read the important information provided below about transfer of personal information outside of Europe.

## Children

The Service is not intended for use by anyone under 18 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please [contact us](#). If we learn that we have collected personal information through the Service from a child without the consent of the child's parent or guardian as required by law, we will take actions designed to comply with applicable legal requirements to delete the information.

## Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acknowledging that the modified Privacy Policy applies to your interactions with the Service and our business.

## How to contact us

- **Email:** [gdpr@pendo.io](mailto:gdpr@pendo.io)
- **Mail:** 301 Hillsborough St, Suite 1900, Raleigh, NC 27603
- **Phone:** (919) 275-5477

## California privacy rights notice

This section describes how we collect, use, and share Personal Information of California residents in our capacity as a Business under the California Consumer Privacy Act (“CCPA”), and such residents’ rights with respect to that Personal Information.

For purposes of this section, the terms “**Personal Information**,” “**Sensitive Personal Information**,” and “**Business**” have the respective meanings given in the CCPA, but Personal Information does not include information exempted from the scope of the CCPA. In some cases, we may provide a different privacy notice to certain categories of California residents, [such as job applicants](#), in which case that notice will apply instead of this section.

**Your California privacy rights.** California residents have the rights listed below under the CCPA. However, these rights are not absolute, and in certain cases we may decline your request if it is manifestly unfounded, excessive, or as otherwise permitted by law. We may not be able to process your request if you do not provide us with sufficient detail to allow us to verify your identity or to understand and respond to your request.

- **Information.** You can request the following information about how we have collected and used your Personal Information during the past 12 months:
  - The categories of Personal Information that we have collected.
  - The categories of sources from which we collected Personal Information.
  - The business or commercial purpose for collecting, selling, or sharing Personal Information.
  - The categories of third parties to whom we disclose Personal Information.
  - The categories of Personal Information that we sold, disclosed, or shared for a business purpose.
  - The categories of third parties to whom the Personal Information was sold, shared, or disclosed for a business purpose.
- **Access.** You can request a copy of the Personal Information that we have collected about you during the past 12 months.
- **Correction.** You can ask us to correct inaccurate Personal Information that we have collected about you.
- **Deletion.** You can ask us to delete the Personal Information that we have collected from you.
- **Opt-out.** You can request to opt-out of disclosures of your Personal Information that constitute “selling” or “sharing” of your Personal Information.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA.

**Exercising your right to information, access, correction, and deletion.** You may submit requests to exercise these rights via email to [gopr@pendo.io](mailto:gopr@pendo.io).

**Exercising your right to opt-out of the “sale” or “sharing” of your Personal Information.** While we do not sell personal information for money, like some other companies do, when you visit our digital or online properties (such as our website and social media pages) we use services that

help deliver interest-based ads to you as described above. Our use of some of these services may be classified under California law as “selling” or “sharing” your Personal Information (including your Contact Data, Device Data, and Online Activity Data) with the advertising partners that provide the services. You can submit requests to opt-out of this “selling” or “sharing” by going to Manage Preferences on our website, or by broadcasting the global privacy control signal. Global Privacy Control can be installed on your browser, or via an extension on your browser, which then sends the global privacy control signal for participating website operators to respect your privacy rights accordingly. Please visit [Global Privacy Control](#) to learn more.

**Sensitive Personal Information.** We generally do not use or disclose Sensitive Personal Information for purposes that California residents have a right to limit under the CCPA. If we collect sensitive personal information as that term is defined by the CCPA, we use or disclose your sensitive personal information only for the permitted purposes set forth in the CCPA, such as to perform the services, ensure the physical safety of persons and to prevent, detect and investigate security incidents. We do not collect or process sensitive personal information with the purpose of inferring characteristics about you.

**Verification of identity; Authorized agents.** We may need to verify your identity in order to process your information, access, correction, or deletion requests and reserve the right to confirm your California residency. To verify your identity, we may require government identification, a declaration under penalty of perjury, or other information, where permitted by law.

Your authorized agent may make a request on your behalf upon our verification of the agent’s identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000-4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity, and provide us with confirmation that you have given the authorized agent permission to submit the request.

**Personal information that we collect, use and disclose.** We have summarized the Personal Information we collect and may disclose to third parties by reference below to both the categories defined in the “Personal information we collect” section of this Policy above and the categories of Personal Information specified in the CCPA (Cal. Civ. Code §1798.140) and described our practices currently and during the 12 months preceding the effective date of this Privacy Policy. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below.

<b>Personal Information (“PI”) we collect</b>	<b>CCPA statutory category</b>	<b>Categories of third parties to whom we “disclose” PI for a business purpose</b>	<b>Categories of third parties to whom we “sell” or “share” PI</b>
<ul style="list-style-type: none"> <li>● <i>Contact data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Identifiers</i></li> <li>● <i>Commercial information</i></li> <li>● <i>California customer records</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Third parties designated by you</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>

		<ul style="list-style-type: none"> <li>● Professional advisors</li> <li>● Partners</li> </ul>	
<ul style="list-style-type: none"> <li>● Account data</li> </ul>	<ul style="list-style-type: none"> <li>● Identifiers</li> <li>● Commercial information</li> <li>● California customer records</li> </ul>	<ul style="list-style-type: none"> <li>● Affiliates</li> <li>● Service providers</li> <li>● Payment processors</li> <li>● Advertising partners</li> <li>● Third parties designated by you</li> <li>● Professional advisors</li> <li>● Partners</li> </ul>	<ul style="list-style-type: none"> <li>● Advertising partners (to facilitate online advertising)</li> <li>● Partners</li> </ul>
<ul style="list-style-type: none"> <li>● Communications data</li> </ul>	<ul style="list-style-type: none"> <li>● Identifiers</li> <li>● Commercial information</li> <li>● California consumer records</li> <li>● Internet or Network Information</li> </ul>	<ul style="list-style-type: none"> <li>● Affiliates</li> <li>● Service providers</li> <li>● Payment processors</li> <li>● Advertising partners</li> <li>● Third parties designated by you</li> <li>● Professional advisors</li> <li>● Partners</li> </ul>	<ul style="list-style-type: none"> <li>● Advertising partners (to facilitate online advertising)</li> <li>● Partners</li> </ul>
<ul style="list-style-type: none"> <li>● Audiovisual data</li> </ul>	<ul style="list-style-type: none"> <li>● Identifiers</li> <li>● Commercial information</li> <li>● California consumer records</li> <li>● Sensory information</li> </ul>	<ul style="list-style-type: none"> <li>● Affiliates</li> <li>● Service providers</li> <li>● Third parties designated by you</li> <li>● Professional advisors</li> <li>● Partners</li> </ul>	<ul style="list-style-type: none"> <li>● Partners</li> </ul>
<ul style="list-style-type: none"> <li>● Transactional data</li> </ul>	<ul style="list-style-type: none"> <li>● Commercial information</li> <li>● California consumer records</li> <li>● Financial information</li> </ul>	<ul style="list-style-type: none"> <li>● Affiliates</li> <li>● Service providers</li> <li>● Payment processors</li> <li>● Advertising partners</li> <li>● Third parties designated by you</li> <li>● Professional advisors</li> <li>● Partners</li> </ul>	<ul style="list-style-type: none"> <li>● Advertising partners (to facilitate online advertising)</li> <li>● Partners</li> </ul>
<ul style="list-style-type: none"> <li>● Marketing data</li> </ul>	<ul style="list-style-type: none"> <li>● Identifiers</li> <li>● Commercial information</li> </ul>	<ul style="list-style-type: none"> <li>● Affiliates</li> <li>● Payment processors</li> </ul>	<ul style="list-style-type: none"> <li>● Advertising partners (to facilitate online advertising)</li> </ul>

	<ul style="list-style-type: none"> <li>● <i>California customer records</i></li> <li>● <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Professional advisors</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Payment data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Commercial information</i></li> <li>● <i>Financial information</i></li> <li>● <i>California consumer records</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Third parties designated by you</i></li> <li>● <i>Professional advisors</i></li> <li>● <i>Partners</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Promotion data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Identifiers</i></li> <li>● <i>Commercial information</i></li> <li>● <i>California customer records</i></li> <li>● <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Professional advisors</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Device data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Identifiers</i></li> <li>● <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Third parties designated by you</i></li> <li>● <i>Professional advisors</i></li> <li>● <i>Partners</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Online activity data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Identifiers</i></li> <li>● <i>Commercial information</i></li> <li>● <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Third parties designated by you</i></li> <li>● <i>Professional advisors</i></li> <li>● <i>Partners</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>

<ul style="list-style-type: none"> <li>● <i>Communication interaction data</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Identifiers</i></li> <li>● <i>Commercial information</i></li> <li>● <i>California consumer records</i></li> <li>● <i>Internet or Network Information</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Payment processors</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Third parties designated by you</i></li> <li>● <i>Professional advisors</i></li> <li>● <i>Partners</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Data derived from the above</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Inferences</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Affiliates</i></li> <li>● <i>Service providers</i></li> <li>● <i>Advertising partners</i></li> <li>● <i>Partners</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>Advertising partners (to facilitate online advertising)</i></li> <li>● <i>Partners</i></li> </ul>
<ul style="list-style-type: none"> <li>● <i>Other Sensitive Personal Information</i></li> </ul> <p><i>We do not intentionally collect this information, but it may be revealed in identity data or other information we collect</i></p>	<ul style="list-style-type: none"> <li>● <i>Protected Classification Characteristics</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>N/A</i></li> </ul>	<ul style="list-style-type: none"> <li>● <i>N/A</i></li> </ul>

**Contact Us.** If you have questions or concerns about our privacy policies or information security practices, please contact us using the contact details set forth in the [How to contact us](#) section, above.

# Notice to European users

## General

**Where this Notice to European users applies.** The information provided in this “Notice to European users” section applies only to individuals in the United Kingdom (“**UK**”) and the European Economic Area (“**European Economic Area**”) (i.e., “**Europe**” as defined at the top of this Privacy Policy).

**Controller.** Pendo is the controller in respect of the processing of your personal information covered by this Privacy Policy for purposes of the “**GDPR**” (i.e., the General Data Protection Regulation 2016/679 (“**EU GDPR**”) and the EU GDPR as it forms part of UK law (“**UK GDPR**”). See the ‘How to contact us’ section above for our contact details.

**Personal information.** References to “personal information” in this Privacy Policy should be understood to include a reference to “personal data” (as defined in the GDPR).

**Additional personal information we collect in Europe.** In addition to the personal information set out in the ‘Personal information we collect’ section above, we may also process:

- **Training data**, such as de-identified, aggregated, and/or anonymized data we derive from our corporate customers’ use of the Pendo platform, including usage data.

**Our GDPR Representatives.** We have appointed the following representatives in Europe as required by the GDPR – you can also contact them directly should you wish:

Our Representative in the EU. Our EU representative appointed under the EU GDPR is DP-Dock GmbH:

- By email to: [pendo@gdpr-rep.com](mailto:pendo@gdpr-rep.com)
- By postal mail to:  
Attn: Pendo.io  
Ballindamm 39  
20095 Hamburg  
Germany

Our Representative in the UK. Our UK representative appointed under the UK GDPR is DP Data Protection Services UK Ltd.:

- By email to: [pendo@gdpr-rep.com](mailto:pendo@gdpr-rep.com)
- By postal mail to:  
Attn: Pendo.io  
16 Great Queen Street  
Covent Garden, London  
WC2B 5AH  
United Kingdom

## Our legal bases for processing

In respect of each of the purposes for which we use your personal information, the GDPR requires us to ensure that we have a “legal basis” for that use.

Our legal bases for processing your personal information described in this Privacy Policy are listed below.

- Where we need to perform a contract, we are about to enter into a contract or have entered into a contract with you (“**Contractual Necessity**”).
- Where it is necessary for our legitimate interests and your interests and fundamental rights do not override those interests (“**Legitimate Interests**”). More detail about the specific legitimate interests pursued in respect of each Purpose we use your personal

information for is set out in the table below.

- Where we need to comply with a legal or regulatory obligation (“**Compliance with Law**”).
- Where we have your specific consent to carry out the processing for the Purpose in question (“**Consent**”).

We have set out below, in a table format, the legal bases we rely on in respect of the relevant Purposes for which we use your personal information – for more information on these Purposes and the data types involved, see ‘How we use your personal information’

Purpose	Categories of personal information involved	Legal basis
<b>Service delivery and operations</b>	<ul style="list-style-type: none"> <li>• Contact data</li> <li>• Account data</li> <li>• Feedback and communications data</li> <li>• Audiovisual data</li> <li>• Transactional data</li> <li>• Payment data</li> <li>• Third-party source data</li> <li>• Device data</li> </ul>	<b>Contractual Necessity</b>
	<ul style="list-style-type: none"> <li>• Data about others</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Legitimate Interests</b></li> </ul> <p>We have a legitimate interest in optimizing our Service by offering users functions that allow them to invite their contacts to use the Service (where they have their permission to do so)</p>
<b>Service personalization</b>	<ul style="list-style-type: none"> <li>• Account data</li> <li>• Device data</li> <li>• Online activity data</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Legitimate Interests</b></li> </ul> <p>We have a legitimate interest in personalizing our Service to improve our users’ experiences</p> <ul style="list-style-type: none"> <li>• <b>Consent</b>, in respect of any non-essential tracking technologies used for this purpose</li> </ul>
<b>Analytics and service improvement</b>	<ul style="list-style-type: none"> <li>• Contact data</li> <li>• Account data</li> <li>• Feedback and communications data</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Legitimate Interests</b></li> </ul> <p>We have a legitimate interest in learning about how our users use the Service so that we can optimize the Service for our users</p> <ul style="list-style-type: none"> <li>• <b>Consent</b>, in respect of any non-essential</li> </ul>



Purpose	Categories of personal information involved	Legal basis
	<ul style="list-style-type: none"> <li>● Audiovisual data</li> <li>● Transactional data</li> <li>● Device data</li> <li>● Online activity data</li> <li>● Communication interaction data</li> <li>● Training data</li> </ul>	<p>cookies used for this purpose and any feedback or research conducted by Pendo with individuals who are not existing users of the Service.</p>
<b>Direct marketing</b>	<ul style="list-style-type: none"> <li>● Contact data</li> <li>● Marketing data</li> <li>● Communication interaction data</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Legitimate Interests</b> We have a legitimate interest in promoting our operations and goals as an organisation and sending marketing communications for that purpose</li> <li>● <b>Consent</b>, in circumstances or in jurisdictions where consent is required under applicable data protection laws for the sending of any given marketing communications</li> </ul>
<b>Interest-based advertising</b>	<ul style="list-style-type: none"> <li>● Device data</li> <li>● Online activity data</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Consent</b></li> </ul>
<b>Events and promotions</b>	<ul style="list-style-type: none"> <li>● Contact data</li> <li>● Marketing data</li> <li>● Promotion data</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Contractual Necessity</b> to administer the events and promotions in accordance with the terms or rules thereof (including communicating with you as and where necessary)</li> <li>● In respect of promoting these events or promotions: <ul style="list-style-type: none"> <li>○ <b>Legitimate Interests</b> – we have a legitimate interest in promoting these promotions and contests, including associated publicising of our business and operations</li> <li>○ <b>Consent</b> – in circumstances or in jurisdictions where consent is required under applicable data protection laws to the sending of any given promotional communications</li> </ul> </li> </ul>
<b>Compliance and protection</b>	<ul style="list-style-type: none"> <li>● Any and all data types relevant in the circumstances</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Compliance with Law</b></li> <li>● <b>Legitimate interests</b></li> </ul> <p>Where Compliance with Law is not applicable, we</p>

Purpose	Categories of personal information involved	Legal basis
		have a legitimate interest in participating in, supporting, and following legal process and requests, including through co-operation with authorities. We may also have a legitimate interest of ensuring the protection, maintenance, and enforcement of our rights, property, and/or safety
<b>To create de-identified, aggregated, and/or anonymized data</b>	<ul style="list-style-type: none"> <li>● Contact data</li> <li>● Account data</li> <li>● Transactional data</li> <li>● Device data</li> <li>● Online activity data</li> <li>● Training data</li> </ul>	<ul style="list-style-type: none"> <li>● <b>Legitimate Interests</b></li> </ul> <p>We have a legitimate interest in preserving the privacy of our users and practicing good data hygiene by aggregating, de-identifying and/or anonymizing their personal information</p>

Other info

**No sensitive personal information.** We ask that you not provide us with any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through the Services, or otherwise to us. If you provide us with any sensitive personal information to us when you use the services, you must consent to our processing and use of such sensitive personal information in accordance with this Privacy Policy. If you do not consent to our processing and use of such sensitive personal information, you must not submit such sensitive personal information through our services.

**No Automated Decision-Making and Profiling.** As part of the Service, we comply with Art. 22 of the EU GDPR and UK GDPR, and do not engage in automated decision-making and/or profiling which produces legal or similarly significant effects.

Your rights

**General.** European data protection laws give you certain rights regarding your personal information. If you are located in Europe, you may ask us to take the following actions in relation to your personal information that we hold:

- **Access.** Provide you with information about our processing of your personal information and give you access to your personal information.
- **Correct.** Update or correct inaccuracies in your personal information.
- **Delete.** Delete your personal information where there is no lawful reason for us continuing to process it - you also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).

- **Transfer.** Transfer a machine-readable copy of your personal information to you or a third party of your choice.
- **Restrict.** Restrict the processing of your personal information, for example if you want us to establish its accuracy or the reason for processing it.
- **Object.** Object to our processing of your personal information where we are relying on Legitimate Interests – you also have the right to object where we are processing your personal information for direct marketing purposes.
- **Withdraw Consent.** When we use your personal information based on your consent, you have the right to withdraw that consent at any time.

**Exercising These Rights.** You may submit these requests by email to [GDPR@pendo.io](mailto:GDPR@pendo.io) or our postal address provided above. We may request specific information from you to help us confirm your identity and process your request. Whether or not we are required to fulfill any request you make will depend on a number of factors (e.g., why and how we are processing your personal information), if we reject any request you may make (whether in whole or in part) we will let you know our grounds for doing so at the time, subject to any legal restrictions.

**Your Right to Lodge a Complaint with your Supervisory Authority.** In addition to your rights outlined above, if you are not satisfied with our response to a request you make, or how we process your personal information, you can make a complaint to the data protection regulator in your habitual place of residence.

- **For users in the European Economic Area** – the contact information for the data protection regulator in your place of residence can be found here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en)
- **For users in the UK** – the contact information for the UK data protection regulator is below:  
 The Information Commissioner’s Office  
 Water Lane, Wycliffe House  
 Wilmslow - Cheshire SK9 5AF  
 Tel. +44 303 123 1113  
 Website: <https://ico.org.uk/make-a-complaint/>

## Data Processing outside Europe

We are a U.S.-based company and many of our service providers, advisers, partners or other recipients of data are also based in the U.S. or outside of Europe. This means that, if you use the Service, your personal information will necessarily be accessed and processed in the U.S. and in other countries outside Europe.

The countries from or in which your personal information may be processed may not be considered by relevant European government authorities to provide an adequate level of protection for personal information.

Where we receive or share your personal information in a cross-border data transfer, we do so in the following ways:

- **Transfers to territories with an adequacy decision.** We may transfer your personal information to countries or territories whose laws have been deemed to provide an adequate level of protection for personal information by the European Commission or UK

Government (as and where applicable) (from time to time).

- **Transfers to territories without an adequacy decision.**

- We may transfer your personal information to countries or territories whose laws have **not** been deemed to provide such an adequate level of protection (e.g., the U.S., see above).
- However, in these cases:
  - we may use specific appropriate safeguards, which are designed to give personal information effectively the same protection it has in Europe – for example, standard-form contracts approved by relevant authorities for this purpose; or
  - in limited circumstances, we may rely on an exception, or ‘derogation’, which permits us to transfer your personal information to such country despite the absence of an ‘adequacy decision’ or ‘appropriate safeguards’ – for example, reliance on your explicit consent to that transfer.

You may contact us if you want further information on the specific mechanism used by us when transferring your personal information out of Europe.

## **EU-U.S. Data Privacy Framework, UK Extension, and Swiss-U.S. Data Privacy Framework**

Pendo.io, Inc. complies with the EU-U.S. DPF, the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. DPF (collectively, the “Data Privacy Framework”) as set forth by the U.S. Department of Commerce and can be found [here](#) with respect to personal information that we transfer in reliance upon the Data Privacy Framework. We have certified to the U.S. Department of Commerce that Pendo.io, Inc. (hereinafter “**we**” “**us**” or “**our**”), adheres to:

- the EU-U.S. DPF Principles (“DPF Principles”) with regard to the processing of personal information received from the EU in reliance on the EU-U.S. DPF;
- the DPF Principles with regard to the processing of personal information received from the UK in reliance on the UK Extension (with references in the EU-U.S. DPF to the European Union and/or European Commission, EU DPAs, and EU individuals being understood as referring respectively to the United Kingdom and/or the UK Government, the UK’s Information Commissioner’s Office and/or, as applicable, the Gibraltar Regulatory Authority); and
- the DPF Principles with regard to the processing of personal information received from Switzerland in reliance on the Swiss-U.S. DPF.

If there is any conflict between the terms in this Privacy Policy and the EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern.

With respect to personal information received or transferred pursuant to the Data Privacy Framework, the U.S. Federal Trade Commission has jurisdiction over our compliance with the Data Privacy Framework.

As described in the DPF Principles, we are accountable for personal information that we receive under the Data Privacy Framework and subsequently transfer to third parties. If third parties to whom we disclose personal information process it in a manner that does not comply with the

DPF Principles, Pendo.io, Inc., will be accountable, unless we prove that we are not responsible for the event giving rise to the damage. The types of third parties with whom we may share your personal information and for which purposes are set out in the section of this Privacy Policy entitled How we share your personal information above.

The categories of personal information that we may receive, as well as the purposes for which we collect and use the personal information, are set out in other sections of this Privacy Policy, including in those entitled Personal information we collect and How we use personal information.

In certain situations, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Depending upon the context in which we process personal information received in reliance upon the Data Privacy Framework, relevant individuals may have rights to access personal information about them, and choices to limit the use and disclosure of their personal information. Please submit a written request to exercise your rights or choices to the contact information provided in this Privacy Policy (see the section entitled How to contact us). We may request specific information from you to confirm your identity.

In compliance with the Data Privacy Framework, we commit to resolve DPF Principles-related complaints about our collection or use of your personal information. EEA, UK, and Swiss users with inquiries or complaints regarding our handling of personal information received in reliance on the Data Privacy Framework should first contact us by using the contact information provided in this Privacy Notice (see the section entitled How to contact us). We also commit to cooperate and comply with a U.S.-based independent dispute resolution mechanism, BBB National Programs (“BBB”), with regard to unresolved complaints concerning our handling of personal information received in reliance. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit [www.bbbprograms.org/dpf-complaints](https://www.bbbprograms.org/dpf-complaints) for more information and to file a complaint. This service is provided free of charge to you.

If your DPF Principles-related complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See <https://www.dataprivacyframework.gov/s/article/ANNEX-I-introduction-dpf>.