

Pixalate's Compliance Practices Regarding the Collection, Use, and Retention of Personal Data

Effective 16 February 2021

Pixalate is aware of the 16 July 2020 ruling by the European Court of Justice (ECJ), and the 8 September 2020 opinion by the Swiss Federal Data Protection and Information Commissioner (FDPIC), invalidating the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework. For the reasons set forth herein, these rulings do not change our ability to offer, and our clients' ability to continue using, our services.

Although Pixalate remains committed to its compliance with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, as detailed below we do not rely upon these frameworks as our legal bases for collection, use, retention, processing and/or transfer of personal data that originated in the European Economic Area ("**EEA**") or the United Kingdom ("**UK**") to the United States ("**U.S.**"). Instead, Pixalate relies upon the [Standard Contractual Clauses](#) ("**SCCs**") approved by the European Commission in Decision 2004/915/EC.

Standard Contractual Clauses

By incorporating the [SCCs](#) into a contract established between the parties transferring personal data, such data is considered adequately protected when transferred outside of the EEA or the UK. Pixalate relies upon – and adheres to – the SCCs to ensure adequate protection of any personal data of any EEA or UK data subject that is transferred to a country outside of the EEA or UK, including the U.S.

Process for Complaints or Inquiries Regarding Our Privacy Practices

Pixalate commits to resolve complaints about our collection or use of your personal data reasonably and expeditiously. Residents of the EEA, UK or Switzerland with inquiries or complaints regarding this Privacy Policy should first contact us via email at privacy@pixalate.com, or via mail at:

Pixalate Inc., 2209 El Camino Real, Suite 202, Palo Alto, CA 94306 USA

Pixalate has further committed to refer unresolved privacy complaints to [JAMS](#). If you do not receive timely acknowledgement from Pixalate of your

inquiry or complaint, or if your inquiry or complaint is not addressed satisfactorily, please visit <https://www.jamsadr.com/eu-us-privacy-shield> for more information. A binding arbitration option may also be made available to you in order to address complaints not resolved by any other means. Pixalate is subject to the investigatory and enforcement powers of the United States Federal Trade Commission.

EU-U.S. and Swiss-U.S. Privacy Shield

As noted above, Pixalate continues to comply with – and fulfill its obligations under – the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from EEA member countries and Switzerland (the “*Principles*”). To learn current information about the Privacy Shield program, please visit the following URL: <https://www.privacyshield.gov/Program-Overview>. To view our Privacy Shield certification, please visit the following URL: <https://www.privacyshield.gov/list>.