



## Secure By Design Ternary Inc. Platform, Practices and Privacy Policy

We value the data our customers entrust us with and have designed our application platform with enterprise grade security and reliability by default.

### Platform

Ternary is built for Google Cloud Platform (GCP), on GCP. Google Data Centers are certified SOC2, HIPAA compliant and ISO certified. Ternary makes use of US-based datacenters in US-Central. For additional information on Google cloud compliance, please refer to Google's compliance site <https://cloud.google.com/security/compliance>

Ternary implements technical controls to ensure that customer data is protected from compromise and unauthorized access.

- Authentication
- Network Security
- Authorization
- Data Segregation
- Disaster Recovery & Backup

### Practices

The protection of your data is a top priority at Ternary, and the development and operation of our service revolves around that commitment. This includes our people, security policies, and dedication to helping you implement secure practices when using our products.

- Confidentiality & InfoSec - Ternary requires all employees and contractors to sign and abide by non-disclosure confidentiality agreements, and to comply with our information security policies.
- Training - Ternary provides training to all employees on our information security handling practices and policies during their new hire orientation, with refresher courses given annually to keep staff current.
- Access to Data - The principle of "least privilege" is adhered to and data is accessible only to authorized Ternary personnel as required to operate the service. Customer data is only disclosed to third parties in connection with the provision of services to you, and only in accordance with your commercial agreements with Ternary.

### Privacy

Ternary, Inc., its affiliates and subsidiaries ("Ternary," "us" or "we") respect your privacy and are committed to protecting your Personal Information as described in this privacy policy ("Policy"). This Policy describes: (1) the types of Personal Information we may collect; (2) the purposes for which we collect Personal Information; (3) the parties with whom we may share this information; (4) your rights and choices; (5) how to contact us with your questions or concerns; (6) and the measures we take to protect Personal Information.

#### 1. Scope

This Policy applies to the Processing of Personal Information by Ternary in the context of its publicly available websites, including [my.ternary.app](https://my.ternary.app) and [ternary.app](https://ternary.app) (collectively, our "Website")

and in connection with its customer, partner, and vendor relationships (“Business Data”). Ternary is the data controller for the processing of Personal Information on our Website and for the processing of Business Data. In addition, Ternary obtains, processes and hosts Personal Information and Google cloud billing data via its commercial hosted software applications (collectively, the “Software Services”) provided to its customers who subscribe to those Software Services (“Customers”). When providing the Software Services, Ternary is a data processor and only processes Personal Information on behalf and instructions of our Customers, which are data controllers. The agreement between Ternary and our Customers defines the roles and responsibilities of the parties for the processing of Personal Information in the context of the Software Services. For more information on these activities, please refer to the privacy policy of the Customer who submitted your data to our Services.

## **2. Personal Information We May Collect or Receive**

Depending on the context in which you interact with us, we may collect or receive the following types of information, including Personal Information, from and about you:

When you submit requests or post materials or inquiries on our Website (including when registering for content such as whitepapers and requesting additional information, services, or support from us), we may collect your name, title, company name, address, phone number, and e-mail address, and certain company information.

When you correspond with us via email, we may collect the Personal Information included in your email.

We may obtain Personal Information from third party business partners such as the contact details of prospects and sale leads from our partners. We may collect Personal Information from our existing and prospective Customers, vendors, and partners:

When Customers register to use the Software Services (and related services, such as training and customer support), we require them to provide us with contact information (such as name, company name, phone number, and e-mail address). They may voluntarily decide to communicate additional Personal Information (such as title, department name, fax number, and additional company information, such as mailing address, annual revenues, number of employees, or industry). We will use the email address provided during the registration process to generate a username and temporary password for Customers. Customers will be invited to log-in to change their password.

We collect information about Customers’ use of the Software Services including in a log file (e.g., when a user logs, its use of the system).

With Customers’ consent, we may post Customers’ testimonials, which may include

Personal Information such as their name, on the Website about their use of the Software Services.

Customers contact details to send them information about our products or services. Personal Information of Vendors’ and Partners’ Employees as provided by Vendors or Partner for purposes of the vendor’s services or in furtherance of the relevant partner relationship.

## **3. How We May Use Personal Information**

We may use the information that we collect about you or that you provide to us, including any

Personal Information, in the following ways:

We use data we collect to provide the Website and Software Services that we offer. This includes operating, maintaining, and providing you with all the content and features of the Website and Software Services.

To inform you about Ternary and our products, services and partners, including to send you marketing promotions.

To diagnose and resolve issues with and otherwise improve our Website or Software Services.

To protect the security of our services, employees and users, detect and prevent fraud, and to resolve disputes.

To send administrative information to you, for example, information regarding the services and changes to our terms, conditions, and policies of our Website and Software Services.

To carry out our obligations and enforce our rights arising from any agreements between you and us.

To understand usage patterns on the Website and Software Services.

To set up the Software Services for individuals and their organizations.

In connection with prospective service engagements, partnerships or vendor relationships.

#### **4. How We May Share Personal Information**

We may disclose your Personal Information as follows:

To our affiliates or subsidiaries as necessary to provide our products and services.

To our service providers in support of our business. We do not authorize these service providers to use or disclose your Personal Information except as necessary to perform certain services on our behalf or comply with legal requirements. We require these service providers to safeguard the privacy and security of personal information they process on our behalf.

To an acquirer, successor, or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, or in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets.

We also reserve the right to disclose your Personal Information that we believe, in good faith, is appropriate or necessary to (i) take precautions against liability, (ii) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity, (iii) investigate and defend ourselves against any third-party claims or allegations, (iv) protect the security or integrity of the company, or (v) protect our property or other legal rights (including, but not limited to, enforcement of Ternary's Terms of Uses), or the rights, property, or safety of others.

We may disclose your Personal Information if required to do so by law or in the good-faith belief that such action is necessary to comply with applicable laws, in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies.

We do not share your Personal Information with third parties or unaffiliated companies for their marketing purposes unless you opt in to that sharing.

## **5. Your Rights and Choices**

We seek to provide you with choices regarding the Personal Information you provide to us.

You can also unsubscribe from e-mail marketing communications by following the instructions contained in the marketing messages you receive. Even if you opt-out or unsubscribe, we can send you certain communications relating to the Service, such as administrative messages that are considered part of your account membership. You cannot opt-out of receiving those messages. Where required under applicable law, we will only send you marketing communications with your consent

Right of access, deletion, correction of your Personal Information. Subject to applicable law, you may have the right to request access to and receive information about the Personal Information we maintain about you, update and correct inaccuracies in your Personal Information, and have the information blocked or deleted, as appropriate. These rights may be limited in some circumstances by local law. To exercise these rights, please contact us as set forth below in the how to contact us section.

Customers account information. You can update, edit or remove your account information at any time by logging into the Website.

If you are a California Resident, see Your California Privacy Rights below at section 7.

If you are in the EU, see the GDPR below at section 6

You can choose not to provide us with your Personal Information, but if you do not provide us with your Personal Information when we request it, we may not be able to provide you with our full range of products and services, or provide a service appropriately tailored to you.

## **6. GDPR**

The EU General Data Protection Regulation (“GDPR”) went into effect on: May 25, 2018 and ushered in the most sweeping set of data protection, privacy and data transfer regulations to date. If a company uses third party data processors to collect, transmit, host or analyze personal data of EU citizens, the GDPR requires the company to use processors who guarantee their ability to implement the technical and organizational requirements of the GDPR. The Ternary branded products, and the processing of customer data within the Ternary branded products, are compliant with the GDPR. To formalize this commitment, we have added the Ternary EU General Data Protection Regulation Provisions to our contractual commitments to our customers. Among other things, these terms obligate Ternary to:

Process personal data based on customer instructions or applicable laws

Ensure that personnel accessing personal data are subject to confidentiality duties

Apply technical and administrative measures to protect personal data

Assist customers in responding to requests from individuals about their personal data

Assist customers in fulfilling their legal duties including regarding notification of data breach,

delete personal data at the conclusion of the contracted services except where retention is required or permitted by law, provide customers with information required to fulfill regulatory and audit obligations

Obtain customer consent when engaging a subprocessor to process personal data in connection with the Ternary branded products. If you are a current customer you are invited to review the list of subprocessors available and obtain updates via the mechanism described on

that page. We encourage you to review these commitments. They represent a coordinated effort within Ternary to ensure we not only comply with applicable regulation, but also that we maintain our ongoing compliance, security and privacy efforts in general.

## **7. Your California Privacy Rights**

This section provides additional details about the personal information we may collect about California consumers and the rights afforded to them under the California Consumer Privacy Act or “CCPA”. For more details about the personal information we have collected over the last 12 months, including the categories of sources, please see the Personal Information We May Collect or Receive (Section 2) above. We collect this information for the business and commercial purposes described in this privacy policy. We share this information with the categories of third parties described in the How We May Share Personal Information (Section 4) above. Ternary does not sell (as the term is defined in the CCPA) the personal information we collect (and will not sell it without providing a right to opt out). Subject to certain limitations, the CCPA provides California consumers a number of rights, specifically: the right to request to know more details about the categories or specific pieces of personal information we collect (including how we use and disclose this information); to delete their personal information; to opt out of any “sales” that may be occurring; and to not be discriminated against for exercising these rights.

California consumers may make a request pursuant to their rights under the CCPA by contacting us as set out in the How to Contact Us section below. We will verify your request using the information we currently hold about you, including email address. Further information may be required in order to identify you. Consumers can also designate an authorised agent to exercise these rights on their behalf.

## **8. Data Security**

We take reasonable steps given the context of the engagement in which data is provided to protect your Personal Information from loss, misuse, interference, unauthorized access, disclosure, alteration, and destruction. However, the security of information transmitted through the Internet can never be guaranteed and is not entirely within our control. Where you receive a password for access to certain parts of our Website or the Software Services, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

## **9. Cross-Border Data Transfers**

We may transfer your Personal Information to countries other than the country in which the data was originally collected. Those countries may not have the same data protection laws as the country in which you initially provided that information. When we transfer your Personal Information to other countries, we will protect it as described in this Privacy Policy. To offer our services, we may need to transfer your personal information among several countries where we have employees, facilities or service providers, including the United States, where we are headquartered. By using the Software Services or otherwise providing Personal Information to us, you consent to the transfer of Personal Information to countries outside of your country of residence, including the U.S. If you are located in the EEA, we comply with applicable legal requirements providing adequate protection for the transfer of Personal Information to countries outside of the EEA.

## **11. Links to Other Websites**

Our website may contain links to websites of third parties who: (1) are not affiliated with us; (2) are outside our control; or (3) are not covered by this Policy (“Third-Party Websites”). Links

provided to Third-Party Websites on our Website are provided only as a convenience to you. The inclusion of any link does not imply its reliability or an endorsement by us of the content or security. We are not responsible for the privacy practices of Third-Party Websites, which may collect and use information from you in a manner different than how we do so. Accordingly, the use of such Third-Party Websites is entirely at your own risk. For relevant information, you should review the privacy statements or policies of any Third-Party Websites before using them. Other parties may collect information about your online activities over time and across different websites when you use our Site or Services.

## **12. Changes to Our Policy**

We reserve the right to modify this Policy at any time, so please review it frequently to see when the Policy was last revised. Any changes to this Policy will become effective when we post the revised Policy on our Website or via the Software Services. Your continued use of the Website or Software Services is deemed to be acceptance of such changes, to the extent permitted under applicable law.