

## WEBSITE PRIVACY POLICY

Callidus Software Inc., doing business as CallidusCloud, together with its affiliates, which includes subsidiaries and entities that Callidus Software Inc. operates (collectively, “CallidusCloud,” “we,” or “us”) provides cloud-based sales, marketing, learning, and customer experience solutions. This CallidusCloud Privacy Policy (“Policy”) describes our general privacy policy and practices in relation to CallidusCloud’s websites, mobile applications, and services (collectively, the “Services”).

Callidus has self-certified under the EU-U.S. Privacy Shield framework set forth by the U.S. Department of Commerce and the European Union. Please click [here](#) to view our Privacy Shield Notice. For more information on the EU–U.S. Privacy Shield, please visit the U.S. Department of Commerce’s Privacy Shield website [here](#).

### 1. **Applicability**

This Policy applies to individuals who provide personal data and personal information via visiting CallidusCloud’s websites (“Visitors”), registering to use the Services (“Customers”), and registering to attend CallidusCloud’s corporate events (“Attendees”). “Personal data” and “personal information”, as used herein, means data, including data about individuals in European Union member countries (“EU Persons”), that is within the scope of the Directive 95/46/EC, that is received by CallidusCloud, including in the United States of America from the European Union, and recorded in any form.

### 2. **Information Collected**

How we collect and store information depends on the websites you visit, the activities in which you participate, and the Services you use. You can use some of the Services without providing any information, although several categories of information are automatically collected from you when you use the Services, as described below.

#### a. ***Information You Provide***

When expressing an interest in obtaining additional information about the Services or registering to use the Services, CallidusCloud requires you to provide personal data, such as name, company name, address, phone number, and email address (“Required Contact Information”). When purchasing the Services, CallidusCloud may require you to provide financial qualification and billing information, such as, but not limited to, billing name and address, birth year, credit card number, and the total number of employees within the organization that will be using the Services (“Billing Information”). CallidusCloud may also ask you to provide certain optional additional information, such as, but not limited to, company annual revenues, number of employees, or industry (“Optional Information”). Required Contact Information, Billing Information, and Optional Information are referred to collectively as “Data About Customers” in the case of Customers, “Data About Visitors” in the case of Visitors, and “Data About Attendees” in the case of Attendees. Pursuant to this Policy, “Data About Customers”, “Data About Visitors”, and “Data About Attendees” may include personal data.

#### b. ***Automatically-Collected Information***

CallidusCloud may automatically collect certain information about the computer or devices that are used to access the Services, including mobile devices, through commonly-used information-gathering tools, such as cookies and web beacons (“Website Navigational Information”). Website Navigational Information includes standard information from your browser or device (such as

browser/device type and language), your Internet Protocol (“IP”) address, and the actions you take on CallidusCloud’s websites, such as the pages viewed and the links clicked.

We may also collect and analyze information such as: (i) location information (as described in the next section below), unique device identifiers and other information about your mobile phone or other mobile device(s), browser types, browser language, operating system, the state or country from which you accessed the Services; and (ii) information related to the ways in which you interact with the Services, such as referring and exit pages and URLs, platform type, the number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, the date and time you used the Services, error logs, and other similar information. As described further below, we may use third-party analytics providers and technologies, including cookies and similar tools, to assist in collecting this information.

#### ***c. Location Information***

We may use information about your location to customize the Services with location-based information, advertising, and features. If you access the Services through a mobile device and you do not want your device to provide us with location-tracking information, you can disable the GPS or other location-tracking functions on your device, provided your device allows you to do this.

#### ***d. Information From Others***

We may obtain information about you from third parties, such as marketers, partners, researchers, and others. If you access the Services through a third-party connection or log-in, you authorize CallidusCloud to collect, store, and use, in accordance with this Policy, any and all information available to CallidusCloud through the third-party interface. Should you choose to voluntarily disclose information through the Services, such as on message boards, third parties can view publicly and collect that information without our knowledge and such disclosure may result in unsolicited messages from other individuals or third parties.

#### ***e. Aggregate or De-Identified Data***

We may aggregate and/or de-identify information collected by the Services or via other means such as corporate events so that the information is not intended to identify you. This Policy does not restrict our use or disclosure of aggregated and/or de-identified information.

### **3. Cookies**

This Section describes our practices with respect to how we use cookies. By using our Services with your browser set to accept cookies, you are consenting to our use of cookies in the manner described herein.

We may collect data about your use of the Services through the use of cookies, Internet server logs, tracking pixels (also called web beacons) and similar technologies. A cookie is a small text file that is placed on your computer or mobile device when you visit a website, that enables us to recognize your computer/device, store your preferences and settings, enhance your user experience by delivering content specific to your interests, perform searches and analytics, and assist with security administrative functions. An Internet server log is a file where website activity is stored. Server logs are used to track usage and provide security. A tracking pixel, which is also referred to as a web beacon or a clear GIF, is an electronic tag with a unique identifier that is embedded on webpages, in online advertisements and/or email. These pixels are designed to provide usage information, such as advertising impressions or clicks, measure popularity of the Services and associated advertising, and access user cookies.

We use third parties to assist us in advertising, tracking aggregated and/or de-identified site usage statistics, and providing content-sharing services to support the Services. These third parties may also use cookies and similar technologies to collect similar information about your use of the Services. For instance, the cookies may reflect de-identified data linked to or derived from data you voluntarily have submitted to us, e.g., a hashed version of your email address, which we may share with service providers, solely in non-human readable form. We do not control these third-party technologies, and their use is governed by those parties' privacy policies.

We use both session cookies and persistent cookies. A session cookie is used to identify a particular visit to our site. These cookies expire after a short time, or when you close your web browser after using our Services. We use these cookies to identify you during a single browsing session. A persistent cookie will remain on your devices for a set period of time specified in the cookie. We use these cookies where we need to identify you over a longer period of time. For example, we would use a persistent cookie if you asked that we keep you signed in. Another type of cookies is Flash cookies, which are stored with your Adobe Flash Player files and help in the viewing of content that uses the Adobe Flash player.

- a. ***Why does CallidusCloud use cookies and similar technologies?*** CallidusCloud uses cookies and similar technologies for the following purposes:
- **Authentication and Security:** To log you into the Services; to protect your security; and to help us detect and fight spam, abuse, and other activities that violate CallidusCloud's Terms of Use. For example, these technologies help authenticate your access to the Services and prevent unauthorized parties from accessing your account. They also let us show you appropriate content through the Services.
  - **Preferences:** To remember information about your browser and your preferences; and to remember your settings and other choices you have made.
  - **Analytics and Research:** To help us better understand how people use our Services, we work with a number of analytics partners, including Google Analytics; and to help us improve and understand how people use the Services. For example, cookies help us test different versions of our Services to see which particular features or content users prefer. We may include web beacons in e-mail messages or newsletters to determine whether the message has been opened and for other analytics. We might also optimize and improve your experience using the Services by using cookies to see how you interact with the Services, such as when and how often you use them and what links you click on. To find out more about how Google uses data when you visit a website that uses Google Analytics, please visit <https://www.google.com/policies/privacy/partners/>.
  - **Personalized Content:** To customize the Services with more relevant content.
  - **Advertising:** To provide you with more relevant advertising. As explained below, third parties whose products or services are accessible or advertised via the Services may use cookies to collect information about your activities on the Services, other sites, and/or the ads you have clicked on. This information may be used by them

to serve ads that they believe are most likely to be of interest to you and measure the effectiveness of their ads. Targeting and advertising cookies on the Services may include Google and other advertising networks and services we use from time to time. For more information about targeting and advertising cookies and how you can opt out, you can

visit <http://youronlinechoices.eu/> or [www.allaboutcookies.org/manage-cookies/index.html](http://www.allaboutcookies.org/manage-cookies/index.html). Please note that to the extent advertising technology is integrated into the Services, you may still receive advertisements even if you opt out of tailored advertising. In that case, the ads will just not be tailored to your interests.

- b. **Where are cookies and similar technologies used?** We use these technologies on the Services, including our websites and apps. We do not release the information collected from our own cookies to any third parties, other than to our service providers who assist us in providing the Services and only in accordance with this Policy
- c. **What are my privacy options?** You have a number of options to control or limit how we and our partners use cookies. Most browsers automatically accept cookies, but you can modify your browser setting to limit or decline cookies by visiting your browser's help page. The browser manufacturers, not CallidusCloud, control these settings. You can change your settings to notify you when a cookie is being set or updated, or to block cookies altogether. Please consult the "Help" section of your browser for more information (e.g., [Internet Explorer](#); [Google Chrome](#); [Mozilla Firefox](#); or [Apple Safari](#)). You can also manage the use of Flash technologies, including Flash cookies, with the Flash management tools available at [Adobe's website](#). If you choose to decline cookies, please note that you may not be able to sign in, customize, or use some features of the Services. For general information about cookies and how to disable them, please visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

#### 4. Use of Information Collected

CallidusCloud uses Data About Visitors, Data About Attendees, and Data About Customers, which may include personal data, to perform the services requested. For example, if you fill out a "Contact Me" web form, CallidusCloud will use the information provided to contact you about your interest in the Services.

CallidusCloud uses Data About Attendees to plan and host corporate events, host online forums and social networks in which event attendees may participate, and populate online profiles for Attendees on the Services.

CallidusCloud may also use Data About Customers, Data About Visitors, and Data About Attendees for marketing purposes. For example, CallidusCloud may use information you provide to contact you to further discuss your interest in the Services and to send you information regarding CallidusCloud, its affiliates, and its partners, such as information about promotions or events.

CallidusCloud uses Billing Information solely to check financial qualifications and collect payment from prospective Customers and Attendees.

CallidusCloud uses Website Navigational Information to operate and improve CallidusCloud's websites, to protect CallidusCloud and third parties, for security, and to prevent fraud and violation of CallidusCloud's applicable agreements. CallidusCloud may also use Website Navigational Information alone or in combination with Data About Customers and Data About Visitors to provide personalized information about CallidusCloud.

CallidusCloud's Customers may electronically submit data or information to the Services for hosting purposes. CallidusCloud will not review, share, distribute, or reference any such data except as provided in an agreement between CallidusCloud and Customer, or as may be required by law.

## 5. Information Sharing and Disclosure

We may disclose to and/or share your information with affiliated and non-affiliated third parties in the following circumstances.

- a. **Consent:** If you consent to the disclosure, we may do so.
- b. **Service Providers:** For business purposes, we may provide access to your information to select third parties who perform services for us such as billing, sales, marketing, advertising, market research, fulfillment, data storage, transfer, analysis and processing, analytics, participation in a contest or sweepstakes, and legal services.
- c. **Other Third Parties:** From time to time, CallidusCloud may partner with other companies to jointly offer products or services. If you purchase or specifically express interest in a jointly-offered product or service from CallidusCloud, CallidusCloud may share Data About Customers collected in connection with your purchase or expression of interest with our joint promotion partner(s). If you do not want your information to be shared in this manner, you may email [info@calliduscloud.com](mailto:info@calliduscloud.com). However, we do not control our business partners' use of the Data About Customers we collect, and their use of the information will be in accordance with their own privacy policies.
- d. **Data About Attendees:** CallidusCloud does not share Data About Attendees with business partners unless: (i) you specifically opt in to such sharing via an event registration form; or (ii) you attend a CallidusCloud event and have your attendee badge scanned by a business partner. If you do not want your information to be shared, you may email [info@calliduscloud.com](mailto:info@calliduscloud.com). If you choose to share your information with business partners in the manners described above, your information will be subject to the business partners' respective privacy policies.
- e. **Protection of CallidusCloud and Others:** We may disclose any of your information to: (i) comply with legal process; (ii) enforce any agreements that you entered into with us; (iii) respond to claims that any content violates the rights of third parties; (iv) respond to your requests for customer service; and/or (v) the extent necessary for the purposes of the legitimate interests pursued by us or by the third party or parties to whom the data are disclosed, except where such interests are overridden by the interests for fundamental rights and freedoms of the data subjects. We may also disclose information to law enforcement agencies in emergency circumstances, where the disclosure of such information is consistent with the types of emergency disclosures permitted or required by law.
- f. **Business Transfers:** We reserve the right to disclose and transfer all of your information, including, without limitation, your Contact Information, Billing Information,

or Optional Information, to a successor (or potential successor) company in connection with a merger, acquisition, or sale of all, or components, of our business, or in connection with due diligence associated with any such transaction.

## 6. Online Analytics

We may use third-party web analytics services such as Google Analytics. These service providers use Website Navigational Information to help us analyze how users use the Services, including by noting the third-party website from which you arrive. The information collected by the technology (including your IP address) will be disclosed to or collected directly by these service providers, who use the information to evaluate your use of the Services. We also use Google Analytics for certain purposes related to advertising, as described in the following section. To prevent Google Analytics from using your information for analytics, you may install the Google Analytics Opt-Out Browser Add-On by clicking [here](#).

## 7. Tailored Advertising

Third parties whose products or services are accessible or advertised via the Services may also place cookies or other tracking technologies on your computer, mobile phone, or other device used to access the Services to collect information about your use of the Services in order to (a) inform, optimize, and serve ads based on past visits to our websites and other sites and (b) report how our advertising impressions, other uses of advertising services, and interactions with these advertising impressions and advertising services are related to the use of our Services. We also allow other third parties (e.g., ad networks and ad servers) to serve tailored ads to you on the Services, and to access their own cookies or other tracking technologies on your computer, mobile phone, or other device you use to access the Services.

We neither have access to, nor does this Policy govern, the use of cookies or other tracking technologies that may be placed on your computer, mobile phone, or other device you use to access the Services by non-affiliated, third-party ad technology, ad servers, ad networks or any other non-affiliated third parties. Those parties that use these technologies may offer you a way to opt out of ad targeting as described below.

You may receive tailored advertising on your computer or mobile device through a web browser. If you are interested in more information about tailored browser advertising and how you can generally control cookies, you may visit the [Network Advertising Initiative's Consumer Opt-Out Link](#), the [Digital Advertising Alliance's Consumer Opt-Out Link](#), or the [European Interactive Digital Advertising Alliance, "Your Online Choices" page](#) to opt out of receiving tailored advertising from companies that participate in those programs. To opt out of Google Analytics for Display Advertising or customize Google Display Network ads, you can visit the [Google Ads Settings page](#). Please note that, to the extent advertising technology is integrated into the Services, you may still receive advertisements even if you opt out of tailored advertising. In that case, the ads will just not be tailored to your interests. Also, we do not control any of the above opt-out links and are not responsible for any choices you make using these mechanisms or the continued availability or accuracy of these mechanisms.

## 8. California Do Not Track Disclosure

We are committed to providing you with meaningful choices about the information collected on the Services that is shared with third parties, and that is why we provide the opt-out choices set forth in this Policy. However, we do not recognize or respond to browser-initiated Do Not Track ("DNT") signals, in part because no common industry standard for DNT has been adopted by industry groups,

technology companies, or regulators, nor is there a consistent standard of interpreting user intent. We take privacy and meaningful choice seriously and will make efforts to continue to monitor developments in these areas.

## 9. Security

We have appropriate physical, electronic, and managerial procedures to safeguard and help prevent unauthorized access and maintain data security of, and to use correctly, the information we collect online. These safeguards vary based on the sensitivity of the information that we collect and store.

Although we take appropriate measures to safeguard against unauthorized disclosures of information, we cannot assure you that personal information that we collect will never be disclosed in a manner that is inconsistent with this Policy.

## 10. Communications Preferences

CallidusCloud offers Visitors, Customers, and Attendees who provide contact information a means to choose how CallidusCloud communicates with you. You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of CallidusCloud’s marketing emails. Additionally, you may send a request to [info@calliduscloud.com](mailto:info@calliduscloud.com).

## 11. Public Forums, Refer a Friend, and Customer Testimonials

CallidusCloud may provide bulletin boards, blogs, or chat rooms through the Services. Any personal information you choose to submit in such a forum may be read, collected, or used by others who visit these forums, and may be used to send you unsolicited messages. CallidusCloud is not responsible for the personal information you choose to submit in these forums.

Customers, Visitors, and Attendees may elect to use CallidusCloud’s referral program to inform friends about the Services. When using the referral program, CallidusCloud requests the friend’s name and email address. CallidusCloud will automatically send the friend a one-time email inviting him or her to visit CallidusCloud’s websites. CallidusCloud does not store this information.

CallidusCloud posts a list of Customers and testimonials on CallidusCloud’s websites that contain information such as Customer names and titles. CallidusCloud obtains the consent of each Customer prior to posting such information or testimonials.

## 12. Users From Outside the United States

The Services are governed by United States law and applicable state law. If you are using the Services from outside the United States, your information may be accessed from, transferred to, stored, and processed in our facilities, in various countries around the globe, including the United States. The data protection and other laws of the United States and other countries might not be as comprehensive as those in your country. When we transfer your information globally we will take legally applicable steps to protect your information. This Policy shall apply even if CallidusCloud transfers your information to or accesses your information from other countries.

## 13. Linked Sites and Advertisements

The Services may contain links to third-party websites. We are not responsible for the privacy practices or the content of those third-party websites. Any information you provide via those services is subject to the applicable third party privacy policies and is not covered by this Policy.

#### 14. Children

Our Services do not target and are not intended to attract children under the age of 13. CallidusCloud does not knowingly solicit personal information from children under the age of 13. Should we learn or be notified that we have collected information from users under the age of 13, we will immediately delete such personal information.

#### 15. Your California Privacy Rights

California law permits users who are California residents to request and obtain from us once a year, free of charge, a list of the third parties to whom we have disclosed their personal information (if any) for their direct marketing purposes in the prior calendar year, as well as the type of personal information disclosed to those parties. If you are a California resident and would like to request this information, please provide a written acknowledgement that you are a resident of California and address your request to:

CallidusCloud  
4140 Dublin Blvd., Suite 400  
Dublin, CA 94568  
Attn: Marketing Department

#### 16. No Rights of Third Parties

This Policy does not create rights enforceable by third parties.

#### 17. How to Contact CallidusCloud

If you have any questions, comments, or concerns regarding this Policy or CallidusCloud's privacy practices, please address your inquiries to:

CallidusCloud  
4140 Dublin Blvd., Suite 400  
Dublin, CA 94568  
Attn: Legal Department

#### 18. How You Can Access and Update Your Information

You may review and update certain user profile information by logging in, as applicable, to the relevant portions of the Services where such information may be updated, or by contacting [legal-privacy@calliduscloud.com](mailto:legal-privacy@calliduscloud.com).

#### 19. Changes to This Policy

CallidusCloud reserves the right to change this Policy from time to time. Please check this page periodically for changes. If we make any material changes to this Policy, we will provide notification

of the material changes to this Policy through the CallidusCloud Web site at least thirty (30) days prior to the change taking effect.

#### **20. U.S.–Swiss Safe Harbor**

CallidusCloud complies with the U.S.-Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information from Switzerland. We have certified that we adhere to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, please visit <http://www.export.gov/safeharbor/> and you may view CallidusCloud's Safe Harbor filing [here](#).

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*This Policy was last modified on December 7, 2016*