

Penguin Solutions, Inc. Privacy Policy

1.0 What this policy covers

Your privacy is important to Penguin Solutions. This Privacy Policy explains the information practices for www.penguinsolutions.com (“Site”), including what type of information is gathered, how the information is used, and with whom the information is shared.

By using our Site, you agree to the collection and use of information from or about you as explained in this Privacy Policy.

2.0 Information we collect

Penguin Solutions collects the following information from or about you from the following sources:

2.1 Information you provide to us

Penguin Solutions collects the following information from users of the Site:

- **Contact details:** When you contact us through the Site, we may collect information such as your name, contact information, company name, product interests, or event registration information.
- **Job-related information:** We may collect your resume, professional and employment-related information, and references in connection with your application for a job via the Site.
- **Investor information:** We may collect your name and address information if you express interest in receiving information concerning investing with Penguin Solutions.
- **Other information.** We may collect other information from you that you provide to us that is not specifically listed here. We will use such information in accordance with this Privacy Policy.

2.2 Data collected through cookies and similar technologies

Our servers and third party service providers may automatically record certain information about how you use the Site. We collect this information in server logs and by using cookies and similar technologies. We do not respond to Do Not Track signals.

2.3 Information from partners and other sources

We may receive information about you from third parties and combine information we receive from you with information that we receive about you.

3.0 Use of information we collect

We use your information for the following purposes and as otherwise described to you in this Privacy Policy or at the time of collection: providing access to the Site, responding to inquiries, researching and developing our products and services, compiling and creating anonymous and aggregate data, preventing fraud or illegal activity, enforcing our terms and conditions, or complying with applicable law.

4.0 Sharing information with others

Penguin Solutions will not share your information with third parties except in the following circumstances:

- **Service providers.** We may share your information with third party companies and individuals as needed for them to provide us with services that help us with our business activities and to provide the Site to you. These third parties will be given limited access to your information that is reasonably necessary for them to provide their services.
- **Affiliates.** We may share your information with our parent company, subsidiaries, and affiliates for use consistent with this Privacy Policy.
- **For legal reasons.** We may share your information to comply with applicable laws and legal authorities.
- **Business transfers.** We may sell, transfer, or otherwise share some or all of our business or assets, including your information, in connection with a business deal (or potential business deal) such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.
- **With your consent.** In some cases we may ask for your consent to collect, use, or share your information.

5.0 Children

The Site is not directed at, and we do not knowingly collect information from, anyone under the age of 16. If we learn that we have collected information from a child under age 16, we will attempt to delete that information as soon as possible.

6.0 Security

While no service is completely secure, Penguin Solutions takes reasonable measures to help protect information from unauthorized disclosure. While we make every effort to help ensure the integrity and security of our network and systems, we cannot guarantee our security measures.

7.0 Notice to European users

Penguin Solutions is the controller of your personal information covered by this Privacy Policy. We will process your personal information for several reasons:

- Necessity to perform a contract;
- Legitimate interest; and,
- Consent.

If you have questions about the legal basis of how we process your personal information, or wish to make a privacy rights request (to access, erase, correct the personal data we maintain about you, or to restrict or object to processing, or to port the personal data that we have about you to another organization), please contact us at privacy@penguinsolutions.com. Should you wish to report a complaint or if you feel that Penguin Solutions has not addressed your concern in a satisfactory manner, you may contact your supervisory authority.

8.0 Applicable law

Penguin Solutions is headquartered in the U.S. and the Site is intended for users in the U.S. By utilizing the Site, you agree to the transfer of information to the U.S. to the extent applicable, and the collection, storage, and processing of information under U.S. laws.

9.0 Changes to this privacy policy

If we change our Privacy Policy, we will post the changes on our Site as notice of the change. Any change becomes effective upon posting, without further notice. Penguin Solutions reserves the right to change or modify its Privacy Policy or any other terms of use at any time without notice.

10.0 Questions / contacting us

If you have any questions or inquiries, please contact us through the information provided below.

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