

# Customer privacy notice



EXFO is committed to protecting the privacy and security of Customer's personal information. This Customer Privacy Notice ("Privacy Notice") describes how and why EXFO collects and uses information about identified or identifiable individuals who interact with EXFO for the Customer (collectively "you" or "Customer") when ordering or inquiring about or otherwise using the EXFO products, solutions and services, in accordance with applicable data protection and privacy laws.

By ordering and using the EXFO products, solutions and services, you are accepting and agreeing to the privacy practices outlined in this Privacy Notice. If you do not agree with this Privacy Notice, do not order EXFO products, solutions and services.

Should you have any questions regarding this Privacy Notice, please contact us at [data.privacy@exfo.com](mailto:data.privacy@exfo.com).

## 1. What does this privacy notice apply to

This Privacy Notice applies to the collection and use of information, including personal data, by EXFO, when EXFO quotes, accepts purchase orders, send order acknowledgments, invoices, sells, licenses or delivers products, solutions or services.

## 2. What we need

The personal data we may collect, process and use include your name, title, company name, mailing address, e-mail address, telephone number. EXFO will also keep the details of transactions and orders, your history of correspondence with us, quote requests or inquiries or when you contact customer service or technical support.

## 3. Why we collect information

EXFO needs to keep and process information about you for normal business relationship purposes. We will keep and use it to enable us to run the business and manage our relationship with you effectively, lawfully and appropriately, this includes using information to enable us to (i) perform a contractual obligation; (ii) comply with any legal requirements; and (iii) pursue the legitimate business interests of EXFO. We will never process your personal data where these interests are overridden by your own interests and fundamental rights. Some of the above listed grounds for processing will overlap and there may be several grounds which justify our use of your personal data. Specifically, the personal data we collect from you and about you is needed to:

- Fulfil our contractual obligations with you, process e-commerce transactions and generally provide you with our products, solutions and services; and
- Carry out any other activity which is compatible with the purpose for which the information was collected, as permitted by applicable law.

## 4. Information protection and disclosure

We neither loan nor sell your personal data to anyone. As a global organization, we may provide information about you to our affiliates and to carefully screened third-party providers that work on our behalf, such as our sales channel partners, distributors or service partners. All our third-party service providers and other entities in the EXFO group are required to take appropriate security measures to protect your personal data in line with EXFO personal data practices. We do not allow our third-party service providers to use your personal data for their own purposes. They may only process your personal data on our instructions for specified business purposes

and they are subject to confidentiality obligations. We or they may occasionally contact you by e-mail, mail or telephone to provide you with information about products and services that may be of interest to you. If you are dissatisfied or have questions about the use of your information by one of our third-party providers, please contact us at [data.privacy@exfo.com](mailto:data.privacy@exfo.com).

We may be forced to disclose or share your personal data in the following situations:

- To comply with legal or regulatory obligations or to respond to public and government authorities;
- To enforce or apply terms and conditions pertaining to the supply of products, services and/or information and other agreements;
- To protect the rights, property or safety of our employees, customers or third-party providers;
- When selling one or more of our businesses or to anyone to whom we may transfer our rights under any customer agreement we have with you.

## 5. Data retention

EXFO will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal requirements. In some circumstances we may anonymize your personal data so that it can no longer be associated with you, in which case we may use such information without further notice to you. Once you are no longer a registered Customer, we will retain and securely destroy your personal data in accordance with applicable laws and regulations. EXFO has a Data Retention Policy and Customers are invited to contact EXFO at [data.privacy@exfo.com](mailto:data.privacy@exfo.com) for further details on data retention.

## 6. Location and transfer of personal data

The files containing your personal data will be stored at EXFO's offices or on our servers and those of our third-party service providers acting on our behalf, which may be located in Canada, the European Union, the U.S. or other countries which may not have a level of data protection and privacy laws equivalent to that of your country. By ordering or inquiring about the EXFO products, solutions and services or otherwise providing personal data to us, you consent to the processing and transfer of such personal data in and to Canada, the European Union, the U.S. and other countries in the manner and for the purposes described in this Privacy Notice.

## 7. Your rights

You have the right, exercisable at any time, to information regarding the processing and use of your personal data as well as the right to have this data updated, corrected or deleted. These rights are exercisable by contacting [data.privacy@exfo.com](mailto:data.privacy@exfo.com). We may retain certain information as required by law or as necessary for our legitimate business purposes. Unless otherwise indicated, the controller of your personal data is EXFO Inc., 400 Godin Avenue, Quebec City, Quebec, G1M 2K2, Canada. If a legal representative is required in the European Union, the representative is EXFO Solutions S.A.S, ZAC Airlande, 2, rue Jacqueline Auriol, CS 69123 Saint-Jacques-de-la-Lande, 35091 Rennes Cedex 9, France.

## 8. How to contact us for more information

If you have any questions about this Privacy Notice or you have a complaint, please contact us at [data.privacy@exfo.com](mailto:data.privacy@exfo.com) and we will answer your questions or look into your complaint and work with you to resolve the matter.