



Privacy Policy

Version 1.1

WARNING: The information in this document is confidential and is the property of eStructure. It cannot be used, reproduced, or disclosed unless expressly permitted in writing by eStructure. The person to whom it is entrusted agrees to protect the document and its contents against loss, theft, or damage. In case of discrepancy between the contents of this document and the terms of any agreement with eStructure, the latter take precedence.



0. DOCUMENT CONTROL TABLE

DOCUMENT INFORMATION	
TITLE	Privacy Policy
PARENT DOCUMENT	N/A
DOCUMENT OWNER	Senior Vice-President and Chief Financial Officer
EFFECTIVE DATE	June 1, 2022
LAST APPROVED DATE	N/A
NEXT REVIEW DATE	June 1, 2023
INFORMATION CLASSIFICATION	Business Use
DOCUMENT LOCATION	Estruxture Policies & Standards

VERSION CONTROL AND HISTORY				
DATE	VERSION	NAME	STATUS	DESCRIPTION OF CHANGES
September 20, 2021	1.0	Stephanie Colford	Draft	Updated existing Privacy Policy
September 20, 2021	1.0	Andrew Palmer	Draft	Updated policy template, added compliance references
September 21, 2021	1.0	Marie-Josée Lapierre	Final	Approved Privacy Policy
September 21, 2021	1.0	Executive Leadership Team	Final	Approved Privacy Policy
June 1, 2022	1.1	Annie Corbeil	Final	Modifications reflecting changes in regulations

ISO/IEC/REGULATION CROSS-REFERENCES			
DOCUMENT SECTION REFERENCE	STANDARD	CLAUSE OR ANNEX A CONTROL REFERENCE	DESCRIPTION
Entire Document	ISO 27001	A.18.0.3	Privacy Policy Statement
Entire Document	SOC 2		Privacy Policy Statement
Entire Document	PCI DSS		Privacy Policy Statement



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1. OUR COMMITMENT TO PRIVACY

eStructure Data Centers Inc. and its affiliates (“**eStructure**”, “**we**”, “**us**”) are committed to protecting the accuracy, privacy and security of the Personal Information (as defined below) that our customers and website users (“**you**”) provide to us or that we obtain in the course of our relationship. This eStructure privacy policy (the “**Privacy Policy**”) is a statement of principles and guidelines that describes the types of Personal Information we collect, the manner in which we do so and how we use and disclose Personal Information, consistent with our commitment to respecting your online privacy and recognizing your need for appropriate protection of your Personal Information.

Our Privacy Policy is designed to comply with applicable privacy acts and applies to our company sales, our websites (the “**Site**”, currently at: <https://www.estructure.com>), and all other manners or channels in which eStructure collects and uses your Personal Information. Our Privacy Policy may be updated from time to time.

By using our services and accessing our Site, you accept the terms of this Privacy Policy and consent to the collection, use, processing, disclosure and retention of your information as described in this Privacy Policy. You may change or withdraw your consent at any time, on reasonable notice, subject to legal or contractual restrictions.

2. WHICH PERSONAL INFORMATION DO WE COLLECT?

For the purposes of this Privacy Policy, “**Personal Information**” means all recorded information about an identifiable individual. Personal information that is aggregated and cannot be associated with an identifiable individual is not considered to be Personal Information.

The types of Personal Information that we may collect from you from time to time include:

- Name, address, telephone numbers, email addresses, credit card information, government-issued identification, ID check, biometric information*, video and photo images, the Internet protocol (IP) address used to connect your computer to the Internet, and your photograph for access card purposes.
- Information pertaining to your use of our products and services when you register for our services.
- Technical information about your internet connection, the equipment you use to access our Site, and usage details.
- Non-personal details about your interactions with our Site and marketing communications, including information such as pages you viewed or searched for, page response times, download errors, and page or email interaction information (such as scrolling, clicks, and mouse-overs).



*When we perform a fingerprint or a facial scan, we only collect a hash, which is not an image of the fingerprint or face, but an electronic description of the fingerprint or facial scan. It is not possible to recreate the fingerprint or facial scan with a hash.

We do not collect, access or process any Personal Information that is stored by our customers in our data centers.

This Privacy Policy only applies to information collected when visiting our Site or otherwise using our services. We are not responsible for the privacy practices and policies of third parties, including those of third party websites that may be linked from our Site. We encourage you to review the privacy policies of all websites you visit as their practices may differ from ours.

Our Site is also not intended for children under 14 years of age. We do not knowingly collect personal information from children under 14. If you are under 14, do not use the Site or otherwise provide us with any Personal Information. If you believe we might have any information from or about a child under 14, please contact us using the contact information in the Contacting Us section below so that we may take appropriate action.

3. WHY DO WE COLLECT PERSONAL INFORMATION?

We generally collect Personal Information for the following purposes:

- Provide you with information, products, or services that you request: We use Personal Information to establish, develop and preserve our business relationships with customers, suppliers and other individuals with whom we deal with.
- Create, establish and administer your account: This includes to establish or verify the eligibility and credit of persons that use, or intend to use, one or more of the products or services we offer and to provide notices concerning your account, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts with you, including for billing and collection or to comply with legal requirements.
- Security and accuracy: We use Personal Information to authenticate the identity of our customers or suppliers, for the administration of access to our facilities, for the security and protection of our operations, to preserve the privacy of our customers contacting us by telephone, electronic means or otherwise and to ensure our records are accurate in order to protect our customers and eStructure from error and fraud.
- Management and quality: We use Personal Information to improve our Site, products or services, marketing, or customer relationships and experiences, including for internal training and quality assurance purposes, for audit purposes and to manage our business and ensure the efficiency, reliability and security of our systems and networks.
- Customer Service and advertisement: We use Personal Information to measure or understand the effectiveness of the advertising we serve to you and others, and to deliver relevant advertising to you. From time to time we may also use Personal Information to conduct surveys on the quality of our products, services or customer service, to provide our customers with



offers for additional products and services that we feel may be of interest or to provide personalized products and services as well as product recommendations and to understand and assess the interests, wants and changing needs of customers with a view to improving our products and services and developing new ones.

- Human Resources: If you have applied for employment with eStructure, the Personal Information submitted with your job application will be used for recruitment and other customary human resources purposes. For example, we may send you information about new job opportunities within eStructure as well as other career development resources.
- To notify you about changes to our Site or any products or services we offer or provide through it.
- In any other way we may describe when you provide the information to us and for any other purpose with your consent.

We will not collect or use Personal Information for any other or new purpose without obtaining your consent, unless required or authorized by law.

4. HOW DO WE COLLECT PERSONAL INFORMATION?

We collect most Personal Information about you directly from you, with your consent for the purposes outlined in this Privacy Policy. We may also obtain Personal Information about you from third parties, with your consent. For example, for credit evaluation purposes, we may need to determine your creditworthiness through contact with an independent credit-reporting agency.

To ensure our Site is optimized for ease of use, or for future communications, we or our service provider(s) may also use cookies to collect standard Internet log information about your computer and internet connection and how and when you use the Site. A cookie is a small file placed on the hard drive of your computer. The information we collect may include, but may not be limited to, your IP address, technical information about your computer and internet connection, and non-personal details about your interactions with our Site, including location data, weblogs, time, date, your language preferences, browser used, referring web addresses, other communication data, searches conducted, pages visited, etc. This information helps us to improve our Site and deliver a better and more personalized service.

You may refuse to accept browser cookies by activating the appropriate setting on your browser; however, if you select this setting you may be unable to access certain parts of our Site or certain parts of our Site may not function properly. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Site.

Our email marketing communications may also contain a single, small electronic file that is a campaign-unique “web beacon pixel” to tell us whether our emails are opened and, combined with other technology, verify any clicks through to links within the email. We may use this information for purposes including determining which of our emails are more interesting to you and to query whether users who do not open our emails wish to continue receiving them. The pixel will be deleted when you delete the email. If you do not wish the pixel to be downloaded to your device, through your email account, you can opt to not download images from us.



You may unsubscribe from email marketing communications from us at any time by using the unsubscribe mechanism at the bottom of our emails or reaching out to us as described in the Contacting Us section below. You may also choose not to click links in the email marketing communications that we send you.

5. TO WHOM WE DISCLOSE YOUR PERSONAL INFORMATION

We do not sell or rent our customers' Personal Information to any other party; however, we may disclose Personal Information that we collect or that you provide as described in this Privacy Policy:

- To our subsidiaries and affiliates.
- To contractors, vendors, service providers, agents, and other third parties we use to support our business (such as analytics providers that assist us with website improvement and optimization) and who are contractually obligated to keep the Personal Information confidential, use it only for the purposes for which we disclose it to them, and to process the personal information with the same standards set out in this Privacy Policy.
- To fulfill the purposes for which you provide it.
- In the event we sell or transfer all or a portion of our business assets (e.g., further to a merger, reorganization, liquidation, bankruptcy, or any other business transaction), including negotiations of such transactions.
- For any other purpose disclosed by us when you provide the information and otherwise with your consent.

We may also disclose your Personal Information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request, and otherwise as required or permitted by applicable law.
- For security purposes and to enforce or apply our Terms of Use, policies, and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of eStructure, our customers, or others, including to investigate or deter fraud.

6. WITHDRAWAL OF CONSENT

As explained above, we will collect, use or disclose your Personal Information with your knowledge and consent, including as set out in this Privacy Policy, except where otherwise required or permitted by law. The method of obtaining consent depends on the circumstances and may be oral or written, express or implied. By using the Site, or by providing your Personal Information to us, you acknowledge and consent to the use of such information in accordance with this Privacy Policy.

Where you have provided your consent to the collection, use, and disclosure of your Personal Information, you may have the legal right to change or withdraw your consent at any time, on



reasonable notice, subject to legal or contractual restrictions. In order to change or withdraw your consent, please refer to the Contacting Us section below. Please note that the withdrawal of your consent may impact our ability to provide you with specific services.

7. WHERE IS YOUR PERSONAL INFORMATION STORED?

We store your Personal Information in secured locations and on servers controlled by us, located solely within our offices and data centers within Canada.

In addition, as noted above, we may share some of your Personal Information in the normal course of business with third party service providers who assist us in managing our business and serving you, such as vendors, suppliers and agents. Certain of these service providers may be located outside of Quebec and/or Canada, including in the United States and in other jurisdictions with different privacy laws that may or may not be as comprehensive as Canadian law. In these circumstances, the governments, courts, law enforcement, or regulatory agencies of those foreign jurisdictions may be able to obtain access to your personal information through the laws of their respective jurisdictions.

When you provide Personal Information to us through the Site or by using our services, you consent to such transfer of your Personal Information and the processing of your information in this manner.

To obtain a current list of the countries where Personal Information subject to this Privacy Policy is collected, used, disclosed and/or stored, please refer to the Contacting Us section below.

8. RETENTION

Personal information will be retained in compliance with our internal Record Retention Guidelines, only as long as necessary for the fulfilment of the purposes for which it was collected and for which consent was received, unless otherwise required by law. For example, we keep your information for the time we are providing you with a service, and for a reasonable time thereafter. Personal information that is no longer required to fulfil the identified purposes and no longer required to be retained under applicable laws will be destroyed, erased or anonymized.

9. HOW CAN YOU ACCESS OR CORRECT YOUR PERSONAL INFORMATION?

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes.



Upon written request to the Privacy Officer, subject to certain exceptions, you have a right to access and to correct the Personal Information that we have about you. Subject to applicable law and the nature of your relationship with us, we will inform you of the existence, use, and disclosure of your Personal Information and will give you access to that information. You may also have the right to correct any information that is inaccurate, incomplete or equivocal, cause certain information to be deleted, or deposit written comments with respect to your Personal Information.

To exercise any of these rights with respect to your Personal Information, please refer to the Contacting Us section below. In your request, please specify what information you would like to access or have changed. Once a request has been submitted, we may ask you for additional information in order to verify your identity or to provide additional details to help us respond to your request.

Please note that in certain circumstances, we may refuse to act or impose limitations on your rights, as permitted or required by applicable law. If we cannot provide you with access to your Personal Information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

10. HOW DO WE PROTECT YOUR PERSONAL INFORMATION?

We make commercially reasonable efforts to protect against the loss, misuse, and alteration of Personal Information under our control. Our security policies are periodically reviewed and enhanced as necessary.

We employ administrative, contractual, and technological safeguards to protect your information. For example, only authorized employees and suppliers have access to Personal Information of representatives of our customers and visitors of our facilities. Where information is sent to a third party for processing, we impose appropriate contractual protections, including by requiring that service providers only use the information for the limited purposes for which it was disclosed and apply appropriate security measures to protect the information. Moreover, we operate secure data networks protected by industry standard firewall and password protection systems.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Site, you are responsible for keeping this password confidential.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to our Site or in connection with our services. We are not responsible for circumvention of any privacy settings or security measures contained on the Site.

11. NOTICE TO THE DATA SUBJECTS OF OUR CUSTOMERS

If you have provided Personal Information to our customers, or to customers of eStructure affiliates, who are using eStructure's information technology services to store or otherwise process your Personal Information, all such Personal Information on our systems is provided and controlled by our customers



who are the data controllers under applicable data protection law. eStructure will not process that Personal Information and is not a “processor”, as such term is defined in certain data protection laws. The customers remain responsible for the Personal Information they collect and process and are not discharged of their obligations to comply with applicable data protection laws.

eStructure has no direct relationship with the individuals whose Personal Information is processed by our customers. If your Personal Information is on our systems as a result of you having provided it to one of our customers and would no longer like to be contacted by that customer, or you wish to exercise any other data protection rights, please contact that customer directly.

If you would like more information on how your Personal Information will be processed and protected, as well as your rights in relation to that Personal Information, please refer to the privacy policy of the customer to which you provided your Personal Information. If you ask us to delete your Personal Information, we will tell our customer about this request.

12. CONTACTING US

If you have any questions, comments, or concerns regarding this Privacy Policy or our privacy practices, or wish to access or correct your Personal Information or withdraw your consent, please contact our Senior Vice-President and Chief Financial Officer, who is eStructure’s Privacy Officer:

eStructure Data Centers Inc.
Privacy Officer
Senior Vice-President and Chief Financial Officer
800 rue Square-Victoria, SS1
Montreal, Quebec, H4Z 1A1
Phone: 1-514-369-2209
Toll-Free: 1-877-990-0785
Email : legal.team@eStructure.com

13. CHANGES TO THIS POLICY

We reserve the right to update this Privacy Policy at any time in order to accommodate changes in our services, changes in technology, and legal developments. Each time you submit Personal Information or use our services, you agree to be bound by the then current terms of the Privacy Policy.

14. LANGUAGE

Please note that both the English and French versions of our Privacy Policy have equal legal value.

This Privacy Policy was last updated in May 2022.