

OSIsoft Cloud Services Privacy Policy

Last updated: February 1, 2019

Scope

This privacy policy applies to the use of those services provided by OSIsoft, LLC and its affiliates (“OSIsoft,” “we,” “our,” and “us”) that display or link to this policy. These services are referred to in this policy collectively as the “Services.” Preview or beta releases may be governed by different or additional terms (see Preview Releases below). Services from companies other than OSIsoft will be governed by separate policies from those companies (see Third Party Offerings below).

All references to “you” or “your” in this privacy policy are to the customers who contract with OSIsoft for the Services. The use of information collected through OSIsoft’s Services shall be limited to the purpose of providing the Services for which our customers have engaged us. OSIsoft’s customers, in turn, may use the Services to develop and host their own services for end users. Any information OSIsoft handles in such circumstances is processed by us on behalf of our customer, who controls the collection and use of the information. An end user should therefore direct privacy-related requests to the entity providing a service to the end user. OSIsoft is not responsible for the privacy practices of our customers using our Services.

If you are an end user of one of the entities that uses our Services, and would no longer like to be contacted by such entity, please contact the entity that you interact with directly. If, on the other hand, you are a customer of OSIsoft and would like to update your account, please contact us [here](#).

1. Collection, Use & Sharing of Administrator Data

Administrator Data includes the information collected as part of purchasing the Services or managing billing and contact information for the Services. For example, Administrator Data may include, but is not limited to, the name, address, phone and email of the account owner, whether collected at initial purchase or later during your management of the Services.

The privacy practices applicable to Administrator Data and other users of the Services are described separately in the [OSIsoft Privacy Policy](#). We may also use Administrator Data to:

- Contact you to provide information for new subscribers, billing, and important updates about your subscription, including information about security or other technical issues regarding the Services. You will not be able to unsubscribe from these communications, as they are considered an essential part of the Service.
- Contact you regarding a third-party inquiry we receive regarding your use of the Services. You will not be able to unsubscribe from these communications, as they are considered an essential part of the Service.
- Additionally, with your permission, we may contact you via phone or email to provide you with promotional offers regarding OSIsoft Online Services. You may change your contact preferences in the account management portal.
- If you choose to use a third party offering, we may share your contact information and other Administrator Data as described in the Third-Party Offerings section below.

In order to access OSIsoft Cloud Services, you may be required to sign in with OSIsoft Single Sign-On (SSO) credentials or another authentication mechanism. By signing into one OSIsoft service, you may be automatically signed into other OSIsoft services that use these credentials. Additional information on the privacy practices applicable to these other services may be found in the [OSIsoft Privacy Policy](#).

2. Collection & Use of Customer Data

Customer Data is all the data, including all text, sound, software or image files that you provide, or are provided on your behalf, to us through your use of the Services. For example, this includes data that you upload for storage or processing in the Services and applications that you upload for hosting in the Services.

We will use Customer Data only to provide you the Services. This may include troubleshooting aimed at preventing, detecting or repairing problems affecting the operation of the Services, and the improvement of features that involve the detection of, and protection against, emerging and evolving threats to the user (such as malware or spam).

We may use statistical data, trends and usage information derived from your use of the Services for the purpose of providing, operating, maintaining or improving the Services as well as any OSIsoft products and services used to deliver the Services.

When you submit a support request, OSIsoft may collect additional information related to the support incident. OSIsoft may retain and use this information to assist in diagnosing further problems with your account, to understand your organization's needs, or to improve our services or the support experience. Information may be combined with other information from the support of other OSIsoft products and services in order to better understand your experience and needs. After you submit a support request, we may contact you for a survey regarding your experience with our customer support.

3. Sharing of Customer Data

Except as described in this policy, we will not disclose Customer Data outside of OSIsoft or its controlled subsidiaries and affiliates without consent.

We occasionally contract with other companies to provide services (such as customer support) on our behalf. We may occasionally provide these companies with access to Customer Data where necessary for their engagement. These companies are required to maintain the confidentiality of Customer Data and are prohibited from using it for any purpose other than that for which they are engaged by OSIsoft. Transfers to subsequent third parties are covered by the provisions in this privacy policy regarding notice and choice, and the service agreements with our customers.

We will not disclose Customer Data to a third party (including law enforcement, other government entity or civil litigant) except as you direct or as required by law. Should a third party contact us with a demand for Customer Data, we will attempt to redirect the third party to request it directly from you. As part of that, we may provide your basic contact information to the third party. If compelled to disclose Customer Data to a third party, we will use commercially reasonable efforts to notify you in advance of a disclosure unless legally prohibited from doing so.

4. Use of Cookies & Information about Your Computer

OSIsoft and its partners use cookies or similar technologies to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole.

Cookies are small text files placed on your hard disk by a web server. Cookies contain text that can be read by a web server in the domain that issued the cookie to you. We may use cookies for storing your preferences and settings, for sign in and authentication, to assist in fraud detection, or for site analytics. Most web browsers automatically accept cookies but you can usually modify your browser settings to block cookies. Please be aware that if you choose to block cookies, you may not be able to sign in or use other interactive features of our site.

We may also use web beacons (sometimes called single-pixel GIFs) or other similar technologies to help deliver cookies on our sites, to let us count users who have visited those pages, to assist in fraud detection, or for site analytics.

We partner with third parties to display advertising on our website or to manage our advertising on other sites. Our third party partners may use cookies or similar technologies in order to provide you advertising based upon your browsing activities and interests. If you wish to opt out of interest-based advertising, click [here](#). Please note you will continue to receive generic ads.

As is true of most websites, we gather certain information automatically. This information may include Internet protocol (IP) addresses, browser type, Internet service provider (ISP), referring/exit pages, the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, date/time stamp, and/or clickstream data. In some cases, this information may also include hardware ID, which indicates the device manufacturer, device name and version. OSISOFT collects and uses such information for purposes including to analyze trends in the aggregate, administer our websites, to assist in fraud detection, and to help improve our products and services.

5. Security & Retention of Administrator & Customer Data

OSISOFT is committed to protecting the security of your Administrator and Customer Data. We maintain technical and organizational measures designed to provide and enable security for the Services. This includes a variety of security technologies and procedures to help protect your information from unauthorized access, use or disclosure.

Some data may be particularly sensitive to you or your organization or be subject to specific regulatory requirements. You are responsible for determining whether our security meets your requirements.

OSISOFT will retain your Administrator and Customer Data as necessary to fulfill the purposes outlined in this privacy policy, or as required by applicable laws or regulations. We will also retain and use your Administrator and Customer Data to comply with our legal obligations, resolve disputes, and enforce our agreements.

OSISOFT acknowledges that individual end users have the right to access their personal information. However, OSISOFT has no direct relationship with the individuals whose personal data it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct their query to the OSISOFT customer with whom the individual interacts with directly (the data controller). If requested to remove data, we will respond within a reasonable timeframe. In certain circumstances, we may be required by law to retain an end user's personal information, or may need to retain personal information in order to continue providing a service.

6. Location of Administrator & Customer Data

You may have the option to choose the geographic region of the OSISOFT data centers in which Administrator and Customer Data will be stored. OSISOFT may transfer Customer Data within a major geographic region (for example, within Europe) for data redundancy or other purposes. OSISOFT will not transfer Administrator Customer Data outside the major geographic region you specify (for example, from Europe to U.S. or from U.S. to Asia) except: (1) where by design the solution enables data exchange between regions; (2) where you configure the account to enable this (for example, through use of the Content Delivery Network feature which enables worldwide caching of content, or use of a pre-release feature that does not allow data center region selection); (3) where necessary to provide customer support, to troubleshoot the service or to comply with legal requirements; or (4) for software deployments where backup copies of the software deployment package may be stored in the United States regardless of the specified geographic region. OSISOFT does not control or limit the regions from which you or your end users may access or move Administrator and Customer Data.

Subject to the above restrictions, Administrator and Customer Data that we process on your behalf may be transferred to, and stored and processed in, the United States or any other country

in which OSIssoft or its affiliates or subcontractors maintain facilities, and you appoint OSIssoft to perform any such transfer of Customer Data to any such country and to store and process Customer Data in order to provide the Services.

OSIssoft complies with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. OSIssoft has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

In the context of an onward transfer, OSIssoft has responsibility for the processing of personal information it receives under the Privacy Shield program and subsequently transfers to a third party acting as an agent on its behalf. OSIssoft shall remain liable under the Principles if its agent processes such personal information in a manner inconsistent with the Principles, unless OSIssoft proves that it is not responsible for the event giving rise to the damage.

Further, OSIssoft commits to cooperate with EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.

In compliance with the Privacy Shield Principles, OSIssoft commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact OSIssoft using the information below in the section Contact Us. OSIssoft has further committed to refer unresolved Privacy Shield complaints to TRUSTe, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit <https://feedback-form.truste.com/watchdog/request> for more information or to file a complaint. The services of TRUSTe are provided at no cost to you.

The possibility exists, under certain conditions, for an individual to invoke binding arbitration as indicated by [Annex I](#) of the EU-U.S. Privacy Shield Framework. With respect to personal information received or transferred under the Privacy Shield program, OSIssoft is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (FTC).

7. **Third-Party Offerings**

OSIssoft PI Developers Club and other Services may enable you to purchase, subscribe to, or use services, software, and content from companies other than OSIssoft (“Third-Party Offerings”). If you choose to purchase, subscribe to, or use a Third-Party Offering, we may provide the third party with your contact information and other Administrator Data to enable the third party to provide its offering to you (and with your consent, send you promotional communications). That information and your use of a Third-Party Offering will be governed by the applicable privacy policy and policies from the third party.

8. **Beta Programs and Preview Releases**

OSIssoft Cloud Services preview, beta, or other pre-release services (“Previews”) are optional evaluation versions of the Services offered by OSIssoft to obtain customer feedback prior to general release. This section describes the different or additional terms specific to Previews:

- **Administrator Data:** We may contact you to obtain your feedback about the Preview or your interest in continuing to use it after general release.

- **Customer Data:** We may use Customer Data you use with the Preview to improve the Preview and related OSIssoft products and services.
- **Security:** Previews may employ lesser or different security measures than those typically present in the Services. Some Customer Data may be particularly sensitive to you or your organization, and hence may require a level of security that Previews do not provide.
- **CEIP:** Previews may enable by default OSIssoft's Customer Experience Improvement Program (CEIP) and require that CEIP remain enabled for the duration of your use of the Preview. CEIP collects basic information about how you use your programs, your subscription, and connected devices. We also collect information about how each is configured and performing.
- **OSIssoft Error Reporting Service:** Previews may enable OSIssoft Error Reporting Service by default, and require that OSIssoft Error Reporting Service remain enabled for the duration of your use of the Preview. OSIssoft Error Reporting Service collects information about problems that interrupt you while you work and about errors that occur behind the scenes. Reports might unintentionally contain personal information, but this information is not used to identify you or contact you. For example, a report that contains a snapshot of memory might include your name, part of a document you were working on, or data that you recently submitted to a website. OSIssoft uses information about errors and problems to improve its systems, products and services.

9. Contact Us

If you have questions regarding this privacy policy, you may contact us by email at privacy@osisoft.com or by regular mail addressed to the following address:

OSIssoft, LLC
Attn: Legal Department - Privacy
1600 Alvarado Street
San Leandro, CA 94577
United States

10. Changes to This Privacy Policy

We may occasionally update this privacy policy based on customer feedback or to reflect changes in our products and services. When we post changes, we will revise the "last updated" date at the top of this policy. If there are material changes to this policy or in how OSIssoft will use your personal information, we will notify you either by posting a notice of such changes prior to implementing the change or by directly sending you a notification.

We encourage you to review this policy periodically to be informed of how OSIssoft is protecting your information.