



## NetBackup Flex Scale Privacy Notice

May 2023

When it comes to Your information, Veritas Technologies, and its group Companies (“Veritas”, “we”, “us”) take Your privacy very seriously. This Notice is designed to help You understand what information we collect or process about You and what we do with this information when You use the NetBackup Flex Scale solution (“Flex Scale”).

### Scope

This Privacy Notice applies to Your use of the NetBackup Flex Scale solution. To view the Complete Online Privacy Statement that applies to Your use of Veritas websites and events, please click [here](#).

### Collected & Transmitted Information

Flex Scale collects from Your environment and automatically transmits to Veritas data, which may include, without limitation:

- Administrator contact information, email address and portal password;
- License status, license entitlement information, license ID and license usage;
- IP address, IP Type;
- Domain name;
- Alias and/or hostname, host ID, platform, architecture;
- Hardware and software configuration specifics of each Server;
- CPU Name, type, speed, status;
- Time zone;
- Environmental language;
- OS level;
- Memory size;
- Licensed Software version and features installed and Veritas packages installed;
- Client or Device within the Flex Domain for the Flex Scale;
- Run-time statistical information; and/or
- Personal Information provided during configuration of the Service or any other subsequent service call.

(individually and collectively “Transmitted Information” or “Collected Information”).

Transmission of certain of the above Transmitted Information may be deactivated during and after installation by following the instructions in the documentation for Flex Scale. Submission of the Transmitted Information is not required and You will be able to use Flex Scale even if You do not submit the Transmitted Information to Veritas.

### Stored Information

Flex Scale collects from Your environment and stores in Your environment, information, which may include, without limitation:

- Username;
- Password;
- Hostname; and/or
- Product configuration settings

The Stored Information is used to enable the functionality of Flex Scale and will not be transmitted back to Veritas.

In addition to the Stored Information, You may have also enabled the “Call Home” feature that will from time to time track and collect certain hardware and software operating information for support purposes including, if available, a support service through which Veritas will initiate technical support requests based upon collected information (“Autosupport”).

Such information may include:

- Hardware and software status information, License status, license entitlement information, license ID and license usage, IP address and IP Type;



## NetBackup Flex Scale Privacy Notice

- Serial number for the unit, log information, unit location, disk information and system health; and/or
- Software diagnostic information. If You do not wish to provide such information to Veritas, You may disable the “Call Home” information collection feature at any time through the procedures as specified in the applicable Documentation for the Flex Scale unit.
- Administrator/technician contact information;
- Email address and portal password for support case.

If You have enabled the “Call Home” feature and would like to receive Autosupport, You will be required to submit the following information:

- Your contact name, email address, telephone number and other information for the purposes of identifying You;
- Physical address of the hardware unit.

If You do not wish to provide such information and do not wish to receive Autosupport, please do not provide this information to Veritas. If You choose to disable the “Call Home” information collection feature, Veritas will be unable to provide You with Autosupport.

### How We Use Your Information

Collected Information will be used for the purposes of:

- Providing, enabling and optimizing the performance of Flex Scale;
- License administration;
- Internal research and development, including improving Veritas’ products and services; and/or
- Statistical analysis of product deployment, including analysis of trends.

We may also use Your information to send You promotional information, in accordance with Your permission, as required by applicable law.

In the event You provide information to Veritas in connection with a technical support request, such information will be processed and used by Veritas for the purpose of providing the requested technical support, including performing error analysis.

### What is the Legal Basis on which We rely to Process Your Information?

If You are from the European Economic Area or the United Kingdom, our legal basis for collecting and using Collected Information will depend on the personal information concerned and the specific context in which we collect it.

However, we will normally collect Collected Information only where we have Your consent to do so, or where the processing is in our legitimate interests (provided these are not overridden by Your data protection interests or fundamental rights and freedoms). In some cases, we may also have a legal obligation to collect personal information from You.

If You have questions about or need further information concerning the legal basis on which we collect and use Collected Information, please contact us using the contact details provided in the “Contact Us” Section below.

### Transfers Of Your Information

We store and process Collected Information collected in connection with the Flex Scale in: (i) any country where we have facilities, or (ii) any country in which we engage service providers. Further circumstances can be found in the ‘How We Share Your Information’ Section of this Privacy Statement.

If You are in the European Economic Area (“EEA”), we will protect Your Information when it is transferred outside of the EEA by:

- Processing it in a territory which the European Commission has determined provides an adequate level of protection for personal information; or



## NetBackup Flex Scale Privacy Notice

- Otherwise implementing appropriate safeguards to protect Your personal information, including through the use of Standard Contractual Clauses or another lawful transfer mechanism approved by the European Commission.

If You are in the UK, we will protect Your Information when it is transferred outside of the UK by:

- Processing it in a territory which the UK government has determined provides an adequate level of protection for personal information; or
- Otherwise implementing appropriate safeguards to protect Your personal information, including through the use of the International Data Transfer Agreement or another lawful transfer mechanism approved by the UK government.

If You require further information about our international transfers of personal information, please contact Veritas using the contact details in the “Contact Us” Section below.

### How We Share Your Information

Veritas does not sell, rent, lease, release, disclose, disseminate or otherwise make available to another business or third party, Collected Information, for purposes other than those needed to provide our products and services and in accordance with the “How We Use Your Information” Section above.

We are a global organization and, as such, we process information in many countries and the Collected Information will be stored and processed manually and electronically through global systems and tools for the purposes above. The Collected Information may be accessible by Veritas employees or contractors on a need-to-know basis, exclusively to be used in accordance with the purposes described above. For the same purposes the Collected Information may be shared with partners and vendors that process information on behalf of Veritas. A list of those third parties is available at the following link <https://www.veritas.com/content/dam/Veritas/docs/policies/sub-processors-for-veritas-service.pdf>. Veritas has taken steps so that the Collected Information, if transferred, receives an adequate level of protection.

In order to promote awareness, detection and prevention of internet security risks, Veritas may share the information collected through Flex Scale and/or information we may receive from You when You receive technical support, with research organizations and other security software vendors. Veritas may also use statistics derived from Your information through Flex Scale or submitted by You, to track and publish reports on security risk trends.

Please be advised that in certain instances, it may be necessary for Veritas to disclose Your personal information to government officials or otherwise as required by our legal obligations.

We may need to share Collected Information where it is necessary to obtain advice on legal, financial or other regulatory matters.

In the process of continuing to develop our business, we may choose to buy or sell certain assets. As a result of these transactions, customer information is usually one of the business assets that is transferred. If we were acquired or a substantial portion of our assets were sold, or if we were to go out of business, enter bankruptcy proceedings or experience some other change in control, Collected Information may be part of the assets which are acquired by or transferred to a third party. If appropriate we may take reasonable steps to notify You of any such deal and outline Your choices in that event.

### How We Protect Your Information

To protect Your information, we have taken appropriate organizational, administrative, technical, physical and procedural security measures, consistent with international information practices.

### Your Obligation to Personal Information

It is Your responsibility to ensure that any disclosure by You to Veritas of personal information of Your users or third parties is in compliance with national laws governing the collection, use and protection of personal information applicable to Your country or region of operation. In particular, it is Your responsibility to inform users



## NetBackup Flex Scale Privacy Notice

and third parties that You are providing their information to Veritas, to inform them of how it will be used and to gather appropriate consents required for such transfer and use.

### Disclosures to Law Enforcement

Subject to applicable laws, Veritas reserves the right to cooperate with any legal process and any law enforcement or other government inquiry related to Your use of Flex Scale. This means that Veritas may provide documents and information relevant to a court subpoena or to a law enforcement or other government investigation.

### Accessing, Updating, or Correcting Your Information

You are able to view and update much of Your Information via Your NetInsights Console account. In addition, You may ask us for a copy of any personal data within Your Collected Information, and/or ask us to correct it, erase it or to transfer it to other organizations at Your request. You also have rights to object to some processing such as automated decision making and profiling. Where we have asked for Your consent to process Collected Information, You may withdraw this consent at any time. Where we process Collected Information because we have a legitimate interest in doing so (as explained above), You also have a right to object to this. In certain circumstances, You may also have the right to restrict processing of Collected Information. These rights may be limited in some situations – for example, where we can demonstrate that we have a legal requirement to process Collected Information. To exercise Your rights, please contact us using the details in the “Contact Us” Section below and we will assist You.

### Contact Us

For any inquiry about the information contained in this Notice or about Veritas’ privacy practices, please contact us at [privacy@veritas.com](mailto:privacy@veritas.com).

We hope that we can satisfy queries You may have about the way we process Collected Information. However, if You want to make a complaint on how we have handled Your personal information, please contact our data protection officer, using the contact details above, who will investigate the matter and report back to You. If You are still not satisfied after our response or believe we are not using Collected Information in line with the law, You also have the right to complain to the data-protection regulator in the country where You live or work. For the UK, that’s the [Information Commissioner](#).

### Changes To This Notice

We reserve the right to revise or modify this Notice. If this happens, we will post a prominent notice on this website prior to the change becoming effective. If the change would have the effect of introducing a purpose for the use of Your personal information, which is inconsistent with this notice, and where required by applicable law, we will either notify You or provide You with an opportunity to opt-out from such use.