

KANERAI SAFE HARBOR PRIVACY POLICY

Last Revised: July 27, 2015

Clarity Solutions Group LLC d/b/a KANERAI (“KANERAI”) is committed to compliance with its privacy obligations in the United States and throughout the world. This Safe Harbor Privacy Policy (“Policy”) sets forth the privacy principles KANERAI follows with respect to the covered personal information noted below (hereinafter “Personal Information”) that is transferred by KANERAI from the European Union (“EU”) and the European Economic Area (“EEA”) (collectively, “Europe”) to the United States (“U.S.”):

- (i) Personal Information of European-based current and former KANERAI employees and prospective employees, maintained by KANERAI in its Human Resources and other databases and files;
- (ii) Personal Information of users of KANERAI’s services in Europe, maintained in the User Authentication System and Portable User Authentication System;
- (iii) Personal Information of KANERAI employees, customers, guests, vendors, and other third parties contained in records of access to any KANERAI facilities and events in Europe; and
- (iv) Personal Information of KANERAI’s customers’ European-based employees, customers, or other parties that have communicated such Personal Information to the customers, contained in electronic records maintained and processed by KANERAI on behalf of its customers.

Safe Harbor Privacy Principles

The U.S. Department of Commerce and the European Commission have agreed on a set of data protection principles (“Safe Harbor Privacy Principles”) and frequently asked questions (collectively “U.S.-EU Safe Harbor Framework”) to enable U.S. companies to satisfy the requirement under European Union law that adequate protection be given to personal data of data subjects transferred from Europe to the United States. As explained below, KANERAI complies with these Safe Harbor Privacy Principles with respect to Personal Information to the extent it is the “controller” of such Personal Information under the EU Data Protection Directive:

- Notice. KANERAI will notify the data subjects about the purposes for which it collects and uses their Personal Information. Individuals may contact KANERAI's privacy director using the contact information provided below with any inquiries or complaints or to request information about the types of third parties (other than third-party processors) to which it discloses the Personal Information and the choices and means it offers for limiting use and disclosure of Personal Information.
- Choice. KANERAI will give data subjects the opportunity to choose whether their Personal Information may be disclosed to a third party (other than third-party processors) or used for a purpose incompatible with the purpose for which it was originally collected or subsequently authorized by the individual.
- Transfers to Third-Party Processors. When KANERAI transfers Personal Information to a third-party processor, it will ensure that the third party (1) subscribes to the Safe Harbor Privacy Principles, (2) is subject to the EU Data Protection Directive or another EU finding that its privacy practices are adequate, or (3) enters into a written agreement with KANERAI requiring that the third party provide at least the same level of privacy protection as is required by the Safe Harbor Privacy Principles.
- Access. Data subjects are given access to their Personal Information held by KANERAI and are able to correct, amend, or delete that information where it is inaccurate, except (1) where the burden or expenses of providing access would be disproportionate to the risks to the individual's privacy in the case in question, (2) where the rights of persons other than the individual would be violated, or (3) as otherwise permitted by the Safe Harbor Privacy Principles, precedent or FAQs of the U.S. Federal Trade Commission or U.S. Department of Commerce, or any other applicable law, rule, or regulation. Individuals seeking to access their Personal Information held by KANERAI should contact KANERAI's privacy director using the contact information provided below.
- Security. KANERAI takes reasonable precautions to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction.
- Data integrity. The Personal Information KANERAI collects is relevant for the purposes for which it is to be used. KANERAI takes reasonable steps to ensure that such Personal Information is reliable for its intended use, accurate, complete, and current.
- Enforcement. KANERAI conducts compliance audits of its relevant privacy practices to ensure adherence to this Policy. Any questions or concerns regarding the use or disclosure of Personal Information should be directed to KANERAI's privacy director using the contact information provided below. KANERAI will investigate and attempt to resolve complaints and disputes regarding processing and disclosure of Personal Information in accordance with

the principles contained in this Policy. For complaints resolved internally, KANERAI's remedy or, if necessary, sanctions will be reasonable and sufficient corrective action to resolve the complaint, including correcting any Personal Information, using Personal Information consistent with the Safe Harbor Privacy Principles, reversing or correcting the effects of noncompliance, and assuring that future processing of Personal Information will be in conformity with the Policy, including the Safe Harbor Privacy Principles. Complaints related to Human Resources data that cannot be resolved between KANERAI and a European-based employee or prospective employee regarding his or her Personal Information will be handled by the relevant EU Data Protection Authority or a panel established by the European Data Protection Authorities, as appropriate and consistent with the Safe Harbor Privacy Principles. All other complaints that cannot be resolved between KANERAI and the relevant customer or other data subject will be handled by an independent dispute resolution provider, JAMS (please visit the JAMS website at www.jamsadr.com/safeharbor/ for more information), or the relevant EU Data Protection Authority.

Any employee that KANERAI determines to be in violation of this Policy is subject to disciplinary action, up to and including termination of employment.

Data Processor and Other Limitations

In some cases, KANERAI may process Personal Information *on behalf of* its customers and in accordance with their instructions, such as when KANERAI is providing its electronic record management services to archive and maintain customers' email and other electronic information. In such cases, the customer, not KANERAI, is acting as the data controller and is therefore the entity that is subject to compliance with European data protection requirements with respect to such Personal Information; KANERAI's obligation to adhere to the Safe Harbor Privacy Principles in such instances would be correspondingly limited. For details concerning KANERAI's customers' policies regarding this Personal Information and details of how to access the information, please refer to the privacy policy of the KANERAI customer on whose behalf the data is being processed by KANERAI.

KANERAI may disclose such Personal Information (1) to a customer on whose behalf the Personal Information is processed; (2) to the customer's authorized affiliates; (3) to third parties designated by the customer or by an authorized affiliate; (4) as otherwise authorized by the customer; (5) in compliance with any applicable law, rule, regulation, or government or court order; or (6) if KANERAI determines in its good faith judgment that such disclosure is necessary to provide its services to a customer or to an authorized affiliate of a customer.

KANERAI's adherence to the Safe Harbor Privacy Principles may be further limited to the extent required to respond to a legal or ethical obligation and to the extent permitted by any applicable law, rule, or regulation.

To learn more about the U.S.-EU Safe Harbor Framework and to view KANERAI's certification, please visit www.export.gov/safeharbor/

Contact Information

Questions or comments regarding this Policy should be submitted to KANERAI's privacy director at the following address:

Sujan SubraManiam
Chief Financial Officer
270 Lafayette St, Suite 1001
New York, NY 10012
United States

Changes to the Policy

This Policy may be amended from time to time, consistent with the requirements of the Safe Harbor program. Changes to this Policy will be effective upon posting to this website.