

WEBSITE PRIVACY NOTICE

Last modified: May 24, 2018

OmniVision Technologies, Inc. (**OVT, we, us**) believes it is important that you understand how OVT collects, stores, shares and uses information from and about our website visitors, customers and vendors. We adhere to this Privacy Notice (**Notice**), our cookie policy and other legal notices posted on this website <http://www.ovt.com> (**website**), in respect of our collection, use and disclosure of personal and non-personal data collected through the website or in the course of our business activities conducted elsewhere when we act as the controller of that data and when its processing is governed by the EU General Data Protection Regulation (**GDPR**). This policy does not apply to the information collected, stored, shared, or distributed by third-party sites. This policy may be updated from time to time.

For the purposes of applicable data protection law, OVT is the controller of any personal data collected from you on the website or otherwise for the purpose of conducting or developing our business with you. For the purposes of this Notice, **personal data** means any information relating to an identified or identifiable person.

Summary

This notice describes how we process your personal data while you visit our site including:

- Information We Collect Automatically
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- Cookies
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Information We Collect Automatically

When you visit our website, our server automatically collects certain browser or device generated information, which may in some cases constitute personal data, including but not limited to:

- your domain;
- your IP address;
- your date, time and duration of your visit;
- your browser type;
- your operating system;
- your page visits;
- information from third parties;

- other information about your computer or device;
- Internet traffic.

We do not use this automatically collected information to try to identify you by name, and we do not associate it with the information you provide voluntarily, as detailed below.

Information You Provide

In order to access or use certain portions of the website or enjoy the full functionality of the website, or otherwise in conducting business with us or seeking to conduct business with us, you may be prompted to provide certain personal data to us in the following ways:

- by filling in forms (for example, a 'Contact us' form) on our website or at a trade show or anywhere else we conduct business;
- by downloading documentation from our website;
- by subscribing to newsletters or other communications;
- by corresponding with us by phone, e-mail or otherwise using our contact details; or
- by applying for a job, work placement or internship over our career site, in relation to which you should also refer to the specific privacy notices made available to you during the recruitment process.

Typically, the personal data you give us may include name, business affiliation, business address, telephone number, and email address, and any personal details required to resolve any enquiries or complaints. Where you are applying for a job, work placement or internship, you will be asked to provide certain additional information, for example about your education, employment history and right to work, pursuant to a specific privacy notice for job candidates.

This personal data is required to enter into a contract with you (such as in anticipation of an employment contract or a services agreement) or to perform a contract with you (such as to provide services at your request), and failure to provide any information may result in our inability to provide requested services or products, or consider your application for employment.

Information From Other Sources

We may also obtain information about you from third parties, including publicly accessible sources. If you connect or integrate any social media services with services we provide, you may receive social notifications either from us or from third-party companies providing social media services. You can manage these social notifications by changing your privacy settings on the relevant social media site or by discontinuing any interaction with the third-party site. Where you create a connection between OVT and third-party sites, we may collect, use, disclose, transfer and store or retain information relating to your account with such third-party services in accordance with this Privacy Policy.

Cookies

Our website uses cookies. More information about our use of cookies can be found in our Cookie Policy.

Use of Personal Data

All processing and use of your personal data is justified. In addition, processing of sensitive personal data such as health or racial information provided for a recruitment application is always specifically justified. The following is an overview of the justifications for processing personal data, and why we use your personal data. Additional details on how we process your personal data may be provided to

you in a separate notice or contract.

- Justification - the processing is necessary to perform a contract with you or take steps to enter into a contract at your request:
 - To provide you with documentation or communications which you have requested; to fulfil an order; to provide after-sales support; to process and complete certain transactions involving the website, and more generally transactions involving OVT's products and services; to review your job application, or to provide product information you have requested;
- Justification - the processing is necessary for us to comply with a relevant legal obligation: To keep accounting records or to verify employment eligibility;
- Justification - the processing is in our legitimate interests, which are not overridden by your interests and fundamental rights:
 - To send you materials about our products and services; to evaluate transactions involving the website or our products and services; to operate, evaluate, maintain, improve and develop the website (including by monitoring and analyzing trends, access to, and use of the website for advertising and marketing); to engage you about events, promotions, the website and OVT's products and services; to send you marketing communications; to correspond with users to resolve their queries or complaints; to protect and ensure safety of the website, OVT confidential and proprietary information, and OVT employees; to manage, protect against and investigate fraud, risk exposure, claims and other liabilities, including but not limited to violation of our contract terms or laws or regulations; to share your personal data with third parties in connection with potential or actual sale of our company or any of our assets, or those of any affiliated company, in which case personal data held by us about our users may be one of the transferred assets; or
- Justification - You have consented to the processing:
 - To retain your data for consideration for future job openings.

When the justification for processing is our legitimate interests, those interests are to use vendor, customer and website user data to conduct and develop our business activities with them and with others, improve our products and services and profitably grow our business while limiting the use of their personal data to those purposes that strictly support the conduct and development of our business within the reasonable expectation of the individuals concerned.

OVT will not sell or rent your personal data to third parties.

Disclosure of Personal Data

We are part of the global OVT group, and from time to time it will be necessary to share your personal data with our affiliated businesses for the purposes described above. We may also use tools and services of those third party service providers to assist us in providing information, products or services to you, or in managing and improving our products, services or the website. OVT may share your personal data with these affiliates and third parties to perform services that the third parties have been engaged by OVT to perform on OVT's behalf, subject to appropriate contractual restrictions and security measures, or if we believe it is reasonably necessary to prevent harm or loss, or if we believe that the disclosure will further an investigation of suspected or actual illegal activities.

If your personal data is transferred outside the EU to other OVT affiliates or to third party service providers, we will take steps to ensure that your personal data receives the same level of protection as if it remained within the EU, including by entering into data transfer agreements using the European

Commission approved Standard Contractual Clauses, or by relying on certification schemes such as the EU - US Privacy Shield. For transfers to OVT in the US and to other OVT affiliates we have put in place European Commission approved Standard Contractual Clauses, which protect personal data transferred between OVT entities. The list of countries to which your personal data is transferred, and whether each country benefits from a decision of the European Commission determining that the country provides adequate protection to personal data, is set forth [here](#)¹. You have a right to obtain details of the mechanism under which your personal data is transferred outside of the EU by contacting the Contact Information below.

OVT reserves the right to share any information that you provide which is not deemed personal data or is not otherwise subject to contractual restrictions.

Children

The website is not for use by children under the age of 18 years and OVT does not knowingly collect, store, share or use the personal data of children under 18 years. If you are under the age of 18 years, please do not provide any personal data, even if prompted by the website to do so. If you are under the age of 18 years and you have provided personal data, please ask your parent(s) or guardian(s) to notify OVT and OVT will delete all such personal data.

Marketing emails and Job Alerts

We may use your personal data to send you emails about products or our related services or about our new job openings.

Where opt-in consent is required by law we will ask for your consent, and we will be relying on legitimate interests, as described above. You have a right to stop receiving direct marketing at any time - you can do this by following the opt-out or unsubscribe links in emails, or otherwise contact us directly and we will stop sending you the email communications.

Security

OVT aims to safeguard and protect your personal data from unauthorized access, improper use or disclosure, unauthorized modification or unlawful destruction or accidental loss, and OVT utilizes and maintains certain reasonable processes, systems, and technologies to do so. However, you acknowledge that no transmission over the Internet is completely secure or error-free, and that these processes, systems, and technologies utilized and maintained by OVT are subject to compromise. Accordingly, we cannot be held responsible for unauthorized or unintended access that is beyond our control.

Retention of Your Personal Data

We apply a general rule of keeping personal data only for as long as required to fulfil the purposes for which it was collected. In general, we retain your personal data for a period of time corresponding to a statute of limitation, for example to maintain an accurate record of your dealings with us. However, in some circumstances we may retain personal data for other periods of time, for instance where we are required to do so in accordance with legal, tax and accounting requirements, or if required to do so by a legal process, legal authority, or other governmental entity having authority to make the request, for so long as required.

With respect to marketing, we retain your personal data for up to 6 months after your last request for

¹ https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/adequacy-protection-personal-data-non-eu-countries_en

service or other contact you initiate.

External Links

The website may contain links to third party sites. Since OVT does not control nor is responsible for the privacy practices of those websites, we encourage you to review the privacy policies of these third party sites. This policy applies solely to personal data collected by our websites or in the course of our business activities.

Your Rights

- *Right to withdraw consent* - where applicable, you have the right to withdraw your consent at any time. For example, if you wish to opt-out of receiving electronic marketing communications, you can change your settings in your account on the website, use the 'unsubscribe' link provided in our emails, or otherwise contact us directly and we will stop sending you communications.
- *Right of access, rectification and erasure* - you have the right to request access to and obtain a copy of any of your personal data that we may hold, to request correction of any inaccurate data relating to you and to request the deletion of your personal data under certain circumstances.
- *Data portability* - where we are relying (as the justification for processing) upon your consent, or the fact that the processing is necessary to perform a contract to which you are party or to take steps at your request prior to entering a contract, and the personal data is processed by automatic means, you have the right to receive all such personal data which you have provided us in a structured, commonly used and machine-readable format, and also to require us to transmit it to another controller where this is technically feasible.
- *Right to restriction of processing* - you have the right to restrict our processing of your personal data (that is, allow only its storage) where:
 - you contest the accuracy of the personal data, until we have taken sufficient steps to correct or verify its accuracy;
 - where the processing is unlawful but you do not want us to erase the personal data;
 - where we no longer need your personal data for the purposes of the processing, but you require such personal data for the establishment, exercise or defense of legal claims; or
 - where you have objected to processing justified on legitimate interest grounds (see below), pending verification as to whether we have compelling legitimate grounds to continue processing.

Where your personal data is subject to restriction we will only process it with your consent or for the establishment, exercise or defense of legal claims.

- You also have the right to lodge a complaint with the supervisory authority of your habitual residence, place of work or place of alleged infringement, if you consider that the processing of your personal data infringes applicable law.

- **Right to object to processing based on legitimate interest grounds** - where we are relying upon legitimate interests to process personal data, you have the right to object to that processing. If you object, we must stop that processing unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights and freedoms, or we need to process the personal data for the establishment, exercise or defense of legal claims. Where we rely upon legitimate

interest as a basis for processing we believe that we can demonstrate such compelling legitimate grounds, but we will consider each case on an individual basis.

- **Right to object to direct marketing - you have the right to object to our use of your personal data for direct marketing purposes, such as when we use your personal data to invite you to our promotional events.**

Please contact us as indicated in Contact Information if you wish to exercise any of your rights, or if you have any enquiries or complaints regarding the processing of your personal data.

Changes to this Notice

Any changes or updates we may make to this Notice will be posted on this page in advance. If we still have your email on file, we will notify you in advance of any changes to this Notice that are material or may impact you. For other changes, please check back frequently to see any updates or changes to this Notice.

Contact Information

If you have any questions in relation to this policy or you wish to exercise any of your rights, please contact us at: privacy@ovt.com or our EU representative at EUrep@ovt.com.