

Toshiba America Electronic Corporation, Inc.'s

Privacy Notice for California Residents

Effective Date: December 13, 2019

This **Privacy Notice for California Residents** (“CA Privacy Notice”) supplements the information contained in the Toshiba America Electronic Components, Inc. (“TAEC”) general privacy policy (<https://toshiba.semicon-storage.com/us/privacy.html>) and applies solely to all visitors, users, and others who reside in the State of California (“consumers” or “you”).

Toshiba America Electronic Components, Inc. (“TAEC”) is a subsidiary of Toshiba America, Inc. This privacy policy applies solely to TAEC and not to Toshiba America, Inc. or any other affiliate of Toshiba Corporation. We adopt this notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this notice.

Applicability

This CA Privacy Notice applies solely to all visitors, users, and others who reside in the State of California. However, it does not apply to the following:

- Personal information collected about a natural person in the course of that person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of TAEC (“Employment Relationship”), to the extent that the personal information is collected and use within the Employment Relationship.
- Personal information reflecting a written or verbal communication or transaction between the business and a consumer, where the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, non-profit, or government agency and whose communications or transactions with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from such company, partnership, sole proprietorship, nonprofit or government agency.

Definitions

Personal information means information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device. Personal information does not include publicly available information, information that is de-identified or aggregate consumer information, or information excluded from the CCPA’s scope.

For purposes of the CA Privacy Notice, we will make reference to the enumerated categories of personal information described in the CCPA. These are defined as follows:

1. **Identifiers:** For example, a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.
2. **“Sensitive Data”** (Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)): Including a name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment,

employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. (Note: Some personal information included in this category may overlap with other categories).

3. **Protected classification characteristics under California or federal law.** Including age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
4. **Commercial information:** For example, records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
5. **Biometric information:** Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.
6. **Internet or other similar network activity:** Including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website, application, or advertisement.
7. **Geolocation data:** Physical location or movements.
8. **Sensory data:** Audio, electronic, visual, thermal, olfactory, or similar information.
9. **Professional or Employment Related Information:** Current or past job history or performance evaluations.
10. **Student Records:** Non-public education information per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99). For example, education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.
11. **Inferences:** Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Information We Collect And Use Of Personal Information

TAEC may collect and use personal information for one or more of the following purposes.

- To fulfill or meet the reason that you provided the information. For example, if you share your name and contact information to ask a question about our products, we will use that personal information to respond to your question. If you provide your personal information to purchase a product, we will use that information to process your payment and facilitate delivery. And if you provide your personal information for a warranty claim, we will use that information to process your claim.
- To protect against transactional fraud or other malicious, deceptive, or illegal activities in processing transactions.
- To count ad impressions or unique visitors for our website.

- To respond to legal requests or law enforcement, or as required by applicable law, court order, or governmental regulations.
- To fulfill purposes as directed by you, as described to you when collecting your personal information, or as otherwise set forth in the CCPA.

We may share your personal information by disclosing it to a third party for business purposes.

We do not sell your personal information. We will not sell your personal information without providing you with an updated notice and an option to opt-out of the sale of your personal information.

The following chart shows specific categories of information that TAEC has collected from its consumers within the last twelve (12) months:

Category	Collected?	Use of Personal Information	Sources of Personal Information	Third-Parties With Whom We Share Personal Information
Identifiers: Name, Postal Address (including country, state, and city), email address, title.	Yes	Responding to inquiries; verifying customer information; maintaining or servicing accounts; responding to technical questions; counting ad impressions to unique visitors; fulfilling orders processing payments, complying with legal requirements and protecting against malicious, deceptive, fraudulent, or illegal activity.	Consumers (including from the consumers' devices); sales representatives; parent corporation; affiliates.	Third-party sales representatives; service providers; parent corporation; affiliates.
Sensitive Data: Name, address, telephone number, credit or debit card number.	Yes	Responding to inquiries; verifying customer information; maintaining or servicing accounts; responding to technical questions; processing payment, providing customer service, complying with legal requirements and protecting against malicious, deceptive, fraudulent, or illegal activity.	Consumers (including from the consumers' devices); sales representatives; parent corporation; affiliates.	Third-party sales representatives; service providers; parent corporation; affiliates.
Protected classification characteristics under California or federal law.	No			
Commercial information: Product categories of	Yes	Maintaining or servicing accounts; providing customer service; providing payments; providing financing; processing or fulfilling orders and transactions; verifying customer	Consumers (including from the consumers' devices); sales representatives;	Third-party sales representatives; service providers; parent corporation, affiliates; advertising networks.

interest, product number of purchase products, proof of purchase, serial number of product purchased, purchase history.		information; providing advertising or marketing services.	advertisers; suppliers; manufacturers.	
Biometric information. Customer service voice recordings, images.	Yes	Complying with legal requirements and protecting against malicious, deceptive, fraudulent, or illegal activity.	Consumers	Third-party sales representatives; service providers.
Internet or other similar network activity: Information regarding a consumer's interaction with an internet website or application.	Yes	Auditing related to a current interaction with a consumer; detecting security incidents; short-term, transient use; performance of services on behalf of TAEC; research for technological development and demonstration; verifying or maintaining the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by TAEC; Improve, upgrade or enhance the service or device that is owned or controlled by TAEC.	Consumers (including from the consumers' devices), parent corporation.	Third-party sales representatives; parent corporation, affiliates; advertising networks; internet service provider; data analytics providers; operating systems and platforms.
Geolocation data.	No			
Sensory data.	No			
Professional or employment-related information.	No			
Student Records	No.			
Inferences drawn from other personal information : Purchase date of product, purchasing tendencies.	Yes	Responding to inquiries; verifying customer information; maintaining or servicing accounts; responding to technical questions; counting ad impressions to unique visitors; fulfilling orders, processing payments, complying with legal requirements and protecting against malicious, deceptive, fraudulent, or illegal activity.	Inferred.	Third-party sales representatives; service providers; parent corporation.

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

- **Access Rights:** You have the right to request that TAEC disclose what personal information about you it collects, uses, or discloses. If we sold your personal information, you would also have the right to know what personal information we sold.
- **Deletion Request Rights:** You have the right to request that TAEC delete any of your personal information that we collected from you and retained, subject to certain exceptions. We will review your request to see if an exception allowing us to retain the information applies.

To exercise the access and deletion rights described above, please submit a verifiable consumer request to us by any of the following methods:

- Calling us at (888) 688-4231
- Emailing us at TAEC-CCPA@toshiba.com
- Completing a request online at <https://www.toshiba.com/taec/support/ccpa/>

Only you, or a person that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. Upon submitting a request, we will attempt to verify your identity by matching the identifying information provided by you (or your authorized representative) to the personal information already maintained by us. The type of information you must provide depends on the type of request you make. Alternatively, we may use a third party verification service to verify your identity. You may only make a verifiable consumer request for access or data portability twice within a 12-month period. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

- **The Right Against Discrimination:** You have the right not to receive discriminatory treatment by TAEC for the exercise of the privacy rights conferred by the CCPA.

Authorized Agents

If you are using an authorized agent to submit a request to know or request to delete, you must provide the authorized agent written permission to do so. Written permission must be submitted to TAEC as part of the verification process and the agent must also verify their own identity with us using the verification methods described above. We may deny requests from an agent that does not submit proof that they have been authorized by the consumer to act on their behalf.

Other California Privacy Rights

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email or message to the addresses below.

Changes to Our Privacy Notice

TAEC reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's date.

Contact Information

If you have any questions or comments about this notice, the ways in which TAEC collects and uses your information described, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: (888) 688-4231

Email: TAEC-CCPA@toshiba.com

Postal Address:

Toshiba America Electronic Components, Inc.

Attn: Legal CCPA

5231 California Avenue, Irvine, CA 92617

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