

Scale Privacy Policy

Last Updated: August 30, 2021

Scale AI, Inc. (“**Scale**”, “**we**”, or “**us**”) provides this Privacy Policy to inform you of our practices regarding the collection, use and disclosure of your personal information.

This Privacy Policy applies to the personal information we collect when you use our websites (such as www.scale.com) and our products, services, and applications (collectively, the “**Services**”), or when you attend a Scale event or otherwise interact with us.

“**Users**” or “**you**” may, depending on the context, be: a visitor to our website or social media pages; a recipient of our communications; or an individual registered for our Services, including individuals who are provisioned an account by our customers (“**Customers**”).

This Privacy Policy does not apply to the personal information that we process as a data processor or service provider on behalf of our Customers in the course of providing the Services.

Your privacy is important to us. Please read this policy carefully to understand how we will collect, use, and disclose your information, and what choices you have with respect to your information. If you are unable to access this Privacy Policy due to a disability or any physical or mental impairment, please contact us using the contact details in the Contacting Us (Section 14) and we will arrange to supply you with the information you need in an alternative format that you can access.

We recommend that you read this Policy in full to ensure you are fully informed. However, to make it easier for you to review those parts of this Policy, which apply to you, we have divided up the document into the following sections:

1. **WHO WE ARE**
2. **INFORMATION WE COLLECT**
3. **HOW WE USE YOUR INFORMATION**
4. **LEGAL BASES FOR PROCESSING PERSONAL INFORMATION (EEA AND UK ONLY)**
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1. **WHO WE ARE**

We are Scale, a San Francisco-based company with a mission to accelerate the development of artificial intelligence. We do this by providing a data-centric, end-to-end solution to manage the entire ML lifecycle.

2. INFORMATION WE COLLECT

A. Information You Provide Us Directly

We collect information you provide directly to us when interacting with us or using the Services. We use this information to provide, improve, promote, and protect the Services. The information we collect includes the following:

- **Account information:** When you register with us through the Services to become a Scale User or sign-in to an account created by a Customer, we may ask you to provide personal information such as your name, email address, phone number, company name and role in order to register your account.
- **Payment information:** We may collect billing information (including credit card details and billing address) in order to process your payment for use of the Services.
- **Marketing information:** If you express an interest in obtaining information about our Services, sign up for an event or webinar, provide our business partners with your information, or download certain content, we may ask you to provide us with information about you such as your name, email address, address, phone number, title, company name, and other information. We use this information to promote the Services to you with Scale newsletters, marketing, or promotional materials and other information that may be of interest to you (but only where permitted by law and in accordance with your marketing preferences).
- **Feedback and support data:** We may collect information from you in surveys that we may conduct in order to improve the Services. We may also collect information you provide us in connection with support queries we receive from you.

B. Information We Collect From You Automatically

We use typical tools and services, such as log files, cookies, pixel tags, and similar technologies to automatically collect information, which may contain personal information from your devices while you navigate our Services or interact with emails we sent to you. The information we collect includes the following:

- **Device data:** When you use the Services, we may collect information about the devices you use to access the Services, including IP address, browser or device type, operating system, the website you visited before the Services, and identifiers of your devices.
- **Usage data:** When you interact with our Services, we collect information about how you use the Services, including tracking Users' activity in our Services (such as date/time stamps associated with your usage, pages viewed, searches and other actions you take (e.g. which features you use)).
- **Cookies and similar technologies:** We use cookies, tracking pixels, and similar technologies by working with our trusted third-party service providers, including Google Analytics, to provide, improve, protect, and promote our Services. A cookie is a small data file that we transfer to your computer's hard disk for record-keeping purposes. We use cookies for two purposes. First, we utilize persistent cookies to save your username and password for future logins to the Services. Second, we utilize session ID cookies to enable certain features of the Services, to better understand how you interact with the Services and to monitor aggregate usage by visitors and Users and web traffic routing on the Services. Unlike persistent cookies, session cookies are deleted from your computer when you log off from the Services and then close your browser. You can instruct your browser, by changing its options, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Services. A tracking pixel is a unique identifier embedded in a website, online advertisement, or email. We use tracking pixels to understand how you interact with our websites and emails and

helps us and our advertising service providers better promote our Services. We also use HTML5 local storage objects (“HTML5 LSOs”) or Flash local storage objects (“Flash Cookies”) to store content information and preferences. Our website does not respond to Do Not Track signals. Please see the "Your Privacy Rights and Choices" section below to learn about the choices you have in relation to our use of cookies and similar technologies.

- **Location data:** When you use the Services, we may collection information about your location based on your IP address, such as city, state, and country.

3. HOW WE USE INFORMATION

We use the personal information described above for the following business and commercial purposes:

- **Provide, maintain, improve, and protect the Services:** We use the information that you provide us to provide the Services to you in accordance with our contract with you or the relevant Customer.
- **Communicate with you about the Services:** We use your contact information to communicate with you about service updates and technical or administrative matters.
- **Managing event or webinar registrations and attendance:** We process your personal information to plan and host events or webinars for which you have registered or that you attend, including sending related communications.
- **Sending marketing communications:** We process your personal information to send you marketing information, such as Scale newsletters, marketing, or promotional materials and other information about our products and services that may be of interest to you (but only where permitted by law and in accordance with your marketing preferences). Please see the "Your Privacy Rights and Choices" section below to learn how you can control the processing of your personal information by Scale for marketing purposes.
- **For our business purposes:** such as data analysis, audits, developing new products and services and expanding our business activities in reliance on our legitimate interests.
- **Complying with legal obligations:** We will use your personal information where we reasonably believe that such action is necessary to (a) comply with applicable law, regulation, legal process, or government request, (b) protect any person from death or serious bodily injury, (c) prevent fraud, abuse, or security issue of Scale or other users, and (d) to protect Scale’s or its licensors’ rights, property, safety, or interest.

We may aggregate or de-identify information submitted to or collected by use of the Services so that the information does not identify you or Customer, for example to provide overall usage statistics of our Services.

4. LEGAL BASES FOR PROCESSING PERSONAL INFORMATION (EEA AND UK ONLY)

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

However, we will normally collect and use personal information from you where the processing is in our legitimate interest and not overridden by applicable law, your data protection interests or fundamental rights and freedoms. Typically, our legitimate interests include improving, maintaining, providing and enhancing our technology and the Services; ensuring the security of the Services; and supporting our marketing activities.

In some limited cases, we may also have a legal obligation to collect personal information from you. If we ask you to provide personal information to comply with a legal requirement, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not, as well as of the possible consequences if you do not provide your personal circumstance

5. INFORMATION SHARING AND DISCLOSURE

We may share your personal information as described below, but we don't sell it to advertisers or other third parties.

- If your User account was provisioned by a Customer, your administrator ("Admin") may have access and control over the information associated with your account. The Customer may have its own policies governing access and use of information in your User account.
- Depending on a Customer's settings and your choices, we will share certain information with other Users that are part of a Customer account.
- Scale uses certain trusted third-party service providers to help us provide, improve, protect, and promote our Services. These third parties may have access to your personal information to perform services on our behalf but only as is reasonably necessary for the purpose that Scale has engaged them for and in compliance with this Privacy Policy. Some of the third parties that Scale may share your personal information with include providers who assist Scale with functions such as: billing; customer support; hosting and storage; analytics; and marketing services.
- You or your Admin may provide a third-party service (e.g., a single sign-on service) with access to your information. The use of such information by a third-party service will be governed by the third-party service's privacy policy.
- We may share your information with Scale's affiliates and business partners to provide, improve, protect, and promote the Services, or communicate with you.
- We may sell, transfer or otherwise share information in connection with a merger, acquisition, reorganization, or sale of assets, or in the event of bankruptcy.
- We may disclose your information to third parties if we determine such disclosure is reasonably necessary to: (a) comply with applicable law, regulation, legal process, or government request, (b) protect any person from death or serious bodily injury, (c) prevent fraud, abuse, or security issue of Scale or other users, and (d) to protect Scale's or its licensors' rights, property, safety, or interest.
- We may also disclose or share your personal information where you have given us your consent to do so for a specific purpose.

6. YOUR PRIVACY RIGHTS AND CHOICES

Depending on your location, and subject to applicable law, you may have the following rights with regard to the personal information we control about you.

- You can access, correct, amend, and delete your personal information by contacting us at privacy@scaleapi.com.
- If you are based in the EEA or UK, you can object to processing of your personal information, ask us to restrict processing of your personal information or request portability or your personal information. You can exercise these rights by contacting us at privacy@scaleapi.com.
- If you decide at any time that you no longer wish to receive marketing communications from us, please follow the unsubscribe instructions provided in any of the communications. If you choose to no longer receive marketing communications, we may still communicate with you about security updates, responses to service requests or other service related, non-marketing purposes.
- If we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal.
- You have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority. If

you are based in the EEA or UK, the contact details for data protection authorities are available [here](#).

We may request specific information from you to help us confirm your identity and process your request. If your User account was provisioned by a Customer, and if you seek to access, correct, amend, or delete data associated with your account, you should direct your requests to the Customer's Admin.

You also have choices with respect to technologies we use to automatically collect information as described below:

- We use cookies served by Google Analytics to collect limited data directly from end-user browsers to enable us to better understand your use of the Services. You can find out more about how Google uses information when you visit a website that uses Google Analytics, please visit: <https://policies.google.com/technologies/partner-sites>.
- For more information about cookies and how to disable them, please visit www.allaboutcookies.org. You may also find more information about how to control cookies and opt out of receiving tailored advertising from the Network Advertising Initiative's Consumer Opt-Out or the Digital Advertising Alliance's Consumer Opt-Out. You are responsible for the choices you make regarding these mechanisms.
- To learn how to manage privacy and storage settings for Flash Cookies, please visit the Macromedia site.
- HTML5 LSOs can be managed using browser tools and settings.

7. INFORMATION FOR CALIFORNIA CONSUMERS

This section applies to California consumers, and it describes how we collect, use and share Personal Information of California consumers in operating our business, and their rights with respect to that Personal Information. For purposes of this section, "Personal Information" has the meaning given in the California Consumer Privacy Act of 2018 ("CCPA") but does not include information exempted from the scope of the CCPA. Under the CCPA, "Personal Information" is any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household.

A. How We Collect, Use, and Share your Personal Information

We collect the following statutory categories (as defined by CCPA) of Personal Information directly from you or automatically from your device:

- **Identifiers**, such as you name, email address, phone number, company name and role, device identifier, IP address, unique browser ID, cookies, beacons, pixel tags, account login, other unique identifiers;
- **Commercial information**, such as your service subscription records, and site engagement;
- **Internet or network information**, such as browsing and search history, site and advertisement interactions;
- **Financial information**, such as credit card and other billing related information;
- **Geolocation data**, such as city, state, and country based on IP address.

The business and commercial purposes for which we collect this information are described in Section 3 of this Privacy Policy; and the categories of third parties to whom we "disclose" the information for a business purpose are described in Section 5 of this Privacy Policy.

B. California Privacy Rights

California law grants California residents consumers certain rights and imposes restrictions on particular business practices as set forth below.

- You may **request access** to, or for **a copy** of the personal information we have collected, used, disclosed, and sold about you over the past twelve (12) months.
- You may also request that we **delete** certain personal information we have collected from you.
- You have a **right not to receive discriminatory treatment** for the exercise of your CCPA privacy rights
- California consumers have **the right to opt-out of the sale** of their personal information. We do not and will not sell your personal information. We may provide third parties with certain personal information to provide or improve our products and services, for example to deliver products or services at your request. In such cases, we require those third parties to handle the information in accordance with applicable laws and regulations.

C. How to Exercise Your California Privacy Rights

If you are a California consumer seeking to exercise your CCPA rights, or if you are an authorized agent wishing to exercise CCPA rights on behalf of someone else, please e-mail us at privacy@scaleapi.com. We will respond to verifiable requests received as required by law.

Please note that to protect your personal information, we will verify your identity by a method appropriate to the type of request you are making. We may also request that your authorized agent have written permission from you to make requests on your behalf, and we may also need to verify your authorized agent's identity to protect your personal information.

California Civil Code Section 1798.83 permits users of our Services 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 to privacy@scaleapi.com

If you have questions about your rights under CCPA, please send us an email to privacy@scaleapi.com

8. DATA RETENTION

We will retain your personal information only for as long as is necessary for the purposes set out in this Privacy Policy. We will retain and use your personal information to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.

9. SECURITY

Scale is concerned with safeguarding your information. Scale employs appropriate and reasonable physical, technological, and administrative security measures. For further information about our security practices, please see our Security page available [here](#). No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while we strive to use commercially acceptable means to protect your personal information, we cannot guarantee its absolute security.

10. INTERNATIONAL TRANSFER

Information that we collect from you may be transferred to, stored, and processed by us, our affiliates, and other third parties in countries outside the EEA, the UK and Switzerland including, but not limited to, the United States and other countries, where data protection and privacy regulations may not offer the same level of protection as in other parts of the world.

For transfers of personal information from the EEA, the UK and Switzerland to third countries, we will transfer personal information according to the requirements of applicable data protection legislation by putting in place appropriate safeguards, including by entering into European Commission Standard Contractual Clauses. Customers transferring personal information from the EEA, the UK or Switzerland can reach out to Scale for a copy of its Data Processing Addendum by contacting us at privacy@scaleapi.com.

In addition, Scale has self-certified to the EU-U.S. and Swiss-U.S. Privacy Shield. For more information, see our Privacy Shield Notice. While the EU-US and Swiss-US were invalidated in 2020 by the Court of Justice of the European Union, we will continue to honor our obligations under our certification and adhere to the Privacy Shield principles.

11. LINKS TO OTHER WEBSITES

Our Services may contain links to, or interoperate with third-party services. When you click on a link to any other website or location, or when you or the Customer provides a third-party service with access to information in your account, such third-party may then collect or access information from you or Customer. The use of such information by the third-party service will be governed by the third-party service's privacy policy. We have no control over, do not review, and cannot be responsible for, these third-party services. We encourage you to read the privacy policies of every website you visit and every third-party service you use.

12. OUR POLICY ON CHILDREN

The Services are not directed to individuals under 13, or a higher age depending on your jurisdiction ("**Required Age**"). If Scale becomes aware that a child under the Required Age has submitted information to us, we will delete the information. If you believe that we may have any information from a child under the Required Age, please contact us at privacy@scaleapi.com.

13. MODIFICATION OF PRIVACY POLICY

Scale may modify this Privacy Policy from time to time. The "Last Updated" legend at the top of this page indicates when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we post the revised Privacy Policy on the website.

If we make any material changes to this Privacy Policy, we may provide you with additional notice, such as posting a notice of the changes on our website or by directly sending you a notification.

We encourage you to review this Privacy Policy from time to time to inform yourself of any changes.

14. CONTACTING US

If you have questions about this Privacy Policy, please contact us at privacy@scaleapi.com.

15. PRIVACY SHIELD NOTICE

Scale AI, Inc. ("**Scale**", "**we**", or "**us**") complies with the EU-U.S. Privacy Shield Framework and the 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. Scale 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 will govern. To learn more about the Privacy Shield program, and to view our certification, please visit www.privacyshield.gov.

A. Scope. Our certification of adherence to the Privacy Shield Principles applies to the personal data (a) we collect from customers and visitors of our website (“**Scale User Data**”) and (b) that we process on behalf of our customers under an agreement (“**Scale Services Data**”).

B. Data Processed. The Scale User Data that we collect, use, and share is described in our Privacy Policy. We process Scale Services Data as instructed by our customers.

C. Purpose of Data Processing. The purposes for which we collect, use, and share Scale User Data are described in our Privacy Policy. We process Scale Services Data as instructed by our customers and in response to contractual commitments.

D. Third Parties Who Receive Personal Data. We share Scale User Data as described in our Privacy Policy. We may share Scale Services Data with the following third parties in accordance with our agreements with Customers.

- **Affiliates.** We may disclose Scale Services Data to our subsidiaries and corporate affiliates for use consistent with this Privacy Policy.
- **Service Providers.** We may employ third party service provider companies and individuals to provide, improve, and protect the Services on our behalf. We maintain contracts with service providers that restrict their access, use, and disclosure of personal data in compliance with our Privacy Shield obligations, including the onward transfer provisions, and we may be liable if they fail to meet those obligations and we are responsible for the event giving rise to damage.
- **Legal Requirements.** We may disclose Scale Services Data to (a) comply with applicable law, regulation, legal process, or government request, including to meet national security or law enforcement requirements, (b) protect any person from death or serious bodily injury, (c) prevent fraud, abuse, or security issue of Scale or other users, and (d) to protect Scale’s or its licensors’ rights, property, safety, or interest.
- **Business Transfers.** Scale may sell, transfer or otherwise share some or all of its assets, including Scale Services Data, in connection with a merger, acquisition, reorganization, or sale of assets, or in the event of bankruptcy.

E. Rights to Access, Limit Use, or Limit Disclosure. We will handle requests to access, correct, amend, or delete Scale User Data in accordance with our Privacy Policy. Scale does not have relationships with individuals whose personal data is contained in Scale Services Data submitted by a Customer. An individual who seeks to access, correct, or delete personal data provided to us as Scale Services Data by one of our Customers should direct their request to the Customer. With our Privacy Shield self-certification, we have committed to respect those rights. We will help our Customer fulfill your request in accordance with our Customer’s instructions.

F. Disputes. JAMS is the US-based independent organization responsible for reviewing and resolving complaints about our Privacy Shield compliance - free of charge to you. Please first submit any such complaints directly to us via privacy@scaleapi.com. If you aren’t satisfied with our response, please contact JAMS at www.jamsadr.com/eu-us-privacy-shield. In the event your concern isn’t addressed by JAMS, you may be entitled to a binding arbitration under Privacy Shield and its principles.

G. U.S. Federal Trade Commission Enforcement. Scale’s commitment under the Privacy Shield is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. If there is any conflict between this Privacy Shield Notice and the Privacy Shield Principles, the Privacy Shield Principles will take precedence.