General Data Privacy Notice

Last updated April 14, 2023*

Welcome to New Relic! New Relic's full-stack data analysis platform enables businesses to have a clearer view of what's happening in their software.

Want to learn how New Relic processes data when you use or interact with our Services? See our <u>Services Data Privacy Notice</u>.

For California Residents, please see our California Privacy Notice

Interested in applying for a job at New Relic? See our <u>Applicant Privacy Policy</u> to understand how New Relic uses the information you provide when you apply.

For California Residents, please see our California Applicant Privacy Notice

This New Relic General Data Privacy Notice ("General Privacy Notice") explains who we are, how we collect, share and use personal data about you, and how you can exercise your privacy rights. We are committed to protecting your information and being transparent about the information we collect about you and how we use it.

We recommend that you read this General Privacy Notice in full to ensure you are informed. If you have any questions about this General Privacy Notice please see Section 16 (How to Contact Us). If there's a particular section you're interested in reviewing, click on a link below to jump to that spot.

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1. Definitions.

"Personal Data" means any information relating to an identified or identifiable individual, including, for example, your name, phone number, post code or zip code, Device ID, IP address and email address. Further information about the Personal Data that we collect, where we collect it from, and how we use it is set out below.

"Sites" means the websites that display or link to this General Privacy Notice, such as www.newrelic.com, status.newrelic.com, learn.newrelic.com, discuss.newrelic.com, www.newrelic.de, codestream.com, <a href="pixtle-pixtle

Undefined terms used in this General Privacy Notice have the same definition as in our Terms of Service.

2. Who We Are

New Relic, Inc. makes monitoring services and tools available via several platforms, including pixielabs.ai, newrelic.com, and codestream.com. When you create an account with us via one of our platforms, your information is controlled by New Relic, Inc.

New Relic, Inc. is a Delaware corporation headquartered at 188 Spear Street, Suite 1200, San Francisco, CA 94105. New Relic, Inc. has offices, subsidiaries and affiliated companies all around the world (collectively "New Relic", "we", "us", "our", and "ours").

For more information about New Relic, please see the "About Us" section of our Sites.

3. The Information We Collect About You

New Relic collects Personal Data about you both offline and online. Offline information about you originates from our interactions with you, for example, during in-person meetings or at New Relic events, conferences, or workshops. Online information originates from your activities on our Sites and third party sources.

The Personal Data we collect includes information such as your name, mailing or billing address, credit card information, username, GitHub ID, email address, company name, IP or MAC address. We collect this information so we know who you are for various reasons, including to communicate with you, bill you correctly, and to enable you to log-in to and use New Relic Sites and New Relic Separate Platforms.

For more information on the types of Personal Data we collect and how we may receive it, click on "Read More".

Read more

We may collect offline or online data, such as contact and financial information, from you directly, automatically, or from third parties, such as data aggregators, that may not have a relationship with you.

a. Personal Data Categories

Personal Data category	Examples of Personal Data included
Contact information	Your name, job title, company name, mailing address, phone number, email address, username, password
Financial & billing information	Your billing name and address, credit card number, bank account information
Event visitor information	Your name, title, company name, mailing address, country, phone number, email address
Community profile information	Username, photo and/or biographical information, such as your occupation, social media profiles, profile on Stack Overflow, Github ID, company name, areas of expertise, custom profiles
Office visitor information	Your name, email address, phone number, photograph, company name, time and date of arrival
Pictures, videos, & audio recordings	Images of you captured during a New Relic event or promotion in photos or videos and/or recordings of you made during a research or a promotional session or event with your consent
Device & geographic information	IP address, device type, unique device identification numbers, browser-type, broad geographic location (e.g. country or city-level location), user ID, and other technical information
	Information about how your device has interacted with our Sites, including the pages accessed and links clicked

b. Personal Data we collect directly from you includes contact, financial and billing, event visitor, community profile, and office visitor information, as well as pictures, videos and audio recordings, and data we collect automatically, which includes device and geographic information.

Personal Data category	Examples of how it may be collected by New Relic directly	Collected automatically
Contact information	 express an interest in obtaining additional information about our Services request customer support use our "Contact Us" or similar features register to use our Sites and other New Relic platforms, such as pixielabs.ai, sign up for or attend an event, webinar or contest download certain content, such as whitepapers from our Sites or third-party sites participate in a New Relic research study or promotion initiate a webchat on the New Relic website 	No
Financial & billing information	If youmake purchases via our Sitesregister for an event or webinar	No
Event visitor information	If you • attend an event	No
Community profile information	If you • register for an online	No

	community that we host	
Office visitor information	If you • visit our offices	No
Pictures, videos, audio recordings	We may collect this data in a variety of contexts. If you attend a New Relic promotion or event, your image may be captured in a photo or video participate in a New Relic research study your research session may be recorded with your consent.	No
Device & geographic information	If you • visit our Sites Some of this information may be collected using cookies and similar tracking technology, as explained further in the New Relic Cookie Policy.	Yes

If you provide to us or to our service providers any Personal Data relating to other individuals or third parties (such as your beneficiaries, references for job candidates, or referrals for the purposes of collaboration within the New Relic platform), you represent that you have the authority to do so and permit us to use the Personal Data in accordance with this General Privacy Notice. If you would like to exercise your rights relating to your Personal Data, please see Section 9 (Your Choices and Data Protection Rights).

If you are that beneficiary or any other third party whose Personal Data was provided to New Relic on your behalf and with your consent, and you would like to exercise your rights relating to your Personal Data, please see Section 9 (Your Choices and Data Protection Rights).

c. We may collect the following types of Personal Data about you from third parties that supply us with Personal Data in order to help us establish an account, target our marketing, or fulfill orders in partnership with our resellers.

Our third party company relationships help us to update, expand, and analyze our Personal Data records, identify new customers, optimize our Sites and Services, create more tailored advertising to provide services that may be of interest to you, and manage open source projects.

Personal Data that we collect from third party sources include:

Example Categories of Personal Data	Third party source
Contact information	Providers of business contact
Intent data (or user behavior data)	information
Device and geographic information	Resellers, referral and joint marketing
Community profile information	partners, distributors, managed
	service providers, IAAS or PAAS

	partners, cloud providers, and other technical alliances
Details about a potential customers' software environment	Resellers, referral and joint marketing partners, distributors, managed service providers, IAAS or PAAS partners, cloud providers, and other technical alliances
User account information	Vendors
User account information	Code repository platforms, such as GitHub
Contact information	Companies that host an event or sponsor an event

We have checked that these third parties have an appropriate legal basis to provide us this Personal Data, such as your consent, a legitimate business interest, or are otherwise legally permitted or required to disclose your Personal Data.

4. How We Use Your Personal Data

In general, Personal Data we collect from you or about you from third parties is used for business and commercial purposes, for example to provide and maintain our Sites, Services, and New Relic Separate Platforms. Additionally, collecting this

information enables us to better understand the visitors who come to our Sites, where they come from, and what content on our Sites is of interest to them.

Read more

New Relic uses your Personal Data

- a. to create & maintain a trusted environment for our Services and Sites, including in order to
 - manage the security of our Sites, physical locations, networks, and systems
 - operate, administer, analyze, develop, improve and optimize the use, function and performance of our Sites, Services, New Relic Separate
 Platforms, and systems
 - comply with applicable laws and regulations and to operate our business
 - to manage code check-ins and pull requests for open source and community development projects
- b. to provide our Services and perform our contract with you as our customer including to
 - engage in transactions with customers, suppliers and business partners and to process orders for New Relic Services
 - to provide New Relic Services, New Relic Separate Platforms, survey tools,
 payment processing services, or the certificate creation tool for New Relic
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c. to communicate and respond to your requests and inquiries to New Relic, including to

- conduct research you agree to participate in, through meetings, surveys, or other tools
- respond to your queries and provide you with information and promotional material on New Relic when you initiate a webchat

d. to market our Services or related products and services to new and existing customers, including

- tailor our marketing and sales activities to your company's interests and in accordance with your communication preferences and your requests for information and to be contacted by New Relic
- tailor the purchase of Services
- for purposes of targeted advertising, delivering relevant email content and event promotion
- to link or combine information about you with other Personal Data we get from third parties, to help understand your needs and provide you with better and more personalized service
- by creating anonymous data records from Personal Data in accordance with applicable law.

5. How We Share Your Personal Data

Except as provided in this General Privacy Notice, we do not, and will not, sell Personal Data.

Generally, we may disclose your Personal Data for our business purposes, such as to our service providers, partners or competent law enforcement bodies.

Read more

New Relic may disclose your Personal to

- a. *Third party service providers.* We engage with third parties to support our business and operations. For example some third party service providers offer services that we use to provide the Services, Sites, and New Relic Separate Platforms, such as cloud providers.
- b. Event sponsors and hosts. If you elect to do so, we may share Personal Data collected at New Relic events, such as FutureStack or New Relic's seminars, with sponsors and hosts of such events, for valuable consideration from such sponsor or host to New Relic. Such sponsor or host may use it for their business or commercial purposes in accordance with their own privacy notices.
- c. *Business partners*. We contract with business partners, such as third party resellers, for our commercial purposes. For instance, if you fill out a form on our Sites, such as by signing up for a free New Relic account, ebook or

- webinar, or if you reach out to our Sales team, you may be contacted by a designated New Relic partner.
- d. *Comply with our legal obligations*. Where we believe disclosure is necessary (i) as a matter of applicable law or regulation, (ii) to exercise, establish or defend our legal rights, or (iii) to protect your vital interests or those of any other person, we may disclose your Personal Data to any competent law enforcement body, regulatory, government agency, court or other third party.
- e. *New Relic entities*. We may share your Personal Data within New Relic, such as with or between subsidiaries of New Relic, Inc. We and our subsidiaries will only use the information as described in this notice.
- f. Actual or potential buyers. In connection with any actual or proposed purchase, merger or acquisition of any part of our business, provided that we inform the buyer (and its agents and advisors) it must use your Personal Data only for the purposes disclosed in this General Privacy Notice.
- g. *Other person(s)*. Where you provide consent to the disclosure or as allowed by applicable data protection law, we may share your information as described at the time of consent.

6. Legal Basis for Processing Your Personal Data

When we use your Personal Data, we take care to ensure that it is used in an appropriate way. Our use of Personal Data is done under one of various legal

bases, including for our legitimate interest, in performance of a contract or with your consent.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Data, please see <u>Section 16 (How to Contact Us)</u>.

Read more

We will process your Personal Data and share that Personal Data in accordance with this Privacy Notice where:

- Its use is necessary *for a contract* you have entered into or because you have asked for something to be done so you can enter into a contract with us
- Its use is necessary because of a *legal obligation* that applies to us (except an obligation imposed by a contract). This may include responding to subpoenas, warrants or other requests served on New Relic anywhere in the world or to protect or defend the rights or property of New Relic or its users
- **You have consented** to its use in a specific way. For example where you have consented to receiving marketing materials. You may withdraw your consent at any time as further described in <u>Section 9 (Your Choices and Data Protection Rights)</u>
- Its use is in accordance with *our legitimate interests* e.g. to manage our business, subject to those interests not overriding your fundamental rights and freedoms. This may include the activities and purposes described in Section 3 (How

We Use Your Personal Data) and Section 4 (How We Share Your Personal Data). In connection with due diligence efforts as part of a proposed sale, merger, or reorganization of our business or after a sale, merger, or reorganization

If we ask you to provide Personal Data to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Data is mandatory or not (as well as of the possible consequences if you do not provide your Personal Data).

7. How Long We Hold Personal Data

We retain Personal Data we collect from you where we have an ongoing legitimate business need to do so (for example, for as long as your account is active or as needed to provide you Services you have requested or to comply with applicable legal, tax or accounting requirements). This may also include situations where litigation is pending or ongoing and such information is subject to a legal hold.

When we have no ongoing legitimate business need to process your Personal Data, we will either delete or anonymise it or, if this is not possible (for example, because your Personal Data has been stored in backup archives), then we will securely store your Personal Data and isolate it from any further processing until deletion is possible. Where we rely on your consent you have the right to withdraw it at any time in the manner indicated when you consent.

If you have questions about or need further information concerning the retention of your Personal Data, please see <u>Section 16 (How to Contact Us)</u>.

8. International Data Transfers

When you use our Services or Sites, your Personal Data may be transferred to, and processed in, countries where we or our service providers operate. These may be countries other than the country in which you are located These countries may have data protection laws that are different from the laws of your country.

Read more

If you are located in the European Economic Area (EEA), Switzerland, and/or the United Kingdom (UK) your Personal Data will be accessed by New Relic staff or suppliers, transferred, and/or stored outside the EEA, Switzerland and/or the UK. We take appropriate safeguards to require that your Personal Data will remain protected in accordance with this General Data Privacy Notice and as required by applicable data protection law, including: (i) requiring that our third-party service providers and partners employ an adequate method of transfer, such as the European Commission's Standard Contractual Clauses (further details of which can be provided upon request). Please note also that although the European Union (EU)-US and Swiss-US Privacy Shield Frameworks were invalidated in 2020 as a data transfer mechanism, New Relic continues to participate in and comply with the

EU-US and Swiss-US Privacy Shield Frameworks in accordance with guidance from the US Federal Trade Commission. Please click here to read our Privacy Shield Notice.

9. Your Choices and Data Protection Rights

New Relic takes reasonable steps to ensure that the Personal Data we collect is reliable for its intended use, accurate, complete and up to date. We offer certain data protection options to all individuals, including the ability to opt out of receiving marketing communications, to amend your personal data contained in your account, and to request we delete your account information.

For more information on the rights and options you have, including jurisdiction-specific rights, please click Read More.

Read more

a. When it comes to *your marketing choices*, we offer you choices regarding the collection, use, and sharing of your Personal Data. We will periodically send you newsletters and emails that directly promote the use of our Sites or the purchase of our Services (marketing communications) as the following applies: (i) in accordance with your marketing preferences, (ii) if you sign up for a New Relic account or other content, (iii) request to be contacted by New Relic and/or if you request information from New Relic.

You can opt out of receiving marketing communications from us at any time by clicking (1) the 'unsubscribe' or 'opt out' link at the bottom of the marketing emails you receive, (2) adjusting your email preferences provided here, or (3) by sending an email to Privacy@newrelic.com. Please note that it may take up to three days to remove your contact information from our marketing communications lists, so you may receive correspondence from us for a short time after you make your request. Your email preferences only affect marketing communications. You will not be able to opt out of service emails from us, such as transactional emails, or notices of updates to our Terms of Service, Services Privacy Notice, or this General Privacy Notice.

Should you decide to opt-out of receiving future mailings, we will retain a record of your preference (including retaining your email address) and we may share your email address with third parties solely for the purpose of ensuring that you do not receive further marketing communications related to our Services from third parties.

b. We apply certain *data protection rights to all individuals*, regardless of location. Specifically, you may correct or update Personal Data contained in your account by editing your profile within the registration portion of our Sites or sending an email to Privacy@newrelic.com. You may also request we delete your account information, or remove your Personal Data from a Site testimonial or our blog by sending an email to Privacy@newrelic.com.

When you reach out to us, we will endeavor to respond without delay in accordance with applicable data protection laws. We may need to ask you additional clarifying questions in order to accurately respond to your request and to verify you are making the request in respect of your own Personal Data.

With respect to deletion requests, we may be required (by law or otherwise) to keep Personal Data and not remove it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). We will let you know if we are unable to comply with this request and the reasons why.

c. EEA & the United Kingdom

In addition to the rights to correct, update, or request to delete Personal Data outlined above, persons located in the EEA or the United Kingdom have some additional data protection rights under EEA and UK data protection laws.

These rights include the right to find out if we use your Personal Data, or to access your Personal Data.

Also, you can object to the processing of Personal Data we process on the basis of our legitimate business interests, ask us to restrict processing, or request portability of your Personal Data.

Where we have collected and processed your Personal Data on the basis of consent, you can withdraw your consent at any time. You should note that

withdrawing your consent will not affect the lawfulness of any processing we conducted prior to the withdrawal, nor will it affect the processing of your Personal Data where we relied on lawful bases other than consent.

You have the right to complain to a data protection authority about our collection and use of your Personal Data. For more information, please contact your local data protection authority.

If you are an EEA or UK individual and would like to make any of these requests, please submit your request to Privacy@newrelic.com

d. California

If you are a California resident, please see our California Privacy Notice

e. Nevada

If you are a resident of Nevada, you have the right to submit a request that we do not sell to third parties certain types of personal information that we have collected or will collect about you. You can exercise this right by contacting us at privacy@newrelic.com with the subject line "Nevada Do Not Sell Request" and providing us with your name and the email address. Please note that we do not currently sell your personal data as the term "sale" is defined in Nevada Revised Statutes Chapter 603A.

<u>f. Virginia</u>

If you are a Virginia resident, you have some additional data protection rights under the Virginia Consumer Data Protection Act (H.B. 2307 / S.B. 1392), in addition to the rights to correct, update, or request to delete Personal Data outlined above.

You can request that we confirm if we actually process your Personal Data and request access to such Personal Data. You have the right to request a portable copy of the Personal Data that you provided to us. You have the right to opt out of the processing of the Personal Data for purposes of targeted advertising, the sale of personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning the consumer. Please note that New Relic does not "sell" your personal data as the term "sale" is defined in the Virginia Consumer Data Protection Act. New Relic engages in targeted advertising as that term is defined under the Virginia Consumer Data Protection Act. This means that New Relic may disclose personal data for targeted advertising in line with your choices.

You may opt out of the disclosure of your personal data for targeted advertising by clicking on the Your Privacy Choices tab on www.newrelic.com or by contacting us at privacy@newrelic.com with the subject line "Virginia Do Not Disclose My Data for Targeted Advertising". You have the right not to be discriminated against based on exercising your data protection rights, and we do not discriminate against any individual for doing so. In order to protect your Personal Data from unauthorized access, we may require you to verify your credentials before you can submit a data protection request. If you do not have an account with us, or if we suspect that your

account has been accessed without your authorization, we may ask you to provide additional personal information for verification purposes.

If we refuse to take action on a data protection request that you have made, you may appeal our decision within a reasonable period of time by contacting us at privacy@newrelic.com and specifying that you wish to appeal. Within 60 days of our receipt of your appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If your appeal is denied, you may submit a complaint to the Virginia Attorney General at the following address: https://www.oag.state.va.us/consumercomplaintform.

f. Australia Supplemental Data Protection Law Disclosures. New Relic will process Personal Data under this General Data Privacy Notice in accordance with the Australian Privacy Act 1988 and the Australia Privacy Principles. If you are an Australian resident and you are dissatisfied with our handling of a data subject right request or a complaint, you can always contact us at Privacy@newrelic.com. If you disagree with the resolution proposed by us, you may make a complaint to the Office of the Australian Information Commissioner ("OAIC") by contacting the OAIC using the methods listed on their website http://www.oaic.gov.au.

10. Do Not Track and Global Privacy Control

New Relic does not currently commit to responding to browser's "do not track" or "DNT" preference across its Sites and Services, because no common industry standard for DNT has been adopted by industry groups, technology companies or regulators, including no consistent standard of interpreting user intent. New Relic takes privacy and choices regarding privacy seriously and will make efforts to continue to monitor the development around DNT browser technology and the implementation of a standard for DNT. Global Privacy Control is a browser setting that allows you to notify websites you visit about your privacy preferences. New Relic honors website visitors' Global Privacy Control signals

11. Advertising

We may partner with third party ad networks either to display advertising on our Sites or to manage our advertising on other sites. Our ad network partner may use cookies and web beacons to collect non-personally identifiable information about your activities on our Sites to provide you targeted advertising based upon your interests. To learn more about targeted advertising and advertising networks and about your ability to opt out of collection by certain third parties, please visit the opt-out pages of the Network Advertising Initiative, here, and the Digital Advertising Alliance, here. In addition, if you wish to opt-out of interest-based advertising click here (or, if located in the EU, click here).

Please note this does not opt you out of being served advertising. You will continue to receive generic ads.

12. Third Party Websites and Social Media Widgets

This General Privacy Notice applies to the use and disclosure of Personal Data that we collect as described herein.

Our provision of a link to any other website or location is for your convenience and does not signify our endorsement of such other website or location or its contents. When you click on such a link, you will leave our site and go to another site. During this process, a third party may collect Personal Data from you.

We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be aware that the terms of this General Privacy Notice do not apply to these outside websites or content, or to any collection of data after you click on a link to a third party. We encourage you to carefully read the privacy statement of any website you visit.

Our Sites also include social media features, such as the Facebook Like button and widgets, such as the "Share this" button or interactive mini-programs that run on our site. These features may collect your IP address, which page you are visiting on our Sites, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on

our Sites. Your interactions with these features are also governed by the privacy policy of the company providing it.

13. Security of Your Personal Data

New Relic is committed to protecting the security of your Personal Data. We use appropriate technical and organizational measures to protect your Personal Data from unauthorized access, use, or disclosure. For instance, when you enter your credit card number on our order forms, we encrypt the transmission of that information using secure socket layer technology (SSL). All account accesses require users to provide their username and password. It is the responsibility of each user to maintain this information in a secure manner. Despite these measures, you should know that New Relic cannot fully eliminate security risks associated with Personal Data and mistakes and security breaches may happen. If you have any questions about security on our Sites, you can contact us as described in Section 16 (How to Contact Us).

14. Children

Our Sites are not directed to children and we do not intentionally gather Personal Data about visitors who are under the age of 16. If you learn that anyone younger than 16 (or of older age as applicable under the laws of your jurisdiction) has provided us with Personal Data, please contact us as described in Section 16 (How to Contact Us), and we will take steps to delete such information. If you are a minor

(as per the applicable laws in your jurisdiction) and are using this website, you may

only do so with the consent of your parent or guardian.

15. Changes to this General Privacy Notice

This General Privacy Notice may be changed from time to time, and if we make any

substantial changes in the way we use your Personal Data, we will take appropriate

measures to inform you, consistent with the significance of the changes we make.

You can see when this General Privacy Notice was last updated by checking the "last

updated" date displayed at the top of this General Privacy Notice.

This Privacy Notice is effective as of the date set out at the top of this Privacy

Notice. It describes the categories of personal information that we have collected,

disclosed for a business or commercial purpose and sold over the preceding twelve

(12) months.

16. How to Contact Us

New Relic has a Data Protection Officer and has nominated both local and global

Data Protection Officers. If you have questions about how your Personal Data is

collected, stored, shared or used, or if you wish to exercise any of your data rights,

or if you have a disability and need to access this notice in an alternative format,

please contact our Data Protection Officers at:

By email: privacy@newrelic.com

By mail: Attn: Legal Data Subject Request

New Relic, Inc.

188 Spear Street

Suite 1000

San Francisco, CA 94105

New Relic appointed New Relic International Limited as its EU data protection representative, and the Irish Data Protection Commissioner is New Relic supervisory authority. You can contact New Relic EU Representative at:

31-36 Golden Lane

Dublin 8, Ireland

Or by emailing privacy@newrelic.com attn: New Relic EU Representative.

New Relic appointed New Relic UK Limited as its UK data protection representative, and the Information Commissioner's Office is New Relic supervisory authority in the United Kingdom. You can contact New Relic UK Representative at:

Strand Bridge House

138-142 The Strand

London, England WC2R 1HL

Or by emailing privacy@newrelic.com attn: New Relic UK Representative.

For any complaints regarding our compliance with our privacy and security practices, please contact New Relic first. New Relic will investigate and attempt to resolve any complaints and disputes regarding our privacy practices.

The data controller of your Personal Data for all countries that New Relic does business is New Relic, Inc., unless you have contracted directly with New Relic, K.K. in Japan, in which case New Relic, K.K. is the data controller.

*Updated on February 28, 2023 with additional information on uses and disclosures on personal data.

Prior Versions

August 2, 2022

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