

EFFECTIVE DATE: 16 September 2022

Overview

Welcome to Digital Metal! This policy covers our website located at www.digitalmetal.com and www.digitalmetal.tech, and any other website that links to this Privacy Policy (each a “**Website**” and together the “**Websites**”). The Websites facilitate orders and provide information about our products and services. The Websites are owned and operated by Digital Metal AB, which is headquartered at Verkstadsgatan 12A, SE-263 39 Höganäs, Sweden. Digital Metal is a [Markforged](#) company.

This Privacy Policy describes how and why Digital Metal collects and uses information that alone or in combination with other information could be used to identify you (“**Personal Data**”) through our Websites, text and chat communications, or at programs and events, and explains how we Process personal data and our marketing practices generally. “**Processing**” means any operation or set of operations which is performed by us on your personal data or on sets of personal data, such as collecting, recording, organizing, structuring, storing, adapting, retrieving, consultation, using, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction as described in this Privacy Policy.

By using our Website(s) or otherwise giving us your Personal Data, you agree to the terms of this Privacy Policy. If you do not agree with this Privacy Policy in whole or in part, do not use our Websites or give us your Personal Data. Digital Metal’s software, products, and services are subject to additional terms such as license and use agreements.

What information do we collect?

When you contact us or interact with our Websites, we collect Personal Data in the form of contact and business information. We collect Personal Data where you voluntarily provide it to us on a web form on a Website, on social media, at a tradeshow or other marketing event, when you contact our sales or customer support teams via phone, text or chat, or when you send in an order request. We also collect Personal Data through responses to online surveys and emails and from information that you may post to online communities that we host.

The Personal Data that we may collect includes:

- Your name, email address, mailing address or telephone number
- Your title, company name and address
- The manner in which we obtained the Personal Data, such as from resources you accessed and/or downloaded from a Website, or a marketing event that you attended
- Information about your interests, preferences, and purchase history
- Device and browser information, including location, MAC addresses, IP addresses, cookies, and other online identifiers
- Navigational information

Navigational information

Navigational Information consists of web tracking technologies such as cookies, web beacons, pixel tags and clear GIFs that are needed in order to operate our Websites efficiently and to collect data related to your usage of and interaction with the Software. Navigational Information may include the address of the websites you visited before and after you visited our Websites, your geographic location, the search terms you used, the date and time of your visit, the type of browser you are using,

your Internet Protocol (IP) address, what pages on the Website(s) you visit and what links you clicked on, and whether you opened email communications we sent to you.

In order to collect Navigational Information and to make your use of the Websites more efficient, we may store cookies on your device. These cookies will be stored: (1) until you close your browser; (2) until you log off of the Website; or (3) until they expire. You may be able modify your browser settings to alter which web tracking technologies are permitted when you use one of our Websites, but this may affect the Website's performance. Likewise, most mobile devices allow you to disable collection of your geo-location, but this may also affect the Website's performance. To learn more about our cookies and similar technologies and their effect on the collection of Personal Data, click here: www.allaboutcookies.org.

Automatically collected information

When you view content on a Website, we automatically collect information about your computer hardware and software. This information can include your IP address, browser type, domain names, internet service provider (ISP), the files viewed on our Website (e.g., HTML pages, graphics, etc.), operating system, clickstream data, access times and referring website addresses. This information is used by Digital Metal to provide general statistics regarding use of the Websites. We may link this automatically-collected data to other Personal Data such as name, email address, address, and phone number.

Children

We do not knowingly collect Personal Data directly from children under the age of 16 without parental consent. Our Websites are general audience sites and are not specifically targeted to or intended for use by children under the age of 18. If a parent or guardian becomes aware that his or her child has provided us with Personal Data without their consent, he or she should contact us by mail to alexander.sakratidis@digitalmetal.com.

Third party sources

From time to time, we may receive Personal Data consisting of your name, title, company name, email address, and address from third party sources including partners with which we offer co-branded services or engage in joint marketing activities.

Sensitive Personal Data

You should not provide us any sensitive Personal Data, which includes but is not limited to government-issued ID numbers such as Social Security numbers, racial or ethnic information, political or religious opinions, or your health information.

How we use information we collect

We use your Personal Data for various purposes and our lawful bases (justification) for using your Personal Data are:

Performance of a contract

- If you have purchased a Digital Metal printer from us and are using a hosted cloud service to run that printer, you may need to provide us with Personal Data such as your name and email address in order to create the cloud account. You should note that any such cloud account will be maintained by a third-party, and not Digital Metal.

- We also use Personal Data to provide you with account functionality on the Websites, such as arranging access to your account, maintaining your account and providing you with related customer service. We use your Personal Data to complete and fulfil quotation requests from our Websites.
- Personal Data is used to send you administrative information, including but not limited to information regarding the Websites.
- If you participate in Digital Metal trainings, we will use your Personal Data to track your attendance at trainings, completion of learning activities, and to communicate and develop new training opportunities that you may be interested in.
- We use your Personal Data for contract warranty fulfillment and for fulfilling any maintenance obligations that we may have.

Legal obligation

- We use your Personal Data as required to meet any other legal or regulatory requirement or order we are subject to.

Legitimate interest

- We use your Personal Data for the purpose of operating the Websites, to personalize the experience of your visit to the Websites, and to analyze and enhance the operation of the Websites.
- We use your Personal Data to contact you where you have expressed an interest in our products and services and provided us with your contact information to reach you. e.g., to offer you products or services that we believe may be of interest to you.
- We use your Personal Data to respond to your requests, inquiries or questions and to communicate with you.
- We may use Personal Data, and any other information collected through the Websites, to enforce or protect our legal rights.
- We may use your Personal Data if we reasonably believe the use is necessary to protect the rights, property or personal safety of Digital Metal, its customers, the public, or any third party.
- We use your Personal Data to send you updates and promotional emails, including newsletters where you register and provide us with your email address. If you wish to opt out of newsletters and promotional emails, you may do so by following the "unsubscribe" instructions in the email.
- We use your Personal Data to register you for our surveys and to analyze the responses you have provided to our survey questions.
- We use your Personal Data to administer the Websites and to understand how well our Websites are working, to store your user preferences, to develop statistical information on usage of the Websites, and to analyze the productivity of users of the Websites. This allows us to determine which features visitors like best to help us improve our Websites, to personalize your user experience, and to measure overall effectiveness.

With your Consent

Where we rely on your consent to use your Personal Data, we will inform you of this prior to collecting the relevant Personal Data. If we rely on your consent to use your Personal Data, you have the right to withdraw your consent at any time (see the data subject rights section below for more detail).

Information We Disclose to Third Parties

We will not disclose your Personal Data to third-parties except: (1) where we have your consent and (2) as follows:

Personal Data

We disclose Personal Data to third party contractors engaged to provide services on our behalf ("**Contractors**"), such as analyzing data and usage of the Websites, operating the Websites, providing support and maintenance services for the Software, performing marketing support, collecting debt, or providing customer service. We enter into agreements with all Contractors that require Contractors to use the Personal Data they receive only to perform services for us.

Navigational Information

We disclose Navigational Information to Contractors to analyze the performance of the Websites and the behavior of users, and to operate and improve the Websites. Certain information that is not correlated to individual user Personal Data, such as the popularity ranking of specific Website, may be published on a Website and so disclosed to all of the visitors to that Website. To the extent that it is available to us, Digital Metal may disclose to its institutional and corporate subscribers how the users of cloud software accounts which are affiliated with a Digital Metal printer are interacting with those printers.

Aggregated Information

We may disclose aggregated data that does not contain Personal Data to third parties that are bound by a duty of confidentiality to describe and improve our business, operations, products, and services.

Network Operators

Use of the Websites may involve use of the services of third-party search engine operators or telecommunications carriers. Such operators are not our contractors, and any information that such operators collect in connection with your use of the Websites is not "Personal Data" and is not subject to this Privacy Policy. We are not responsible for the acts or omissions of such operators.

Additional Disclosures

We reserve the right to disclose any information, including Personal Data, we collect in connection with the Websites to any successor to our business as a result of any merger, acquisition, asset sale or similar transaction.

We will disclose information collected from or provided by you, or otherwise collected through your use of Digital Metal's products or services, or any derivative thereof ("Information"), including Personal Data, if required to resolve a dispute, to enforce any of our agreements or terms, to comply with any applicable law or regulation or in response to a legal demand, subpoena, warrant or other similar request. To the extent possible, we will protect the confidentiality of your Personal Data in this circumstance. We will also disclose such Information to any regulator, law enforcement, governmental agency, or any other third party if we believe that doing so is necessary or appropriate to protect the

rights, property or personal safety of Digital Metal, its customers, the public or any third party.

Your right to control how your Personal Data is used

You have the right to make requests regarding your Personal Data. Upon your request, where it is our legal obligation and where it is technically feasible, Digital Metal will:

- Assist you to access your Personal Data and/or transfer your Personal Data to a third party
- Provide you with marketing communications, or cease sending you marketing communications
- Allow you to withdraw your consent for Digital Metal to Process your Personal Data in circumstances where we are relying on your consent as our basis for Processing
- Correct your Personal Data if it is wrong or incomplete
- Delete your Personal Data we hold
- Restrict (i.e. block/stop) us from making further use of your Personal Data

Rights specific to residents of California

If you are a resident of California and acting in your personal capacity (and not as a business representative), the California Consumer Privacy Act of 2018 (“CCPA”) provides you with the additional right to opt-out of the sale of your Personal Data. While we do not sell Personal Data in the traditional sense, we use third parties to deliver interest-based ads to you. You can limit the use of these services’ tracking technologies, such as cookies, by following instructions in the “How Can I Control Cookies” section in our [Cookie Policy](#).

To exercise any of your rights, please click mail alexander.sakratidis@digitalmetal.com. We may require you to verify your identity before responding to any requests to exercise your rights.

Data Transfers

Digital Metal and Markforged, as well our service providers, may access Personal Data in the United States. Please note that the United States is not recognized by the UK or the European Commission of the EEA as providing an adequate level of data protection. Where required, we will implement appropriate safeguards as recognized by UK and EEA data protection laws (for example, the European Commission approved Standard Contractual Clauses).

Your Personal Data may also be transferred to third-parties who are under contractual obligations to ensure the safety and confidentiality of such data. These third-parties are engaged in, among other things, the provision of our services, and maintenance and operation of the Websites. We will take all steps reasonably necessary to ensure that your Personal Data is treated securely and in accordance with this Privacy Policy. All sub-processors and third-parties are under contractual obligations to ensure the safety and confidentiality of your Personal Data.

Security

We have put in place appropriate physical, technical, and administrative procedures and security precautions to protect the security and integrity of your Personal Data in accordance with this Policy and applicable law. However, no Internet transmission is completely secure, and we cannot guarantee that security breaches will not occur. Without limitation of the foregoing, we are not responsible for the actions of hackers and other unauthorized third parties that breach our reasonable security procedures.

Third Party Activity (including links and cookies)

The Websites may contain links to other websites, cookies or other materials from, or which may be operated by, parties other than Digital Metal, whose information practices may be different than ours. Digital Metal is not responsible for the privacy practices, the website content, or the actions of those third parties. This Privacy Policy applies solely to information collected by Digital Metal in connection with the Websites. Please refer to our [Cookie Policy](#) for further information about how Digital Metal uses cookies.

Personal Data Retention

We will retain your Personal Data only for as long as necessary to fulfil the purposes outlined in this notice (this will generally be for the duration of time you interact with us or the Websites) and in accordance with applicable law, or in other cases, for as long as such personal data is needed for the following reasons:

- as required by law or court order
- as needed to defend or pursue legal claims
- in line with industry codes of practice and/or
- as required for legitimate business purposes

Amendments

Digital Metal may modify or amend this policy from time to time. If we make any material changes, as determined by Digital Metal, we will notify you of these changes where we have a relationship with you and by modification of this Privacy Policy, which will be available for review at the Websites.

Contacting us

In the event that you wish to make a complaint about how we Process your Personal Data, please contact us by mail to alexander.sakratidis@digitalmetal.com. This is without prejudice to your right to raise a complaint with a relevant supervisory authority in the country in which you live or work, where you think we have infringed information protection law.