

AnyLogic Privacy Policy

Welcome to AnyLogic! AnyLogic North America, LLC (“**AnyLogic**”, “**we**”, “**us**” and/or “**our**”) provides an online cloud-based simulation modeling service. At AnyLogic we respect and value your privacy. This Privacy Policy describes the information that we collect from you (“**you**”, “**your**”, or “**User**”) when you visit our websites (anylogic.com, cloud.anylogic.com, anylogistix.com, the.anylogic.company, and various language versions of these websites) (the “**Site**”), use AnyLogic Cloud, or take advantage of others tools we might make available (collectively, the “**Service**”), how we use that information, and under what circumstances we disclose it. It will also give you more information about how to manage the personal information that you provide to us. This Privacy Policy should be read in conjunction with the Software as a Service Agreement provided in connection with AnyLogic Cloud (the “**Agreement**”). All terms not specifically defined herein shall have the same meaning as set forth in the Agreement.

BY USING THE SERVICE, YOU ARE HEREBY CONSENTING TO OUR COLLECTION, USE, DISCLOSURE, TRANSFER AND STORAGE OF INFORMATION IN ACCORDANCE WITH THIS PRIVACY POLICY.

1. **INFORMATION WE COLLECT**

When you use our Service, we may receive and collect certain information. The information that we may receive and collect depends on what you do when you visit our Service.

- a) **Automatically Collected Information.** Some information is automatically received and sometimes collected from you when you visit our Service. This information may include some or all of the following items: the name of the domain and host from which you access the Internet, including the Internet Protocol (IP) address of the computer you are using and the IP address of your Internet Service Provider; your approximate geographic location while the Service is running; the type and version of Internet browser software you use and your operating system; the type of mobile device you are using, mobile device IDs or other persistent identifiers; the date and time you access our Service, the length of your stay, and the specific pages, images, video or forms that you access while visiting the Service; the Internet address of the website from which you linked directly to our Service, and if applicable, the search engine that referred you and any search strings or phrases that you entered into the search engine to find this site; and demographic information concerning the country of origin of your computer or other device and the language(s) used by it. We use this information to monitor the usage of our Service, assess its performance, ensure technological compatibility with your computer or mobile device, and understand the relative importance of the information provided on our Service. We may also use this data to conduct statistical analyses on visitors’ usage patterns and other aggregated data.
- b) **Information Collected via Cookies.** “**Cookies**” are small files or records that are placed on your computer’s hard drive or on your mobile device to distinguish you from other visitors to our Service. Most people do not know that cookies are being placed on their computers when they visit our Service or most websites because browsers are typically set to accept cookies. You can choose to have your browser warn you every time a cookie is being sent to you or you can turn off cookie placements. If you refuse cookies, there may be parts of our Service that may not function properly. See our cookie policy [here](#).
- c) **Information You Provide.** For some of the browsing on our Service, we may either require or collect “**Personal Information**”. Personal Information is information that could personally identify you, for example, your name, address, phone number, e-mail address, and requested payment information. When you register for the Service, we also ask you to provide certain other personal

information, including your legal name, zip code, user name, password, payment information (if applicable), publicly available social media account usernames, and if you are an organization, basic legal information related to it, such as legal business name, organization type, address and contact information (collectively, the “**Registration Data**”). Finally, when you use the Service, we collect information about the models you use and how you use them (collectively, “**Modeling Information**”).

In the certain instances, we collect Personal Information, Registration Data, Modeling Information, and any other non-personally identifiable information that you actively submit (collectively, “**Information**”). Such instances include: (1) when you want to contact us via electronic means or website submission; (2) when you create your account; (3) when you run models or manipulate model data; (4) when you upload a new model to the Service; (5) when you edit model description, tag words, or dashboards (6) when you publish a model for others to see (i.e. make it publicly viewable); (7) when you comment on other users’ models; (8) when you join our customer loyalty programs, email lists, or social media networks; (9) when you invite another user to the Service; or (9) when you respond to one of our surveys. E-mail or other forms of electronic communication, including website submissions, are not secure and/or confidential means of communication.

- d) Information We Receive or Collect From Third Parties.** We may receive or collect information about you from third parties and store it on our servers with other information we may have already received or collected from you. These third parties and the information collected may include publicly available information provided on third party platforms, such as information available on your different social media profiles, and information provided by our partners. Such information may also include, but is not limited to, SIC Code, SIC description, NAICS code, NAICS description, organization DUNS number, and company size.
- e) When Our Customers Use Our Service.** Customers use our Services to host and process information (“**Customer Data**”), which may include your personal information. In these circumstances, we are a Data Processor within the meaning of the EU General Data Protection Regulation because we do not determine the collection or use of any personal information and any processing we may perform is done exclusively under the customer’s direction and control. We do not review, share, distribute, or reference any Customer Data, except as provided in the Terms of Use, where necessary to resolve a problem or support issues, where necessary to provide our Services, or as required by law. We retain Customer Data for as long as necessary to fulfill the purpose(s) for which it was collected and to comply with applicable law.

When exercising your rights under this Privacy Policy, we may be unable to comply with your request when we are acting as a Data Processor. Please direct your inquiry using the contact information in the “Questions or Comments” Section below

2) OUR LEGAL BASES AND HOW WE USE YOUR INFORMATION

- a) Legal Bases:** We rely on a number of legal bases when you access or use the Services and we collect, use, share, and otherwise process your personal information for the purposes described in this policy. These legal bases include where:
- i)** Necessary to perform the *contractual obligations* in our Terms of Use and in order to provide the Services to you;
 - ii)** You have *consented* to the processing, which you can revoke at any time;
 - iii)** Necessary to comply with a *legal obligation*, a court order, or to exercise or defend any impending or asserted legal claims;

- iv) Necessary for the purposes of our or a third party's *legitimate interests*, such as those of visitors, members, or partners as described herein;
 - v) You have expressly made the information public;
 - vi) Necessary in the public interest, such as to prevent crime; and
 - vii) Occasionally necessary to protect your vital interests or those of others (in rare cases where we may need to share information to prevent loss of life or personal injury).
- b) How We Use Your Information:** We may use your Information to better assist you when you visit and to provide and enhance your Service experience, including to do the following:
- i) To provide you with services and information you specifically request, and to send you special content that may be of interest to you.
 - ii) To analyze Service usage and enhance the user experience on our Service. We may aggregate or otherwise strip Information of all personally identifying characteristics and share that aggregated, anonymized data with third parties for research and data analysis.
 - iii) To send you information that you agreed to receive.
 - iv) To alert you to the latest developments and features on our Service.
 - v) To provide tips or guidance on how to use our Service, inform you of new features on our Service or provide other information that may be of interest to users.
 - vi) To process and track your usage history and to send you information about our and our affiliates' and business partners' products and services, and other information that may be of interest to you.
 - vii) To investigate, detect, and protect AnyLogic and other third parties against error, negligence, breach of contract, fraud, theft, and other illegal activities.
 - viii) We may use your information for any other purpose to which you expressly consent.

3) HOW WE SHARE YOUR INFORMATION

We do not rent or sell your personally identifiable information. However, there are certain scenarios where we may need to share your Information with others to enhance your experience and the Service. Except where we otherwise obtain your express permission, we share your personally identifiable Information with third parties or other users only under the circumstances stated below:

- a) Information that you voluntarily include in a publicly accessible area of the Service will be available to anyone who has access to that content, including other Service users. Thus, any time you choose to share a model, other users may observe, manipulate, and configure the model as well as learn information about you.

- b) Information is subject to disclosure in response to judicial or other governmental subpoenas, warrants and court orders served on us in accordance with their terms, as otherwise required by applicable law, or in response to requests by law enforcement.
- c) Information is subject to disclosure to protect our rights or property, protect our legitimate business interests, to enforce the provisions of our Privacy Policy and Terms of Service, and/or to prevent harm to you or others.
- d) Information may be disclosed to carefully selected third-party service providers in order to provide services to you, such as to process payments; provide customer service; send or email Marketing Communications; maintain our customer loyalty program and database and other programs; monitor the activity of our Service; and conduct surveys. We will share your Information with our carefully selected third-party services providers on a confidential basis. These service providers are prohibited from using your Information for any purpose other than providing our services.
- e) In the event that all or substantially all of AnyLogic North America, LLC assets are acquired by a third party through sale, merger, or otherwise, Information will be transferred to that third party, subject to the same terms and conditions of the then-existing Privacy Policy for the Service. This section remains subject to any restrictions placed by third party vendors.
- f) We retain Information as long as it is necessary and relevant for our operations, and in accordance with applicable laws.
- g) Any third parties to whom we may disclose Information may have their own privacy policies which describe how they use and disclose personal information. Those policies will govern use, handling and disclosure of your personal information once we have shared it with those third parties as described in this Privacy Policy. If you want to learn more about their privacy practices, we encourage you to visit the websites of those third parties. These entities or their servers may be located either inside or outside the United States.

We retain Information as long as it is necessary and relevant for our operations, and in accordance with applicable laws.

4) PERSONAL INFORMATION ABOUT CHILDREN

Our Service is targeted primarily for use by adults. We do not currently market to or create special areas for use by children. Accordingly, we do not knowingly collect age identifying information, nor do we knowingly collect any personal information from children under the age of 13 years. In the event that we discover that a child under the age of 13 has provided personally identifiable information to us, in accordance with the Children's Online Privacy Protection Act, we will immediately delete the child's personally identifiable information from our files to the extent technologically possible.

5) COMMUNICATIONS THROUGH THE SERVICE

- a) In general. When you register for the Service or download materials from our Site, you may elect to receive newsletters, promotional, marketing, or other similar emails or push notifications tailored to your interests. After your registration, we may also send you educational event invitations and product on-boarding educational materials via e-mail. We communicate with you through general marketing communications for our services, including by e-mail and social

media posts (collectively, “**Marketing Communications**”). If you receive Marketing Communications and would like to opt out, you can do so by following the directions in that message. You may also “opt-out” of future Marketing Communications by changing your email preferences through the Service or on our Sites. Unless you “opt-out” through opportunities available to you through our Marketing Communications, we may send you Marketing Communications.

- b) Email Communications. When you send an email to us, contact our support team, fill out a form on the website, or otherwise provide your email address to us, you are communicating with us electronically and consent to receive communication from us electronically. We may use your email address, usage data, or other Registration Data to provide you with technical support, send you notices about the Service or other promotional offers you have elected to receive, and otherwise provide you with information that we believe will be of interest to you.

For most Marketing Communications, we use certain third-party platforms, such as MailChimp, to process and manage such communications to you. We may also occasionally work with data partners and advertising platforms, such as Marketo, to help increase the relevancy of ads we provide to our Users. In doing so, we may provide such companies with information representing an encrypted or hashed value derived from information you have provided to us, such as your email address. We may retain the content of your emails, your email address, and our responses in order to service your needs.

Finally, please note that even though you may have “opted out” of receiving Marketing Communications, you may still receive business-related communications. Please be aware that “opting-out” of certain third party uses may prevent us from providing certain services that you request.

6) BEHAVIORAL ADVERTISING AND GOOGLE ANALYTICS

We may partner with third parties, including Google, to manage and serve our advertising on other sites. Our third-party partners may use cookies or similar tracking technologies (such as web beacons) in order to provide you advertising or other content based upon your browsing activities and interests. For example, you may see certain ads on other websites because we contract with Google and other similar companies to target our ads. We may also use data from Google's Interest-based advertising or third-party audience data (such as age, gender, and interests).

You may opt out of the automated collection of information by third-party ad networks for these purposes by installing Google Analytics' opt-out browser add-on available at <https://tools.google.com/dlpage/gaoptout/>. Please note that this is a browser-specific option, and even if you opt-out, you might continue to receive generic ads.

7) DO NOT TRACK DISCLOSURES

Do Not Track (“DNT”) is a privacy preference that users can set in their web browsers. DNT is a way for users to inform websites and services that they do not want certain information about their webpage visits collected over time and across websites or online services. We are committed to providing you with meaningful choices about the information we collect and that is why we provide the opt-out links above. However, we currently do not recognize or respond to any DNT signals, as proper DNT compliance and approaches continues to evolve in the Internet industry.

8) LINKING TO THIRD-PARTY SERVICES

When you click on links on our Service that take you to third-party websites, you will be subject to the third parties' privacy policies. While we support the protection of privacy on the Internet, we cannot be responsible for the actions of any third-party websites. We encourage you to read the posted privacy policies of any and every website you visit, whether you are linking from our Service or browsing on your own.

9) SECURITY

We strive to maintain internal controls and procedures to ensure that the Information you share with us is handled in a safe, secure and responsible manner. We have security measures to help protect against loss, unauthorized access and alteration of the information in our control. We will only disclose such Information to employees and authorized service providers who require such information for the purposes described in this Policy. Our databases are protected by physical, technical, and procedural measures that restrict access to authorized persons in accordance with this Policy. Nevertheless, we cannot and do not guarantee that information you post on or transmit to the Service will not be viewed by unauthorized persons.

10) INTERNATIONAL DATA TRANSFERS

In order to provide our Services we may transfer and process your data anywhere in the world where we, or our affiliates, maintain data processing operations. We ensure that your personal information is protected at all times and the proper data processing agreements are in place. If you are based in the European Economic Area (EEA), we will transfer your personal information outside of the EEA where necessary to provide our Services. All such transfers will comply with applicable law, for example we have entered into EU standard contractual clauses with the recipient if we share data with third parties.

11) GDPR and CCPA

You may have certain rights to your Personal Information as a result of privacy laws around the world, such as the European General Data Protection Regulation (GDPR) and the California Consumer Privacy Act (CCPA).

If those laws apply to you, AnyLogic gives you the choice of accessing, editing, or removing certain information, as well as choices about how we contact you. You may change or correct your AnyLogic account information through your account settings. You may also remove certain optional information that you no longer wish to be available through the Services, such as your name. You can also request to permanently close your Account and delete your personal information. Depending on your location, you may also benefit from a number of rights with respect to your information. While some of these rights apply generally, certain rights apply in limited cases.

- a) **Right to Access & Portability.** You can access certain Personal Information associated with your account by visiting your account privacy settings. You can request a copy of your personal information in an easily accessible format and information explaining how that information is used.

- b) **Right to Correction.** You have the right to request that we rectify inaccurate information about you. By using the section “Access To and Managing Your Information,” you can contact us to correct and change certain Personal Information associated with you.
- c) **Right to Restrict Processing.** In certain cases where we process your Personal Information, you may also have the right to restrict or limit the ways in which we use your Personal Information.
- d) **Right to Deletion.** In certain circumstances, you have the right to request the deletion of your personal information, except information we are required to retain by law, regulation, or to protect the safety, security, and integrity of AnyLogic.
- e) **Right to Object.** If we process your Personal Information based on our legitimate interests as explained above, or in the public interest, you can object to this processing in certain circumstances. In such cases, we will cease processing your Personal Information unless we have compelling legitimate grounds to continue processing or where it is needed for legal reasons. Where we use your Personal Information for direct marketing purposes, you can object using the unsubscribe link in such communications or changing your account email settings.

If you are a resident of California, the CCPA provides you the following additional rights:

- f) **Right to Know:** you may request disclosure of the specific pieces and/or categories of personal information that we have collected about you, the categories of sources for that personal information, the business or commercial purposes for collecting the information, the categories of personal information that we have disclosed about you, and the categories of third parties with which the information was shared.
- g) **Right to Opt-Out:** To the extent that AnyLogic “sells” Personal Information (as that term is defined under the CCPA), California residents are entitled to opt-out of the “sale” of data at any time.

Additionally, California Civil Code Section 1798.83 permits our customers who are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes which can be done to by contact us at the address below.

To exercise your rights, please use the contact information in the “Access To and Managing Your Information” and “Questions or Comments” Sections below. We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection law. We may ask you to verify your identity in order to help us respond efficiently to your request.

12) ACCESS TO AND MANAGING YOUR INFORMATION

We believe it is important for you to be able to: (1) find out what Information you have provided to us through our Service; or (2) update or remove your personally identifiable Information. To inquire about your Information, or update your Information:

- Access the “Profile” section of the Service;
- Use the “Contact Us” section of the AnyLogic website or the “Get Support” section of the AnyLogic Cloud Service or AnyLogic desktop application;

- Send a request in writing with your current contact information to: AnyLogic North America, LLC, Oakbrook Terrace Tower, 1 Tower Ln, Suite 2644, Oakbrook Terrace, IL 60181 USA.

If you send an e-mail or letter request, please be sure to include your full name, address, phone number and e-mail address and indicate the specific nature of your request. This will ensure we identify you correctly in our systems and accurately process your request. We generally respond to email requests within 24 hours of receiving a request, but it may take up to 30 days depending on the volume of requests we receive.

13) CANCEL YOUR ACCOUNT/SUBSCRIPTION

If you wish to close your account and cancel your subscription, you can do so on your account preferences page, by proceeding with the “Delete account” action.

Even if you close your account, we retain Information as long as it is necessary and relevant for our operations and in accordance with applicable laws.

We also collect and retain your Personal Information when you visit our Site or use parts of our Service that do not require that you create an account. In those instances, you may contact AnyLogic and request more information about what Personal Information we have collected by contacting us as detailed in section 17 below.

14) WHAT YOU NEED TO DO TO PROTECT YOUR INFORMATION

You have several options when deciding how you can best protect your Information. One option is simply not to volunteer it. As stated above, this approach would allow you to still visit our Service, although it may prevent you from using certain aspects of the Service. The Federal Trade Commission’s website, www.ftc.gov, also offers useful information about how to protect personally identifiable information provided to a website.

15) WHAT TO DO ABOUT SUSPECTED VIOLATIONS OF THIS PRIVACY STATEMENT

If at any time you believe we have not adhered to the policies and principles set forth in this Privacy Statement, please notify us using the contact information provided below. We will make all commercially reasonable efforts to promptly respond to your concerns.

16) CHANGES TO PRIVACY POLICES

Our Privacy Policy is subject to change from time to time, so we suggest that you review the current Privacy Policy at the start of each visit to our Service. We will also notify you of material changes to this Privacy Policy by posting them to the Service or via email. Unless we clearly express otherwise, we will use Information in accordance with the Privacy Policy then in effect. **YOU ARE HEREBY ADVISED THAT YOUR CONTINUED USE OF OUR SERVICE CONSTITUTES YOUR ACCEPTANCE OF ANY AMENDMENTS TO AND THE MOST RECENT VERSION OF THIS PRIVACY STATEMENT AND THE SERVICE’S TERMS OF USE.**

17) QUESTIONS OR COMMENTS

If you have any questions or comments concerning our Privacy Policy, please contact us:

- By using the “Contact Us” section of the AnyLogic website or the “Get Support” section of the AnyLogic Cloud Service or AnyLogic desktop application.

- By emailing us at: support@anylogic.com
- Send a request in writing with your current contact information to: AnyLogic North America, LLC, Oakbrook Terrace Tower, 1Tower Ln, Suite 2655, Oakbrook Terrace, IL 60181 USA