

## **ELLIOTT WEBSITE PRIVACY POLICY**

Last Updated: May 25, 2018

**This Privacy Policy covers Elliott Company, a Delaware corporation, and its subsidiaries, and Elliott Ebara Turbomachinery Corporation, a Japanese corporation, and its subsidiaries (collectively, “Elliott”).**

Elliott is committed to safeguarding your privacy online. This Privacy Policy covers information Elliott collects on Elliott websites (“Sites”), which could potentially be used to identify an individual (“Personal Information”).

### **VISITOR'S CHOICE**

Elliott does not require visitors to provide all of the Personal Information listed below in order to use the Sites. If, however, you elect NOT to provide certain Personal Information, your ability to use all of the Sites’ features will be limited, or you may not receive the information you have requested.

### **PERSONAL INFORMATION COLLECTION**

Elliott collects Personal Information that you provide to Elliott when interacting with the Sites. Specifically, if you contact Elliott through its Sites (*e.g.*, submit a general inquiry or otherwise request information), you will be asked to provide your name, company, office location, telephone number and email address for the purposes detailed below.

Elliott also automatically collects information about how visitors interact with Elliott's Sites and their browsing habits, in order to provide a personalized user experience. The information collected depends on the pages visited and includes the name of the domain and host from which the visitor accesses the Internet; the Internet protocol (IP) address of the visitor’s computer; the type of browser and software operating system the visitor uses; the date and time the visitor accesses the Sites; and the Internet address of the website from which the visitor linked to the Sites.

### **USE AND DISCLOSURE OF PERSONAL INFORMATION**

Elliott uses the Personal Information collected on its Sites (whether submitted by visitors or automatically collected) in order to:

- Conduct Elliott's business, including providing you the products or services you requested
- Send you marketing communications about new or updates to Elliott's existing products and services
- Comply with legal obligations and enforce Elliott's legal rights
- Maintain and improve the Sites and tailor the visitor experience
- Protect the security of you, Elliott, and the Sites

Elliott shares Personal Information with its global affiliates, sales representatives, and service providers for the purposes described in this Privacy Policy. Elliott also discloses Personal Information about you: (i) if Elliott is required or permitted to do so by law or legal process; (ii) to law enforcement authorities or other government officials as required to comply with a legitimate legal request; (iii) when Elliott believes disclosure is necessary to prevent physical harm or financial loss or to protect Elliott’s rights or property or the rights of another person, or in connection with an investigation of suspected or actual illegal activity; or (iv) in the event Elliott sells or transfers all or a portion of its business or assets as part of a merger, sale, or acquisition. Elliott does not sell or otherwise disclose Personal Information about its visitors.

Some jurisdictions require an explanation of the legal bases for Elliott's collection and use of visitors' Personal Information. Elliott has several different legal grounds on which it collects and uses Personal Information, including: (i) as necessary to perform a transaction (such as in order to provide the products or services you

requested); (ii) as necessary to comply with a legal obligation (such as when Elliott uses Personal Information for record keeping to substantiate tax liability); (iii) consent (where you have provided consent as appropriate under applicable law, such as for direct marketing); and (iv) necessary for legitimate interests (such as when Elliott acts to maintain its business generally, including maintaining the safety and security of the Sites).

## **OFFLINE COLLECTION OF PERSONAL INFORMATION**

Elliott obtains Personal Information about individual contacts of its suppliers and customers in connection with the provision or receipt of products or services. That Personal Information includes: name, contact information, employer, title, credentials, associations, relevant products or services, and information needed for restricted party screening to confirm Elliott can conduct business with suppliers or customers (which Elliott collects via separate notice), all of which Elliott uses to administer the business relationship and for direct marketing purposes. Elliott uses Personal Information collected offline consistent with this Privacy Policy, specifically, the details in this Privacy Policy about how Elliott discloses, secures, transfers, and retains Personal Information, the choices to opt-out of Elliott's direct marketing communications, and how you may contact Elliott with any questions or to exercise certain rights to your Personal Information.

## **COOKIES**

Elliott uses and allows certain trusted partners to use cookies, web beacons, and similar tracking technologies (collectively, "cookies") on its Sites.

*What are cookies?*

Cookies are small amounts of data that are stored on your browser, device, or the page you are viewing. Some cookies are deleted once you close your browser, while other cookies are retained even after you close your browser so that you can be recognized when you return to a website. More information about cookies and how cookies work is available at [www.allaboutcookies.org](http://www.allaboutcookies.org).

*How does Elliott use cookies?*

Elliott uses cookies to provide the Sites and services and gather information about your usage patterns when you navigate the Sites, in order to enhance your personalized experience, and to understand usage patterns to improve its Sites and services.

Cookies on Elliott Sites are generally divided into the following categories:

- **Strictly Necessary Cookies:** These cookies are required for the operation of Elliott Sites. They include, for example, cookies that enable Elliott to provide its Sites.
- **Analytical/Performance Cookies:** These cookies allow Elliott to recognize and count the number of users of its Sites and understand how such users navigate through the Sites. This helps to improve how the Sites work, for example, by ensuring that visitors can find what they are looking for easily.
- **Functional Cookies:** These cookies improve the functional performance of Elliott's Sites and make the Sites easier for you to use. These cookies qualify as persistent cookies, because they remain on your device for Elliott to use during a next visit to Elliott's Sites.

*What are your options if you do not want cookies?*

You can review your Internet browser settings, typically under the sections "Help" or "Internet Options," to exercise choices you have for certain cookies. If you disable or delete certain cookies in your Internet browser settings, your overall ability to use the Sites may be affected. To learn more about the use of cookies for Google analytics and to exercise choice regarding such cookies, please visit <https://tools.google.com/dlpage/gaoptout>.

At this time, Elliott Sites are not configured to honor browsers' "Do Not Track" signals.

## **CHILDREN**

Elliott markets its products and services exclusively to business customers. Children under the age of 18 may not submit photos, materials or Personal Information to the Sites. The Sites do not knowingly collect Personal Information from children under 18. If Elliott has actual knowledge that Personal Information about a person under 18 years old has been collected without appropriate parental consent, then Elliott will take the appropriate steps to delete such information.

## **CROSS-BORDER TRANSFERS**

Elliott transmits the Personal Information Elliott collected on the Sites to sales representatives, global affiliates, and service providers in the United States or other countries where Elliott does business that are outside your home country, and may have different standards of data protection than your home country. Elliott provides appropriate protections for cross-border transfers as required by law, including information transferred to third parties. With respect to such transfers from the European Economic Area ("EEA") to the United States and other non-EEA jurisdictions, Elliott relies on European Union ("EU") Model Clauses and Binding Corporate Rules and/or the need to process your information in order to provide the requested services (e.g., performance of a contract) to transfer your Personal Information. As permitted by applicable law, you may request details about the suitable safeguards Elliott has in place by contacting Elliott as described below.

## **PROTECTION OF YOUR INFORMATION**

Elliott is committed to protecting your Personal Information submitted to it through its Sites. Elliott maintains appropriate administrative, technical and physical safeguards to protect against unauthorized disclosure, use, alteration or destruction of the Personal Information you provide on its Sites. Elliott also employs reasonable technologies to help keep the Personal Information you provide on its Sites secure.

Elliott typically retains Personal Information related to marketing activities for as long as you accept marketing communications from us, and upon request, Elliott will securely delete such Personal Information in accordance with applicable law. For Personal Information that Elliott collects and uses for other purposes described above, Elliott typically retains such Personal Information for no longer than for the period necessary to fulfil the purposes outlined in this Privacy Policy and as otherwise needed to address tax, corporate, compliance, litigation, and other legal rights and obligations.

## **ACCESS TO AND UPDATING YOUR PERSONAL INFORMATION**

As permitted by applicable law, you may have the right to obtain confirmation of the existence of certain Personal Information relating to you, to verify its content, origin, accuracy, as well as the right of access to, or right of review, anonymization, portability, or deletion, or to block or withdraw consent to the use of certain Personal Information, by contacting Elliott as detailed below. Please note that Elliott may need to retain certain Personal Information for recordkeeping purposes, to complete any transactions that you began prior to your request, or for other purposes as required or permitted by applicable law.

*Direct Marketing* - You can opt out of receiving email marketing communications from Elliott at any time by using the "Unsubscribe" link in any marketing communication you receive from Elliott.

## **LINKS TO THIRD-PARTY WEBSITES**

Elliott does not accept responsibility for the contents or actions of any third-party web sites, including any third-party links on its Sites. Visitors who click on a third-party link on the Sites are subject to the third parties' privacy policies, and Elliott encourages you to read the posted privacy statement of every website you visit.

## **CHANGES TO ELLIOTT'S PRIVACY POLICY**

On occasion, Elliott may revise this Privacy Policy to reflect changes in the law, its information collection and use practices, the features of its Sites, or advances in technology. If Elliott makes revisions that change the way Elliott collects or uses your Personal Information, those changes will be posted in this Privacy Policy and the effective date will be noted at the beginning of this Privacy Policy, and Elliott will ask for your consent if required by applicable law. Therefore, you should review this Privacy Policy periodically so that you are up to date on Elliott's most current policies and practices.

## **QUESTIONS OR COMMENTS**

Any questions or comments regarding this Privacy Policy or Elliott's privacy practices must be directed to:

Director of Corporate Compliance  
Elliott Company  
901 North Fourth Street  
Jeannette, PA, USA 15644  
compliance@elliott-turbo.com

If you reside in the EU, you may also contact your **local data protection authority** with any questions or complaints about Elliott's privacy practices.