
**BRAZILIAN PRIVACY AGREEMENT ADDENDUM
(APPLIES TO ANY SOFTLAYER RESELLER THAT ORDERS SOFTLAYER SERVICES FROM A BRAZILIAN DATACENTER)**

This Brazilian Privacy Agreement Addendum (this "BPAA") is entered into by SoftLayer Dutch Holdings B.V., a company formed under the laws of the Netherlands, Registration Number 52461041 ("SoftLayer Dutch"), and Reseller ("You"). You are based in Brazil and/or have ordered services from a SoftLayer datacenter located in Brazil. The SoftLayer datacenter located in Brazil is operated by an Affiliate of SoftLayer Dutch. All capitalized terms not defined herein shall have the meanings ascribed to them in the Parties' SoftLayer Reseller Agreement ("RA").

Note that this BPAA is not applicable to SoftLayer Clients under the SoftLayer Cloud Services Agreement ("CSA"), as the CSA and the SoftLayer Privacy Agreement incorporate all applicable data privacy related terms for Clients.

SoftLayer Dutch and You amend the RA as follows:

By clicking or checking the box presented with the RA or installing or using the SoftLayer Services, You explicitly and unambiguously consent:

- a. to the collection, use and transfer, in electronic or other form, of non-personally and personally identifiable website data by and among, as applicable, SoftLayer Dutch or its Affiliates, including SoftLayer Technologies, Inc. ("SoftLayer US") and other Affiliates located in Brazil or abroad, through the methods of (i) automated means such as communication protocols and cookies, (ii) online registration and online signup forms, (iii) sales inquiries and transactions, (iv) online customer communications, (v) offline communications and interactions, and (vi) third party sources of information;
- b. to the authorization of SoftLayer or its Affiliates to engage third parties to track, share, transfer and analyze non-personally and personally identifiable website data and to serve advertisements, in accordance with the rules applicable to the use of information set forth in the Privacy Agreement ("PA");
- c. to the authorization of third parties engaged by SoftLayer or its Affiliates to place cookies on devices of Users of the Site;
- d. to have been duly informed about the right to opt-out of the authorization described above to SoftLayer or its Affiliates to engage third parties to track and analyze non-personally and personally identifiable website data through the Site;
- e. to fully agree and understand the data collection, usage, storage and treatment processes, purposes and justifications applied by SoftLayer or its Affiliates, as defined in the RA and the PA;
- f. to fully agree to and understand all security precautions and reasonable measures to prevent unauthorized access to personal and non-personal data that has been collected by SoftLayer or its Affiliates, as described in the RA and the PA;
- g. that data pertaining to Account Information, Customer Content, Customer End Users and PII can be stored by SoftLayer or its Affiliates in servers located in countries other than Brazil, and that these countries that may have different data privacy laws and protections than Brazil;
- h. to understand that, due to Account Information, Customer Content, Customer End Users and PII data, SoftLayer or its Affiliates may hold the following personal information about You: name, address, telephone number, date of birth, taxpayer identification number, or other identification, number, nationality and job title, for the sole purpose of processing or transferring such data to the extent required or permitted by the RA and local privacy laws ("Personal Data");
- i. that Personal Data is processed, transferred and stored by SoftLayer, its Affiliates, its employees, agents, licensees and subcontracted third parties for purposes of entering such personal information into servers operated by SoftLayer; and
- j. that SoftLayer, its Affiliates and third parties, located in Brazil or abroad, subject to the same restrictions and conditions that apply to SoftLayer and its Affiliates pursuant to the RA and PA, assisting in the implementation, administration and management of the SoftLayer Services as provided in the RA, may have direct access to Personal Data for the sole purpose of remote maintenance and to resolve technical issues, such access to be kept to a minimum and limited for the sole objective of resolving the issue to preserve the privacy of such data.

Your Legal Authority over Third Party Data

You hereby represent and warrant that: You have full authority to hold, transfer and store any Personal Data provided to You by any third parties, such as employees, clients, customers, end users, agents and/or representatives; You have complied with the necessary privacy requirements of Brazilian laws; and You have full authorization to transfer and store such data.

Term

Except where this BPAA expressly stipulates any surviving obligation, the term of this BPAA shall follow the term of the RA and the PA.