

Last Updated: January 1, 2020

Accuray Incorporated (“Accuray,” “we,” or “us”) respects your privacy and wants you to be familiar with how we collect, use, disclose and maintain personal information. In this Accuray Privacy Policy (“Policy”), we describe how Accuray protects and processes the information collected on our websites.

Please read this Policy carefully before using or accessing our websites or submitting information to us. Your use of our websites is subject not only to this Policy, but also to our Terms of Use, disclaimers or other notices on the websites. By using or accessing our websites and/or by providing us with information, you acknowledge that you have read and understood, and agree to, our privacy practices described in this Policy.

We will review this Policy on a periodic basis, and we may modify it as appropriate. Please be sure to check this page periodically. The “Last Updated” at the top of this Policy lists when this Policy was last revised. Any updates or changes to this Policy will become effective when we make the revised Policy available on or through the websites. If we make material changes to this Policy, we will notify you here, or by means of a notice on our homepage.

Personal Information

In general, personal information means any information relating to an identified or identifiable natural person. Examples of personal information can include names, addresses, email addresses, and telephone numbers. Personal information will be processed as necessary for a contract we have with you, to provide services you have requested, for our legitimate business interest, to comply with applicable laws, on the basis of your consent, or to protect the operation of our websites and/or other properties.

Personal Information You Provide to Us

There are certain places on our websites where you may choose to provide us with personal information about yourself. For example, you may want to submit your name, address, email address, and/or other identifying information to us via our websites in order to create and maintain your account with us, receive information about various topics, register for Accuray's events, contact Accuray's customer service, or respond to Accuray's surveys. We will use the personal information you share with us to provide services to you, communicate with you, test or research for product development, further personalize or improve our websites, products or services, and/or fulfill or meet any other reasons for which you provided the information. We will also use your personal information to carry out our obligations and enforce our rights arising from a contract we have with you, to process your requests, purchases, transactions and payments, to prevent transactional fraud as well as to help maintain the safety, security and integrity of our websites, products and services, databases and other technology assets, and business.

To protect your privacy, we ask that you do not provide us with any protected health information (as defined in 45 CFR §160.103 or applicable international regulations) on or through our websites. We also ask that you do not provide or disclose any sensitive information through the websites or otherwise to us.

Automatic Data Collection; Cookies

When you visit our websites, there may be certain bits of information that are automatically collected via tracking technologies including browser cookies placed on your computer's hard drive, such as the type of web browser you use, the name of the domain from which you access the internet, and the date and time you access our websites. Accuray cookies by themselves will not be used to find out the identity of any user. Instead, we will use the information collected to provide you the best possible site navigation experience. We can use the information collected to provide better service, customize our websites based on customer preferences, and otherwise administer and improve our websites for your use. For more information about data collected and how we use cookies, please see [Accuray Cookie Use Notice](#).

Accuray currently does not recognize or respond to a user's "Do Not Track (DNT)" signals. However, some third party sites do keep track of your browsing activities when they serve you content, which enables them to tailor what they present to you. Do Not Track is a preference you can set in your browser (if supported) to opt-out of online behavior tracking. For more information, see [All About Do Not Track](#).

Emails and Communication

If you receive emails about products or services, promotion or marketing materials, you can opt-out of receiving the marketing emails by clicking on the unsubscribe link located at the bottom of the message or notifying us as specified in the "Contact Accuray" section of this Policy. These opt-out procedures will not be available for emails that are necessary to provide notice or confirmation of a transaction or status (such as a purchase, service request or change in the visitor's user profile).

Disclosure of Personal Information

We may disclose personal information for a business purpose to: (i) our affiliates; (ii) service providers; or (iii) third parties that interact with us in connection with the services or activities we engage. E.g. vendors that provide hosting services for our websites or external portal, event registration, credit card processing, and supplying items ordered by our customers.

Accuray complies with applicable law and legal obligations to respond to governmental, law enforcement and court requests for personal information about our visitors. In certain situations, Accuray may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. Accuray may access and use your personal information to protect our rights, including in the event of a dispute, in response to legal process or law enforcement, or any abuse of our website.

If Accuray is involved in a merger, acquisition, or sale of all or substantially all of its assets, in each case such that control of Accuray changes, we will take steps to inform you via a prominent

notice on our websites of any change in control or uses of your personally identifiable information, as well as any choices you may have regarding your personally identifiable information.

We may also disclose your personal information to other third parties with your prior consent.

Request for Accessing or Correcting Your Information; Other Requests

You may contact us to request access to, correct or delete any personal information that you have provided to us, or exercise other rights you may have under applicable data protection or privacy laws, which may include a right to data portability. You may send your request for any of the above or any inquiry through DataRequests@accuray.com. To the extent required under applicable laws, Accuray will take reasonable steps to accommodate a request if you wish to withdraw consent you have previously provided to us, or if you object to processing your personal information under certain circumstances. We will accommodate a request to change information unless we believe the change would violate any law or legal requirements or impact adversely business operation.

Under applicable data protection or privacy laws, you also have the right to lodge a complaint with a supervisory authority in your jurisdiction.

If you delete your information, user contributions or comments from the websites, copies of such information may remain viewable in cached and archived pages, or might have been copied or stored by other website users.

Your California Privacy Rights

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, please visit [Accuray Privacy Notice for California Residents](#).

Security

We have implemented reasonable measures to help protect information you submit to us from loss, or unauthorized access, use, alteration or disclosure. While Accuray continues to strive to protect your personal information, no organization can 100% guarantee the absolute security of information, especially information that is transmitted over the internet. While we take steps to protect your personal information and keep it secure, you also play an important role in protecting your information. You are responsible to maintain the security of your transactions by not sharing your passwords or account information and incorporating good data security practices. Please use care in deciding what information you enter on our websites or send to us by email and/or other means.

Cross-Border Transfer of Your Information

Accuray does business in many countries with different requirements. Please be aware that any information you provide to us or that we obtain because of your use of the Accuray websites may be processed and transferred to countries other than the country in which you reside, including to the United States which may have different data protection or privacy laws than the country in which you reside or work. The information may also be maintained or accessed in servers or files located in the United States under United States privacy laws. Please do not submit any information if you do not wish to have that information processed or stored in the United States or any other country that is not the one in which you reside or work. By using any Accuray websites and/or by providing us with your information, you acknowledge and agree that you understand your information will be subject to the collection, transfer, processing, and storage of information to and in the United States and/or another country that is not your country of residence.

Use of Site by Minor

If you are under the age of 18 years, please do not use or access our websites. It is not our intention to collect or use personal information from anyone under the age of 18 years, and we

will not knowingly do so. In the event that we are made aware that we have collected any personal information from minors, and are asked to delete such information from our databases, we will promptly do so. In such event, please make a verifiable request if you are under 18 years of age. If you are less than 13 years of age, such verifiable request must be made by your parent or guardian.

Linking

As a service to you, Accuray provides links to other organizations' websites through our own websites. These external websites contain information posted by organizations independent of Accuray. The presence of these links to external websites should not be construed as an endorsement by Accuray of the content, products, services or viewpoints expressed in the external websites and any linked material. Accuray is not responsible for the content of any linked website, any link contained in a linked website, or any changes or updates to the linked websites.

It is important to note that this Policy does not apply to any of these linked websites, and these external websites may not follow the same privacy policies as this Policy. These external websites may use cookies, collect data and use the data in ways that Accuray would not. Accuray does not review, control or monitor the privacy practices of these linked websites, and is not responsible for the privacy practices or any information or materials on these websites. Therefore, whenever you visit a linked website, we recommend that you review the website's own privacy policies.

Data Retention

We retain your personal information as long as it is needed for the purposes for which we obtained it in accordance with the provisions of this Policy. Also, we will retain and use the personal information for a longer period if it is required or allowed by law or otherwise fulfill a legal obligation.

Privacy Notice for California Residents

This Privacy Notice for California Residents (“notice”) supplements the information contained in the Privacy Policy of Accuray Incorporated (“Accuray” or “we”) and applies solely to visitors, users, and others who reside in the State of California ("consumers" or "you"). We adopt this notice to comply with the California Consumer Privacy Act of 2018, as amended from time to time (“CCPA”). Any terms defined in the CCPA have the same meaning when used in this notice.

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household ("personal information").

In particular, we have collected the following categories of personal information from consumers within the last 12 months:

Category	Certain Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, government issued identifiers, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, physical characteristics or description, address, telephone number, education, employment, employment history, account numbers, credit card number, or other financial information, or personal health and wellness information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, marital status, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), veteran or military status.	YES

D. Commercial information.	Products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, keystroke, gait, or other physical patterns, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, behavior, attitudes.	YES

Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:

- health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
- personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you fill out, documents you submit, or direct interactions related to our products or services.
- Indirectly from you. For example, from navigation, activity, or submissions on or through our websites, or usage details collected automatically.
- From third parties that interact with us in connection with the services or activities we engage in. For example, social media services, like Facebook, LinkedIn etc.

Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to ask a question about our products or services or to provide your feedback on our products and services, we will use that personal information to respond to your inquiry or request. If you provide your personal information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To provide services to you, communicate with you, test or research for product development and/or further personalize or improve our websites, products and services.
- To create and maintain your account with us.
- To process your requests, purchases, transactions, and payments and to prevent transactional fraud.

- To provide you email notifications, event registrations, and other notices concerning your account, events or surveys related to our products or services.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us.
- To help maintain the safety, security, and integrity of our websites, products and services, databases and other technology assets, and business.
- To comply with applicable law and legal obligations to respond to governmental, law enforcement and court requests for personal information about our consumers. In certain situations, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. We may access and use your personal information to protect our rights, including in the event of a dispute, in response to legal process or law enforcement, or any abuse of our website.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To conduct a merger, acquisition, or sale of all or substantially all of our assets in which personal information held by us is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we require the recipient to keep that personal information confidential and not use it for any purpose except performing the intended services.

In the preceding 12 months, Accuray has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information.

Category E: Biometric information.

Category F: Internet or other similar network activity.

Category G: Geolocation data.

Category I: Professional or employment-related information.

Category J: Non-public education information.

Category K: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Service providers.
- Third parties that interact with us in connection with the services or activities we engage in.

In the preceding 12 months, we had not sold any personal information.

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we disclosed your personal information for a business purpose, the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Emailing us at DataRequests@accuray.com; or
- Calling us at 1.888.522.3740.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information.

You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

If you are under the age of 18 years, please do not use or access our websites. It is not our intention to collect or use personal information from anyone under the age of 18 years, and we will not knowingly do so. In the event that we are made aware that we have collected any personal information from minors, and are asked to delete such information from our databases, we will promptly do so. In such event, please make a verifiable request as described in this

notice if you are under 18 years of age. If you are less than 13 years of age, such verifiable request must be made by your parent or guardian.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our Privacy Notice

We will review this notice on a periodic basis, and we may modify it as appropriate. Please be sure to check this page periodically. The date at the top of this notice lists when this notice was last revised. Any updates or changes to this notice will become effective when we make the revised notice available on or through the websites. If we make material changes to this notice, we will notify you here, or by means of a notice on our homepage.

Contact Accuray

If you have any questions or comments about this Policy, you can contact Accuray by emailing us at DataRequests@accuray.com or via our toll-free number at 1.888.522.3740. You may also contact us by writing via postal mail at the following address:

If you have any questions or comments about this notice, our Privacy Policy, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Accuray Incorporated
Attention: Legal Department



1310 Chesapeake Terrace
Sunnyvale, CA 94089

Accuray will respond to inquiries within a reasonable time frame and in a manner consistent with applicable laws.

Please note that Accuray is unable to answer any questions regarding specific diagnosis and treatment. If you have questions about your personal diagnosis and treatment, you should ask your doctor.