# American Superconductor Corporation
DATA PRIVACY POLICY

## I. PRIVACY POLICY STATEMENT

Your privacy is important to American Superconductor Corporation, its subsidiaries and affiliates (collectively "AMSC"), a provider of megawatt-scale power resiliency solutions that orchestrate the rhythm and harmony of power on the grid™, and protect and expand the capability of our Navy's fleet, including related post-sale product support, (the "Products"). This Privacy Policy describes the information practices for AMSC websites, software, services and applications, including the types of information it gathers and tracks, how the information is used, and with whom the information is shared in accordance with applicable data privacy laws, including but not limited to the General Data Protection Regulation ("GDPR"). As described below, this policy also applies to your offline interactions with AMSC, such as when you license software subject to an End-User License Agreement or provide information to AMSC at a trade show or other event.

If you have any questions about this Privacy Policy, please contact us at https://www.amsc.com/contact-us/.

We may supplement this Privacy Policy. Those supplemental notices should be read together with this Privacy Policy.

## II. PERSONAL DATA

"Personal Data" means any information that may be used, either alone or in combination with other information, to personally identify you, including, but not limited to, your first and last name, your personal profile, email address, or other contact information, one or more factors specific to your physical, physiological, mental, economic, cultural, or social identity, and biometric information. Personal Data does not include data from which you can no longer be identified, such as anonymized data.

## III. BIOMETRIC DATA

"Biometric Data" means information about your physical or biological characteristics (some jurisdictions call these "biometric identifiers") that identify you. Biometric Data also includes information such as retina configuration, hand, or facial images, fingerprints, and voiceprints if they are being used to identify you. This list is not exhaustive, and the definitions of biometric data may vary in different jurisdictions.

## IV. LOCATION DATA

"Location Data" means information about your specific geographic location utilizing technologies such as global positioning systems, network triangulation and/or Bluetooth to access an AMSC application.

## V. WHAT INFORMATION DO WE COLLECT ABOUT YOU, HOW DO WE COLLECT IT AND WHAT DO WE USE IT FOR?

This Privacy Policy discloses what Personal Data we gather, how we use it, and how you can correct or change it. It is our intention to give you as much control over your Personal Data as possible to preserve

your privacy, while still allowing us to utilize that Personal Data in the course of our business to provide you Products and services.

## Personal Data We Collect

The kinds of Personal Data we collect may include but may not be limited to:

- your first and last name;
- your title and your company's name;
- your home, billing, or other physical address (including street name, name of a city or town, state/province, postal code);
- your e-mail address;
- your telephone number;
- (for job applicants submitting electronic information) your educational background, employment experience, and job interest;
- your biometric information;
- any other identifier that permits AMSC to make physical or online contact with you;
- any information that AMSC collects online from you and maintains in association with your account, such as: (a) your AMSC username, and (b) your AMSC password;
- cookies (see below).

## Cookies

A cookie is a small data file that is written to your computer's hard drive by your web browser. A cookie file can contain and/or automatically collect information, such as a user identification code or IP address, that a website will use to track the pages and number of times you have visited. The data read from these cookies may be linked to Personal Data.

We use cookies to collect non-personal information about our users, some of which are necessary for the basic function of our website, and others that we use for statistical and market research purposes. By modifying your browser preferences, you can choose to accept all cookies, be notified when a cookie is set, or reject all cookies. You do not need to accept cookies to participate in different activities and obtain Products and services offered on our website.

## Our Basis for Processing Your Personal Data

We will process your Personal Data if and to the extent applicable law provides a lawful basis for us to do so. We will therefore process your Personal Data only:

1. if you have consented to us doing so, and only for the purposes for which you have consented;
2. if we need it to perform the contract we have entered into with you;
3. if we need it to comply with a legal obligation; or
4. except in the case of biometric information, if we (or a third party) have a legitimate interest which is not overridden by your interests or fundamental rights and freedoms.

Some processing of your Personal Data by AMSC or its affiliates, subsidiaries, or agents may require us to transfer it from where it was collected to a third country. If your Personal Data was collected from a European Economic Area country or Brazil, we will transfer your Personal Data to a third country only if the appropriate authority has issued a decision that the third country provides adequate protections for your Personal Data, we include appropriate standard contractual clauses in our agreement pursuant to which the data is transferred, or with your consent.

### How We Collect Personal Data

AMSC collects Personal Data when:

- you make purchases of products or services;
- you provide biometric information when using the Products or services;
- you request support for an AMSC Product or services;
- you request free software downloads;
- you create a user account (login username and password) on an AMSC Site;
- you register for webcasts, seminars, and roundtables;
- you request information or materials (e.g., whitepapers or newsletters or meetings);
- you participate in surveys and evaluations;
- you participate in promotions, contests or giveaways;
- you apply for a job or submit your resume to AMSC;
- you submit questions or comments to us.

AMSC may also collect Personal Data from individuals (with their consent) at conventions, trade shows and expositions.

### What Do We Use Personal Data For?

We will use your Personal Data to operate and improve our sites and the Products and services and deliver the Products and services or carry out the transactions you have requested. These uses may include providing you with more effective customer service; making the sites or services easier to use by eliminating the need for you to repeatedly enter the same information; performing research and analysis aimed at improving our Products, services, and technologies; and displaying content and advertising that are customized to your interests and preferences.

We also use your Personal Data to communicate with you. We may send certain mandatory service communications such as welcome letters, billing reminders, information on technical service issues, and security announcements. We may contact you to inform you of other Products or services available from AMSC and its affiliates. We also may share content with you that you may find interesting or useful based upon your prior interactions with AMSC. You may unenroll in promotional emails at any time pursuant to the instructions contained within such emails.

### How Do We Transfer Personal Data?

We may transfer your Personal Data to our third-party service providers (such as a server hosting provider), but only to provide our Products or services to you and only for the limited and specified purposes for which you permitted us to use your information. We require third parties to whom we transfer your Personal Data to protect your Personal Data at least as strongly as we do, to notify us if it can no longer adequately protect the Personal Data, and to take reasonable and appropriate steps to stop and remediate any unauthorized processing. We may disclose your Personal Data to others under the same conditions as those under which we may process your Personal Data. See “Our Basis for Processing Your Personal Data,” above.

## VI. WHAT WE MAY NEED FROM YOU

We may need to request specific information from you to help us confirm your identity and ensure your right to access Personal Data (or to exercise any of your other rights). This is another appropriate security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it.

## VII. WHAT IF YOU DO NOT PROVIDE THE PERSONAL DATA WE REQUEST?

It is in your sole discretion to provide Personal Data to us. If you do not provide us with all or some of the Personal Data we request, we may not be able to enter into a contract with you or send you the requested information and you may be unable to access certain programs and services that involve our interaction with you.

## VIII. WITH WHOM WILL WE SHARE YOUR INFORMATION?

AMSC shares Personal Data with companies working on our behalf. Except as described in this statement, we will not disclose your Personal Data to third parties for their own marketing purposes unless you have provided consent. We will not provide your Personal Data to third parties for processing for purposes other than the purpose for which the information was collected.

Some AMSC services may be co-branded and offered in conjunction with another company. If you register for or use such services, both AMSC and the other company may receive information collected as part of such co-branded services.

In some cases, AMSC uses contractors to collect, use, analyze and otherwise process information on its behalf. It is AMSC's practice to require such suppliers to handle information in a manner consistent with AMSC's policies. AMSC may also allow carefully selected AMSC partners to participate in limited marketing campaigns solely to promote AMSC's Products and services to you.

If you request something from an AMSC Site (for example, a Product or service, a callback, or specific marketing materials), we will use the information you provide to fulfill your request. As part of a transaction, we may also contact you as part of our customer satisfaction surveys or for market research purposes.

We may hire other companies to provide limited services on our behalf, such as handling the processing and delivery of mailings, providing customer support, hosting websites, processing transactions, or performing statistical analyses of our Products and services. Those companies will be permitted to obtain only the Personal Data they need to deliver their services. We require them to process the data only when they have a lawful basis for doing so.

In some cases, AMSC may disclose your Personal Data where required to the extent necessary to meet a legal obligation to which AMSC is subject, including a lawful request by public authorities and national security or law enforcement obligations and applicable law, rule, order, or regulation or where reasonably necessary for compliance or regulatory purposes, or for the establishment of legal claims.

## IX. YOUR RIGHTS IN RELATION TO YOUR INFORMATION

You may have some of the following rights as an individual which you can exercise, based on the jurisdiction in which you live, in relation to your Personal Data that we hold. These rights may include:

- request that we confirm the existence of the processing of your Personal Data;
- request access to your Personal Data and request the following information about its processing:
    - the purpose of the processing;
    - the categories of Personal Data processed;
    - the recipients or categories of recipient to whom your Personal Data have been or will be disclosed;
    - the source of the Personal Data if not obtained from you;
    - whether the processing of your Personal Data involved automated means, and, if so, information about the logic of the automated processing and the significance and envisaged consequences of the automated processing;
- request us to rectify (*i.e.*, correct) your Personal Data;
- request us to anonymize your Personal Data;
- request to send you your data so that you may transfer it to another person, subject to commercial and industrial secrecy;
- request us to erase your Personal Data;
- request us to restrict the processing of your Personal Data;
- object to the processing of your Personal Data.

If you want to exercise one of these rights, please contact us at https://www.amsc.com/contact-us/. We will in general respond to European residents' requests within one month, although we may extend the period for two further months if necessary. We will respond to Brazilian residents' requests to confirm the existence of processing and access their Personal Data within 15 days, and Brazilian residents' other requests within the relevant regulated time-period.

You also have the right to make a complaint at any time to the supervisory authority for data protection issues or, for EU residents, any other competent supervisory authority of an EU member state. You may request from us the contact information for the appropriate authority.

## X. CHOICE

If Personal Data covered by this Privacy Policy is to be used for a new purpose that is materially different from that for which the Personal Data was originally collected or subsequently authorized, or is to be disclosed to a non-agent third party in a manner not specified in this Privacy Policy, AMSC will provide you with an opportunity to choose whether to have your Personal Data so used or disclosed. Requests to opt out of such uses or disclosures of Personal Data should be sent to us at: https://www.amsc.com/contact-us/.

Certain Personal Data (e.g., information about racial or ethnic origin, political opinions, religious or philosophical beliefs) is considered "Sensitive information." AMSC will not use Sensitive information for a purpose other than the purpose for which it was originally collected or subsequently authorized by you, unless AMSC has received your affirmative and explicit consent (opt-in).

## XI. RIGHT TO WITHDRAW CONSENT

In case you have provided your consent to the collection, processing, and transfer of your Personal Data, you have the right to withdraw your consent fully or partly. To withdraw your consent, please contact us at: https://www.amsc.com/contact-us/. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose(s) to which you originally consented, unless we have another lawful basis for processing your Personal Data.

## XII. HOW LONG WILL WE RETAIN YOUR INFORMATION?

We will only retain your Personal Data for as long as necessary to fulfil the purposes for which we have a lawful basis to process it.

To determine the appropriate retention period for your Personal Data, we will consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.

Upon expiry of the applicable retention period, we will securely destroy your Personal Data in accordance with applicable laws and regulations.

## XIII. FEES

You will in general not have to pay a fee to exercise any of your individual rights mentioned in this Privacy Policy. However, we may charge a reasonable fee if your request to exercise your individual rights is manifestly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances. We may also charge you a reasonable fee if you request multiple copies of your Personal Data.

## XIV. U.S. Department of Commerce's Data privacy framework

AMSC is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC). AMSC complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the UK Extension to the EU-U.S. DPF as set forth by the U.S. Department of Commerce. AMSC has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (EU-U.S. DPF Principles) with regard to the processing of Personal Data received from the European Union and the United Kingdom in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF. If there is any conflict between the terms in this privacy policy and the EU-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) Program, and to view our certification, please visit https://www.dataprivacyframework.gov/.

**HR Data Recourse, Enforcement, and Liability.** In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, AMSC commits to resolve complaints about our collection and use of your personal information, and to cooperate and comply respectively with the advice of the panel established by the EU data protection authorities (DPAs) and the UK Information Commissioner's Office (ICO) with regard to unresolved complaints concerning our handling of human resources data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF in the context of the employment relationship.

**Non-HR Data Recourse, Enforcement, and Liability.** In compliance with the various DPF Principles, AMSC commits to resolve Principles-related complaints about our collection and use of your personal information. EU and UK individuals with inquires or complaints regarding our handling of Personal Data received in reliance on the EU-U.S. DPF or the UK Extension to the EU-U.S. DPF and the rights of EU and UK individuals should first contact AMSC at: https://www.amsc.com/contact-us/. AMSC has a policy of responding to individuals within forty-five (45) days of an inquiry or complaint.

In compliance with the EU-U.S. DPF and UK Extension to the EU-U.S. DPF, AMSC commits to refer unresolved complaints concerning our handling of Personal Data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF to the International Centre for Dispute Resolution/American Arbitration Association (ICDR-AAA), https://www.icdr.org/dpf, an alternative dispute resolution provider based in the United States. If you do not receive timely acknowledgment of your DPF Principles-related complaint from AMSC, or if we have not addressed your DPF Principles-related complaint to your satisfaction, please visit https://go.adr.org/dpf_irm.html for more information or to file a complaint. The services of ICDR/AAA are provided at no cost to you.

If your complaint is not resolved by us or the ICDR/AAA (for non-HR data), the EU data protection authorities (DPAs) and/or the UK Information Commissioner's Office (ICO) (for HR data), you may have the option to invoke binding arbitration under the Principles. For further information, please see the Data Privacy Framework website (https://www.dataprivacyframework.gov/).

**Renewal and Verification.** AMSC will renew its EU-U.S. DPF certification and its UK extension to the EU-U.S. DPF certification annually, unless it subsequently determines that it no longer needs such certification or if it employs a different adequacy mechanism.

Prior to re-certification, AMSC will conduct an in-house verification to ensure that its attestations and assertions about its treatment of individual Customer and Personnel Personal Data are accurate and that the company has appropriately implemented these practices. Specifically, as part of the verification process, AMSC will undertake the following:

- Review this Data Privacy Security and Privacy Policy and its publicly posted website privacy policy to ensure that these policies accurately describe the practices regarding the collection of Individual Customer Personal Data
- Ensure that the publicly posted privacy policy informs customers of AMSC's participation in the EU-U.S. DPF and the UK extension to the EU-U.S. DPF, and where to obtain a copy of additional information.
- Ensure that this Policy continues to comply with the Data Privacy Framework Principles
- Confirm that customers are made AMSC of the process for addressing complaints and any independent dispute resolution process (AMSC may do so through its publicly-posted website, individual customer contracts, or both)
- Review its processes and procedures for training Employees about AMSC's participation in the Data Privacy Framework programs and the appropriate handling of PII.

AMSC will prepare an internal verification statement on an annual basis.

**Liability For Onward Transfers.** If you are an EU or UK individual, whose Personal Data we share with third-party service providers which perform services for us on our behalf, we are responsible for their processing of your Personal Data and we remain liable if they process your Personal Data in a manner inconsistent with the DPF's Principles referenced herein, unless we prove that we are not responsible for the event giving rise to the damage.

## XV. CHANGES TO THIS PRIVACY POLICY

We reserve the right to update this Privacy Policy at any time, and we will make an updated copy of such Privacy Policy available on our website.

## XVI. GENERAL INFORMATION

**Collection of Information by Third-Party Sites**. We may use a reputable third party to present or serve advertisements that you may see. These third-party ad servers may use cookies, web beacons, clear gifs, or similar technologies to help present such advertisements, and to help measure and research the advertisements' effectiveness. The use of these technologies by these third-party ad servers is subject to their own privacy policies and is not covered by our Privacy Policy.

**Links to Other Sites**. The service may contain links to third party websites that are not owned or controlled by us. We are not responsible for the privacy practices or the content of such other third-party websites, and you visit them at your own risk.

**Children's Privacy**. The service is neither directed to nor structured to attract children under the age of 16 years. Accordingly, we do not intend to collect Personal Data from anyone we know to be under 16 years of age. We will direct potential users under 16 years of age not to use the service. If we learn that Personal Data of persons less than 16 years of age has been collected without verifiable parental consent, then we will take the appropriate steps to delete this information. To make such a request, or if there are any questions or concerns about the Privacy Policy for the service or its implementation, please contact us at: https://www.amsc.com/contact-us/.

**Security**. The security of your Personal Data is important to us. We follow generally accepted industry standards, including the use of appropriate administrative, physical, and technical safeguards to protect the Personal Data submitted to us. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect Personal Data, we cannot guarantee its absolute security or confidentiality. If you have any questions about security, you can contact us at: https://www.amsc.com/contact-us/.

Please be aware that certain Personal Data and other information provided by you in connection with your use of our website or related services may be stored on your device (even if we do not collect that information). You are solely responsible for maintaining the security of your device from unauthorized access.

**Merger, Sale or Bankruptcy**. If we are acquired by or merged with a third-party entity, or if we are subject to a bankruptcy or any comparable event, we reserve the right to transfer or assign Personal Data in connection therewith.

### California Online Privacy Protection Act Notice

On September 27, 2013, California enacted A.B. 370, amending the California Online Privacy Protection Act to require website operators like us to disclose how we respond to "Do Not Track Signals"; and whether third parties collect personally identifiable information about users when they visit us.

(1) We do not track users who do not interact with the website sharing functionality across the web, and therefore do not use "do not track" signals.

(2) We do not authorize the collection of personally identifiable information from our users for third party use through advertising technologies without separate member consent.

California Civil Code Section 1798.83 also permits our customers who are California residents to request certain information regarding our disclosure of Personal Data to third parties for their direct marketing purposes. To make such a request, please contact us at: https://www.amsc.com/contact-us/. Please note that we are only required to respond to one request per customer each year.

**Commitment**. We are committed to protecting your privacy. If you have any comments or questions regarding our Privacy Policy or Personal Data that we may be storing and using, please contact us at: https://www.amsc.com/contact-us/.

### Dispute Resolution

AMSC commits to resolve complaints about your privacy and our collection or use of your Personal Data. Individuals with inquiries or complaints regarding this privacy policy should first contact AMSC at: https://www.amsc.com/contact-us/ or ph +1 978.842.3000.

## XVII. FURTHER INFORMATION

If you have any concerns or require any further information, please do not hesitate to contact https://www.amsc.com/contact-us/.