

Effective as of December 27, 2021

This Additional China Privacy Notice (the “**China Privacy Notice**”) sets forth VMware, Inc., and its group of companies including VMware Information Technology (China) Co. Ltd. (“**VMware**”, “**we**”, “**us**” and “**our**”) disclosure obligations under Personal Information Protection Law of the People's Republic of China (“**PIPL**”). This China Privacy Notice provides the additional details regarding the information defined as “personal information” under PIPL further referred to as “**Personal Information**.”

This Notice supplements VMware Privacy Notices posted at www.vmware.com/help/privacy.html including the [VMware Global Privacy Notice](#), the [VMware Products and Services Privacy Notice](#), the [VMware Cookie Notice](#) and the [VMware Job Applicant Privacy Notice](#).

To the extent VMware processes any Personal Information subject to PIPL, VMware will process such Personal Information in accordance with PIPL and any other applicable privacy related Chinese rules and regulations incorporated in PIPL by reference.

1. Our Legal Basis for Processing Personal Information

VMware will process Personal Information in accordance with the principles of legality, legitimacy, necessity, and good faith. To the extent you voluntarily provide us with your Personal Information, we will process such information for the purposes for which it was provided to VMware as set forth in the VMware Privacy Notices. For example, if you choose to subscribe to receiving marketing communications from VMware, we will process your Personal Information to provide you with such communications, or if you choose to submit feedback about our Services, we may use such feedback to improve our Services. You are free not to provide VMware with your Personal Information and can withdraw your consent at any time in the manner prescribed in the Contact Us Section of this China Privacy Notice.

Where legally required (and where no other legal basis for processing exists), we will obtain your consent before processing your Personal Information. For example, if we want to process your sensitive Personal Information, or to process your Personal Information for a new purpose for which no other legal basis for processing exists, we will obtain your consent including separate consent or written consent as required by PIPL and related administrative regulations.

If we process your Personal Information beyond the scope of this China Privacy Notice, we will separately explain the purpose, method, and scope of such processing to you through mechanisms such as page tips, interactive processes, website announcements, etc., and obtain any additional consents as required by PIPL.

VMware may process your Personal Information without your consent, under any of the following circumstances:

- Where it is necessary for the conclusion or performance of a contract to which you are a party, or for the implementation of human resources management in accordance with the labor rules and regulations formulated in accordance with the law and the collective contract concluded in accordance with PIPL.
- Where it is necessary for the performance of statutory duties or statutory obligations.

ADDITIONAL CHINA INFORMATION

- Where it is necessary for the response to a public health emergency or for the protection of the life, health and property safety of a natural person.
- Where it is necessary to process the Personal Information disclosed by you or other Personal Information that has been legally disclosed within a reasonable scope in accordance with the provisions of PIPL.
- Other circumstances stipulated by laws and administrative regulations.

2. How We Share Your Personal Information

VMware will only share your Personal Information if we have obtained your separate consent as required by PIPL or in circumstances where your consent is not required according to laws and regulations.

VMware will provide you with the name and contact information of specific personal information processors (as defined under PIPL), purpose and method of processing, and type of Personal Information related to you before your Personal Information is shared as required by PIPL. For example, if you choose to enable the use of cookies or other tracking technologies, the specific personal information processor(s) will be listed in the VMware Cookie Management Center. For a complete list of third-party categories please refer to PART III of the [VMware Global Privacy Notice](#).

Where VMware needs to share or transfer your Personal Information in connection with, or during negotiations of, any merger, sale of company assets, financing, acquisition, dissolution, corporate reorganization, or similar event, we will notify you of the name and contact information of the recipient.

3. Cross-Border Transfers of Personal Information

In principle, your Personal Information will be processed within the territory of the People's Republic of China. However, as a global company, Personal Information may be provided to our parent companies, subsidiaries and/or affiliates including those established outside the territory of the People's Republic of China, to achieve global management of VMware, to conduct jointly managed activities, and for internal business analysis and planning. Such entities generally access Personal Information via systems centrally managed and maintained by VMware, Inc., and may store, use, or otherwise handle your Personal Information, such as your contact information (e.g., name, telephone number, email address), your professional information (e.g., employer name, address, job title, department or job role), contact preferences and other information you provide in 'free text' boxes, message boards or chat features. The list of such entities is listed [here](#). We may also transfer your Personal Information to personal information processors and entrusted persons (e.g., service providers) located outside the territory of the People's Republic of China. VMware will provide you with the name and contact information and other information as required by PIPL of those specific personal information processors as provided above.

We will take necessary measures required by law including entering into standard contractual clauses with the overseas recipient to stipulate the rights and obligations between us and ensuring the foreign receiving party provides adequate protection for the Personal Information under applicable laws. We

will separately obtain your consent and provide detailed information about the cross-border transfer of your Personal Information, as required by PIPL. You can contact us through the contact information listed below or in the [VMware Global Privacy Notice](#) or contact the overseas recipient.

4. Your Privacy Rights

Under PIPL, you have the following rights:

- **Right to be informed:** You have the right to know the processing of your Personal Information.
- **Right to access and copy:** You can request access to your Personal Information or obtain a copy of your Personal Information.
- **Right to delete:** You can request the deletion of your Personal Information in certain circumstances (for example when you withdraw your consent, or the purpose of Personal Information processing has been achieved, it is impossible to achieve such purpose, or it is no longer necessary to achieve such purpose).
- **Right to transfer:** You can transfer your Personal Information to a personal information processor designated by you when it meets the conditions stipulated by the authorities.
- **Right to make decisions, restrict and refuse:** You can make decisions on the processing of your Personal Information, and restrict or refuse VMware to process your Personal Information.
- **Right to withdraw your consent:** Where processing of your Personal Information is based on your consent, you can withdraw your consent at any time. Please understand that each service needs some basic Personal Information to be processed. After you withdraw your consent, VMware will not process the relevant Personal Information, and cannot provide you with the corresponding services as a result. However, withdrawal of consent by you will not affect the previous Personal Information processing based on your authorization.

You can exercise the above rights by completing the [VMware Contact Form](#) or contacting us as explained in the Contact Us section. We will timely respond to your request and give a reply and reasonable explanation within the time limit specified by PIPL or inform you of the external ways to solve the dispute.

We will not be able to respond to your request under the following circumstances:

- Related to our compliance with obligations under the laws and regulations.
- Directly related to national security or defense security.
- Directly related to public security, public health, or major public interests.
- Directly related to criminal investigations, prosecutions, trials, and enforcement of court decisions, etc.
- Where we have sufficient proof that you have subjective malice or abuse of rights.
- For the purpose of safeguarding your life, property and other important legal rights and interests or those of other individuals but it is difficult to obtain consent.
- Responding to your request will cause serious harm to your legitimate rights and interests, or those of other individuals or organizations.
- Involving trade secrets

5. Contact Us

If you have any questions or concerns regarding VMware Privacy Notices, including this China Privacy Notice, you may write to us at privacy@vmware.com or by mail to: Office of the General Counsel of

ADDITIONAL CHINA INFORMATION

VMware, Inc., 3401 Hillview Ave, Palo Alto, California, 94304, USA. You may also write to VMware International Unlimited Company by mail to: Behan House, Barrack Square, Main St., Ballincollig, Co. Cork, Ireland. You may also write to VMware Information Technology (China) Co. Ltd by mail to: 01F South Wing Building C Raycom InfoTech Park No.2 Kexueyuan South Road, Haidian District Beijing, China, 100190.

This China Privacy Notice is available in the English and Standard Chinese languages. If you require translation to any other language(s), please reach out to privacy@vmware.com.