

Dear Customer,

Thank you for your interest in VMware's Service Offering(s). This letter is intended to facilitate your review of VMware's Data Processing Addendum ("DPA") and provide you with information regarding VMware's Privacy Program.

The foundation of VMware's Privacy Program is to earn and maintain your trust in how we collect and use your Personal Data. VMware's Privacy Program sets the requirements for our compliance with applicable privacy laws and regulations, and defines the fundamental principles that VMware employees and development teams must follow when designing Service Offerings or handling your Personal Data.

VMware has a team of privacy professionals and has built in privacy-first champions throughout the organization to ensure VMware delivers products and services that solve your business and compliance needs. Details regarding VMware's processing activities and Privacy Program are available here:

- [The VMware Cloud Trust Center \(Privacy, Security, Compliance, and Resiliency\)](#)
- [Global Privacy Notice](#)
- [Products and Services Privacy Notice](#)
- [Data Processing Addendum and GDPR Supplemental Measures Addendum](#)
- [Binding Corporate Rules for Processors](#)
- [Legal Terms, Service Specific Descriptions, and Sub-Processor Lists](#)
- [Service Specific Privacy Datasheets](#)
- [Privacy FAQs \(Government Access, CCPA, DPO, Data Transfer Strategy, etc.\)](#)

Key contextual information about the DPA

The DPA is not intended to be a stand-alone agreement, but should be read in conjunction with the overarching legal terms governing the Service Offering(s) you are purchasing – i.e., where you are purchasing a VMware Service Offering (governed by the [Terms of Service](#)), or where VMware is providing support services (governed by the applicable [support policy](#)).

The DPA establishes VMware's obligations when processing Personal Data on behalf of customers and managed service providers in VMware's role as a data processor (e.g., "Processor" under GDPR, or "Service Provider" under CCPA). This means it applies to (i) Your Content (as defined in the Terms of Service) that contains Personal Data that is uploaded to the Service Offering for processing, storage or hosting by VMware; and (ii) any Personal Data submitted to VMware as part of a customer's request for technical support (for Service Offerings and on-premises software).

The DPA includes the following commitments:

- VMware will process Personal Data (as defined in the DPA) in accordance with the customer's documented instructions.
- VMware acts as a service provider and processor in connection with Personal Data.
- The purpose of the processing of Personal Data is to provide the services as set forth in the applicable agreement.
- VMware will enter into an agreement with its Sub-processors (as defined in the DPA) on substantially similar terms.
- VMware will provide a list of Sub-processors and provide notice of new Sub-processors.
- VMware will implement and maintain appropriate technical and organizational security measures to protect against Personal Data breaches and to preserve the security and confidentiality of Personal Data, including a commitment that any authorized personnel with access to Personal Data are subject to confidentiality obligations.

- VMware will notify customers of a breach of security of the Services leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to Personal Data.
- VMware will provide audit reports generally made available to customers.
- VMware will have a valid transfer mechanism in place as required by applicable law.
- VMware will delete Personal Data in accordance with the applicable agreement.
- VMware will cooperate with customers in relation to data subject requests and provide reasonably requested information regarding the Services to enable customers to carry out data protection impact assessments as required by applicable law.

The DPA does not apply where VMware is the controller of the Personal Data, such as when processing Operations Data, Usage Data or Relationship Data. [VMware's Privacy Notices](#) set forth VMware's obligations and details regarding its processing activities when VMware is a controller of Personal Data.

For more information about VMware's privacy and security practices, including Service Offering-specific datasheets, FAQs, and a list of current certifications, please visit our [Cloud Trust Center](#).

Sincerely,
VMware