

# National Instruments Privacy Statement

Your right to privacy is a priority to us at National Instruments. We recognize your need for reasonable control of information that you share with NI. Therefore, this statement is a corporate-wide guideline and is not limited to our online business. We do not sell your information to outside organizations. Our goal in gathering information is to consistently improve our relationship with you, our customer.

We use the following guidelines to protect the information we collect during your visit to our Web sites, ni.com and niwsc.com (each “our website”); over the telephone; at trade shows; or through any other interaction. Because these guidelines affect information about you, please read them carefully and contact us if you have any questions or concerns.

## **What information does NI gather online?**

Every time you visit our web site, we automatically collect information such as your IP address -- the Internet address of your computer, the locale, language, country and your user-specific profile ID, the browser you are using, the Web page from which you came, and a record of your activity on our site. We use this information to learn more about general trends in traffic patterns so we can improve our Web site.

We also use third-party Web analytics companies (“Analytics Providers”) to collect information that will help us improve our site. At this time, we use Unica Corporation (“Unica”). We may use other Analytics Providers in the future. Whenever you so request we inform you about the identity and contact details of the Analytics Providers to which your information is accessible at the time of your request. Analytics Providers, use “cookies”, which are text files placed on your computer, to help website providers analyze use of websites by end-users. The information that is generated by the cookie about your use of our site (including your IP address) will be transmitted to and stored on servers. The Analytics Providers and NI will then use this information for the purpose of evaluating your use of our site, compiling reports on website activity for website operators and providing other services relating to site activity and internet usage. Analytics Providers act as data processors and do not use such personal data otherwise than on behalf and on the instructions of NI. Analytics Providers may also transfer this information to third parties where required to do so by law. You may refuse the use of cookies by selecting the appropriate settings on your browser; please note that, if you do this, however, you may not be able to use the full functionality of our site. By using our site, you consent to the processing of data about you by Analytics Providers, including without limitation, Unica for the purposes set out above.

For some areas of our site, we ask you to provide additional personal information that helps us enhance your site visit, assist you with technical support issues, or

permit post-visit follow-up. You provide this information to us only once, by creating an ni.com profile. This information might include your name, e-mail address, company information, mailing address, application information, product preferences, or contact preferences. Learn more details about your ni.com profile and its benefits at <http://www.ni.com/profile>.

Some National Instruments products may require online product license activation or online sign-up. These products will require you to create a user profile that is separate from the ni.com profile. This profile is called the niwsc.com profile. When creating this profile we will ask you a limited amount of personal information such as email address, first name and last name that is necessary to maintain your license and allow you to use the product.

### **How does NI use the information collected about me?**

We use the information we receive from you to tailor your experience on our web site and provide you with the specific information or services you are seeking. This information remains confidential. With the information you volunteer, we can process your purchases, confirm your orders, customize the page content and language, notify you of updates to our site and products, and provide you with specific product and local event information. We add any information you provide to our customer database. Information added to our customer database is aggregated with other information previously collected. Without your prior consent you will not receive periodic mailings, e-mails, or telephone calls from us about new products and services, discounts, special promotions, or upcoming events.

At any time, you can change the personal information we have stored in our customer database or request not to be contacted for marketing activities. See "How can I update my information?" or visit the communication preferences area of your ni.com profile at <http://www.ni.com/unsubscribe>.

### **How does NI use cookies?**

A cookie is a small file, typically only a few bytes, placed on your computer's hard drive. If you agree, then your browser adds the text in a small file. At NI, we primarily use cookies to tailor a Web application to you. We also use cookies to help us analyze Web traffic. By gathering and remembering information about your preferences, a Web application can tailor its operation to your needs, likes, and dislikes. For example, when you visit the Products and Services area of ni.com, a cookie remembers which currency to display in subsequent visits based on the country of origin you select. A cookie also makes it easy to shop online because with it, you can add items to a shopping cart. The cookie is placed on your hard drive and keeps track of your cart and the items in it versus other carts in use at the same time.

By accepting cookies, we do not gain access to your computer or any personal information about you, other than the data you chose to share with us. **We do not store any personal information in the cookies we place on your computer.** This practice is strictly enforced. In talking with many of our customers, we believe that the benefit we both gain from their proper use is worthwhile. To learn more about

cookies, how we use them on ni.com, and how you can view or delete them, refer to our Cookies Help page at <http://www.ni.com/help/cookies.htm>.

The niwsc.com site does not permanently store any personal information in cookies. Your first name and niwsc.com session information is temporarily stored in a session cookie. If you wish to delete niwsc.com cookies, you must use your browser to delete them, as the ni.com cookie help page will not delete these cookies. Deleting these niwsc.com cookies will not affect your access to the products associated with your niwsc.com profile.

### **How do I know my information is secure?**

We have invested time and resources to ensure that our online and internal security procedures help safeguard your information. When you see either a solid key icon or a locked padlock icon at the lower portion of your browser window, your connection with our site is secured through Secure Sockets Layer (SSL)

Learn more about our ni.com and Online Store security measures at [https://sine.ni.com/apps/utf8/niip.display\\_page?p\\_name=NIOS\\_POPUP\\_SECURITY](https://sine.ni.com/apps/utf8/niip.display_page?p_name=NIOS_POPUP_SECURITY). We use industry-standard encryption technologies, such as SSL, when transferring and receiving your personal information on our site. Pages requesting personal information should always have one of these icons. If you do not see one of these icons, please contact NI to complete your transaction over the phone. Credit card information is only used for processing payment and is not used for other purposes. If you do not feel comfortable submitting your payment information online, we do offer a print and fax purchasing option by which you can print the contents of your shopping cart and fax your order to us. More information is at [https://sine.ni.com/apps/utf8/niip.display\\_page?p\\_name=NIOS\\_POPUP\\_PF](https://sine.ni.com/apps/utf8/niip.display_page?p_name=NIOS_POPUP_PF). You also can contact us to place your order via phone, fax, or e-mail.

Learn more about security measures used for our NI Hosted Service products at <http://users.niwsc.com/help>.

### **Is my information shared with third parties?**

To keep your information confidential, NI does not release your personal information, except as we describe below or as required by law. We only use the personal information we collect to support and develop your relationship with NI, our affiliates, and our strategic business partners as described below. Some of these partners and affiliates may be located in other countries.

#### *NI Alliance Partner Program*

Because National Instruments Alliance Partner program members are specialized experts, we may ask them to contact you regarding a service or product you request. In this case, we share only the appropriate information with the Alliance Partners or other integrators. The Alliance Partner then contacts you regarding your request. More information on the Alliance Partner program is available at <http://www.ni.com/alliance/>.

#### *NI Partners*

In addition, NI occasionally partners with other companies in an effort to provide the most relevant and detailed information for your measurement and automation application. On ni.com, this partnership can take place via online advisors, such as Camera Advisor and Motor and Stage Advisor. This partnership also could result from joint seminars. In this situation, expect us to conduct some joint marketing activities and enter your personal information in our customer database. However, without your prior consent, we will not provide your personal information to these third parties for joint marketing activities. At any time, you can request not to be contacted for marketing activities. See “How can I update my information?” or visit the communication preferences area of your ni.com profile at <http://www.ni.com/unsubscribe>.

#### *Third-Party Mailings*

We only agree to third-party mailings that we think will benefit your measurement and automation application. However, without your prior consent, we will not provide your personal information to these third parties for marketing activities. At any time, you have the option to remove yourself from third-party joint marketing activities that do not involve NI without limiting your option to receive information from NI. See “How can I update my information?” or visit the communication preferences area of your ni.com profile at <http://www.ni.com/unsubscribe>.

#### *Release of Information*

NI reserves the right to release any information about you to protect our systems or business. Also, we can release personal information when we reasonably believe you to be in violation of our current or later Web site Terms of Use or other published guidelines, or reasonably believe you to have initiated or participated in any illegal activity. We can release this information without a subpoena, warrant, or other court order in response to court and governmental orders, civil subpoenas, discovery requests, and other legal requirements.

#### **How can I update my information or remove myself from your customer database (Opt-out)?**

You can opt out at any time to the use of your personal information for direct marketing purposes via e-mail, fax, telephone, or mail. You may, if applicable, still receive nonmarketing email notifications related to topics including product recalls, service contract entitlements, and e-commerce transactions.

To change or update your personal information on ni.com, remove yourself from our ni.com customer database, or remove yourself from certain provisions of this privacy statement, visit the communication preferences area of your profile at <http://www.ni.com/unsubscribe>. If you do not have an ni.com profile, visit at <http://www.ni.com/remove> to update your communications preferences. Alternatively, you can also send an e-mail, fax, or letter with your request. See “How can I contact National Instruments” for contact information.

To update or remove your niwsc.com profile information please contact your National Instruments sales representative. Please note that removing this information may disable your access to products associated with the profile.

If you do not have an ni.com profile and would like to create one, visit <http://www.ni.com/profile> to learn more.

If you have any difficulty updating your communication preferences on ni.com, e-mail [webmaster@ni.com](mailto:webmaster@ni.com).

We promptly record any request for changes to your communication preferences in our internal customer databases; please allow us 10 business days for these changes to take effect.

### **How does the NI privacy statement affect me outside the U.S.?**

If you are located within the European Union, you should note that your personal information (i.e. name, title and department, company name and address, business telephone number and e-mail address, and private address) will be transferred to National Instruments Corp., located at 11500 North Mopac Expressway, Austin, Texas, 78759, United States, for the purposes of contract management, accounting and data support, business assessment, and direct marketing. Please note that the United States is deemed by the European Union (“EU”) to have inadequate data protection. We have therefore made an effort to add adequate protection to our customers located in the EU and to comply with EU data protection laws. Pursuant to Article 26 (2) of the EU Directive 95/46/EC of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data, appropriate contractual clauses provide a tool allowing the transfer of personal data from all EU Member States under a common set of rules. The European Commission has approved a model set of standard contractual clauses, which ensures adequate safeguards for the transfer of data to third countries (see Commission Decision 2001/497/EC of 15 June 2001 on standard contractual clauses for the transfer of personal data to third countries under Directive 95/46/EC). Each of our affiliated companies located in the EU has entered into an intercompany agreement with National Instruments Corp. to incorporate these standard contractual clauses to ensure adequate safeguards for data transfer.

For information about the Commission Decision 2001/497/EC of 15 June 2001 including the applicable standard contractual clauses, visit [http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/l\\_181/l\\_18120010704en00190031.pdf](http://eurlex.europa.eu/LexUriServ/site/en/oj/2001/l_181/l_18120010704en00190031.pdf)

### **Is my information public in the public forum?**

Please remember that any information (including personal information) that you disclose in public areas of our Web site, such as the Alliance Partner program, NI Discussion Forums, chat rooms, forums, and/or message boards, or other public forums such as trade shows or conventions, becomes public information that others may collect, circulate, and use. By using an alias in NI Developer Zone, you do not reveal any personal information. However, any text you include in a message is public. Because NI cannot and does not control the acts of others, you should

exercise caution when deciding to disclose information about yourself or others in public forums such as these.

**Does NI maintain third-party Web site links?**

Any links to third-party Web sites are provided on our web site as a benefit to you; however, a third party controls them. NI uses certain application service providers (ASPs) to provide specific services to enhance your online experience. ASPs do not sell or distribute your personal information. They are bound by the NI Privacy Policy. ASPs provide these services through their Web sites, although the look and feel of the site matches the National Instruments web site. If you are interested in learning which ASPs NI uses and for what services, please email [webmaster@ni.com](mailto:webmaster@ni.com). For more information on third-party Web sites, you are encouraged to visit our Terms of Use at <http://www.ni.com/legal/termsfuse/unitedstates/us/>

**How can I contact National Instruments?**

If you have any questions about this Privacy Statement, the practices of our Web site, or

your dealings with NI, contact:

NI Privacy Officer

National Instruments Corp.

11500 North Mopac Expressway

Austin, TX 78759-3504

Tel: (512) 683-0100

E-mail: [webmaster@ni.com](mailto:webmaster@ni.com)

October 2010