Privacy Policy

Last Updated on June 14, 2022

This Privacy Policy describes how DigitalOcean, LLC and its affiliates ("DigitalOcean," "we," "our" or "us") collect, use, and share information in connection with your use of our websites (including www.digitalocean.com), services, and applications (collectively, the "Services"). This Privacy Policy (the "Privacy Policy") does not apply to information our customers may process when using our Services.

If you are looking for CCPA-specific information, check out our CCPA Privacy Notice as well, which is incorporated into this Privacy Policy.

We may collect and receive information about users of our Services ("users," "you," or "your") from various sources, including: (i) information you provide through your user account on the Services (your "Account") if you register for the Services; (ii) your use of the Services; and (iii) from third-party websites, services, and partners.

We recommend that you read this Privacy Policy in full, including the Additional Disclosures referenced at the bottom of this document, to ensure you are fully informed. If you have any questions about this Privacy Policy or DigitalOcean's

data collection, use, and disclosure practices, please contact us at privacy@digitalocean.com.

1. Information We Collect

1. **Information You Provide**

   I. **Account Registration.** When you register for an Account, we may ask for your contact information, including items such as name, company name, address, email address, and telephone number. If you choose to refer a friend to our Services, we may also collect your friend's email address so that we may send them a referral or promotional code to sign up for our Services.

   II. **Payment Information.** When you add your financial account information to your Account, that information is directed to our third-party payment processor. We do not store your financial account information on our systems; however, we have access to, and may retain, subscriber information through our third-party payment processor.

   III. **Personal Data.** This means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a Data Subject in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. "Personal Data" includes equivalent terms in other Data Protection Law, such as the CCPA-defined term "Personal Information," as context requires.

   IV. **User Content.** Our "Community" feature allows you to publicly post content on our Services. By registering for our Community, you agree that

your profile information and the content you post may be viewed and used by other users and third parties we do not control.

V. **Communications.** If you contact us directly, we may receive additional information about you such as your name, email address, phone number, the contents of the message and/or attachments you may send us, and any other information you may choose to provide. We may also receive a confirmation when you open an email from us.
The personal information that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you at the point we ask you to provide your personal information.

2. **Information We Collect When You Use Our Services.**

I. **Cookies and Other Tracking Technologies.** As is true of most websites, we gather certain information automatically and store it in log files. In addition, when you use our Services, we may collect certain information automatically from your device. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, clickstream data, landing page, and referring URL. To collect this information, a cookie may be set on your computer or device when you visit our Services. Cookies contain a small amount of information that allows our web servers to recognize you. We store information that we collect through cookies, log files, and/or clear gifs to record your preferences. We may also automatically collect information about your use of features of our Services, about the functionality of our Services, frequency of visits, and other information related to your interactions with the Services. We may track your use across different websites and services. In some countries, including countries in the European Economic Area ("EEA"), the information referenced above in this paragraph may be considered personal data under applicable data protection laws.

II. **Usage of our Services.** When you use our Services, we may collect

information about your engagement with and utilization of our Services, such as processor and memory usage, storage capacity, navigation of our Services, and system-level metrics. We use this data to operate the Services, maintain and improve the performance and utilization of the Services, develop new features, protect the security and safety of our Services and our customers, and provide customer support. We also use this data to develop aggregate analysis and business intelligence that enable us to operate, protect, make informed decisions, and report on the performance of our business.

3. **Information We Receive from Third Parties.**

   I. **Third-Party Accounts.** If you choose to link our Services to a third-party account, we will receive information about that account, such as your authentication token from the third-party account, to authorize linking. If you wish to limit the information available to us, you should visit the privacy settings of your third-party accounts to learn about your options.

2. How We Use Information

We use the information we collect in various ways, including to:

- Provide, operate, and maintain our Services;
- Improve, personalize, and expand our Services;
- Understand and analyze how you use our Services;
- Develop new products, services, features, and functionality;
- Communicate with you, either directly or through one of our partners, including for customer service, to provide you with updates and other information relating to the Service, and for marketing and promotional purposes;
- Process your transactions;
- Send you text messages and push notifications;
- Find and prevent fraud; and

- For compliance purposes, including enforcing our Terms of Service, or other legal rights, or as may be required by applicable laws and regulations or requested by any judicial process or governmental agency.

3. How We Share Information

We may share the information we collect in various ways, including the following:

1. **Vendors and Service Providers.** We may share information with third-party vendors and service providers that provide services on our behalf, such as helping to provide our Services, for promotional and/or marketing purposes, and to provide you with information relevant to you such as product announcements, software updates, special offers, or other information.
2. **Aggregate Information.** Where legally permissible, we may use and share information about users with our partners in aggregated or de-identified form that can't reasonably be used to identify you.
3. **Advertising.** We work with third-party advertising partners to show you ads that we think may interest you. These advertising partners may set and access their own cookies, pixel tags, and similar technologies on our Services, and they may otherwise collect or have access to information about you which they may collect over time and across different online services. Some of our advertising partners are members of the Network Advertising Initiative or the Digital Advertising Alliance. To learn more about these programs, or opt-out of personalized ads, visit the Digital Advertising Alliance's Self-Regulatory program for Online Behavioral Advertising at www.aboutads.info, or the Network Advertising Initiative at www.networkadvertising.org.
4. **Third-Party Partners.** We also share information about users with third-party partners in order to receive additional publicly available information about you.
5. **Information We Share When You Sign Up Through a Referral.** If you sign up for our Services through a referral from a friend, we may share information

with your referrer to let them know that you used their referral to sign up for our Services.

6. **Analytics.** We use analytics providers such as Google Analytics. Google Analytics uses cookies to collect non-identifying information. Google provides some additional privacy options regarding its Analytics cookies at http://www.google.com/policies/privacy/partners/.
7. **Business Transfers.** Information may be disclosed and otherwise transferred to any potential acquirer, successor, or assignee as part of any proposed merger, acquisition, debt financing, sale of assets, or similar transaction, or in the event of insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets.
8. **As Required By Law and Similar Disclosures.** We may also share information to (i) satisfy any applicable law, regulation, legal process, or governmental request; (ii) enforce this Privacy Policy and our Terms of Service, including investigation of potential violations hereof; (iii) detect, prevent, or otherwise address fraud, security, or technical issues; (iv) respond to your requests; or (v) protect our rights, property or safety, our users and the public. This includes exchanging information with other companies and organizations for fraud protection and spam/malware prevention.
9. **With Your Consent.** We may share information with your consent.

4. Legal Basis for Processing Personal Information

Our legal basis for collecting and using the personal data described above will depend on the personal data concerned and the specific context in which we collect it.

However, we will normally collect personal data from you only (i) where we need the personal data to perform a contract with you; (ii) where the processing is in

our legitimate interests and not overridden by your rights; or (iii) where we have your consent to do so. We have a legitimate interest in operating our Services and communicating with you as necessary to provide these Services, for example when responding to your queries, improving our platform, undertaking marketing, or for the purposes of detecting or preventing illegal activities.

In some cases, we may also have a legal obligation to collect personal data from you or may otherwise need the personal data to protect your vital interests or those of another person.

If we ask you to provide personal data to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal data is mandatory or not (as well as of the possible consequences if you do not provide your personal data).

5. Third-party Services

You may access other third-party offerings through the Services, for example by clicking on links to those third-party offerings from within the Services. DigitalOcean is not responsible for the privacy policies and/or practices of these third-party offerings, and we encourage you to carefully review their privacy policies.

6. Security

DigitalOcean is committed to protecting your information. To do so, we employ a variety of security technologies and measures designed to protect information from unauthorized access, use, or disclosure. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal data. Please note that no service is completely secure. While we strive to protect your data, we cannot guarantee that unauthorized access, hacking, data loss or a data breach will never occur.

For more information on DigitalOcean's security controls, please see the following resources:

- Data Processing Agreement (DPA)
- Certification Reports
- SOC 2 Type II (upon request to privacy@digitalocean.com)
- SOC 3 Type II

7. Data Retention

We retain personal data we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax, or accounting requirements).

When we have no ongoing legitimate business need to process your personal data, we will either delete or anonymize it or, if this is not possible (for example, because your personal data has been stored in backup archives), then we will

securely store your personal data and isolate it from any further processing until deletion is possible.

8. Access

If you are a registered user, you may access certain information associated with your Account by logging into our Services or emailing privacy@digitalocean.com. If you terminate your Account, any public activity on your Account prior to deletion may remain stored on our servers and may remain accessible to the public.

To protect your privacy and security, we may also take reasonable steps to verify your identity before updating or removing your information. The information you provide us may be archived or stored periodically by us according to backup processes conducted in the ordinary course of business for disaster recovery purposes. Your ability to access and correct your information may be temporarily limited where access and correction could: inhibit DigitalOcean's ability to comply with a legal obligation; inhibit DigitalOcean's ability to investigate, make or defend legal claims; result in disclosure of personal data about a third party; or result in breach of a contract or disclosure of trade secrets or other proprietary business information belonging to DigitalOcean or a third party.

9. Your Data Protection Rights Under the General Data Protection Regulation (GDPR)

If you are a resident of the EEA, you have the following data protection rights:

- If you wish to **access, correct, update, or request deletion** of your personal information, you can do so at any time by emailing privacy@digitalocean.com.
- To exercise your rights to deletion of your personal data under the GDPR, you can deactivate and purge your account in your control panel settings (https://cloud.digitalocean.com/settings). All account data will be deleted within 90 days of purging.
- In addition, you can **object to the processing** of your personal data, ask us to **restrict the processing** of your personal data, or request portability of your personal data. Again, you can exercise these rights by emailing privacy@digitalocean.com.
- You have the right to **opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing emails we send you. To opt-out of other forms of marketing, please contact us by emailing privacy@digitalocean.com.
- Similarly, if we have collected and processed your personal data with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your personal data conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your personal data. For more information, please contact your local data protection authority.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

10. Your Choices

You can use some of the features of the Services without registering, thereby limiting the type of information that we collect.

You may unsubscribe from receiving certain promotional emails from us. If you wish to do so, simply follow the instructions found at the end of the email. Even if you unsubscribe, we may still contact you for informational, transactional, account-related, or similar purposes.

Many browsers have an option for disabling cookies, which may prevent your browser from accepting new cookies or enable selective use of cookies. Please note that, if you choose not to accept cookies, some features and the personalization of our Services may no longer work for you. You will continue to receive advertising material but it will not be tailored to your interests.

11. Children's Privacy

DigitalOcean does not knowingly collect information from children under the age of 13, and children under 13 are prohibited from using our Services. If you learn that a child has provided us with personal data in violation of this Privacy Policy, you can alert us at privacy@digitalocean.com.

12. Changes to this Privacy Policy

This Privacy Policy may be modified from time to time, so please review it frequently. Changes to this Privacy Policy will be posted on our websites. If we materially change the ways in which we use or share personal data previously collected from you through our Services, we will notify you through our Services, on this page, by email, or other communication.

13. International Data Transfers

With respect to Personal Data of Data Subjects located in the EEA, Switzerland, or the United Kingdom that Customer transfers to DigitalOcean or permits DigitalOcean to access, the parties agree that by executing the DPA they also execute the Standard Contractual Clauses, which will be incorporated by reference and form an integral part of the DPA. The parties agree that, with respect to the elements of the Standard Contractual Clauses that require the parties' input, Schedules 1-3 contain all the relevant information.

EU-U.S. and Swiss-U.S. Privacy Shield. For personal data we receive from the EEA and Switzerland, DigitalOcean has certified its compliance to the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from such countries. To access the Privacy Shield List and to find details of our certification, please visit: https://www.privacyshield.gov/.

DigitalOcean currently utilizes Standard Contractual Clauses in connection with transfers of data from the EEA to the US insofar as the EU-US Privacy Shield is

deemed invalidated and other means are not yet in place. Please also refer to our GDPR FAQ and Data Processing Agreement for more information about data transfers.

Contact Us

If you have any questions or concerns about this Privacy Policy, please email us at privacy@digitalocean.com or write to us at:

DigitalOcean

101 6th Ave New York, NY 10013

ATTN: Legal

The data controller of your personal information is DigitalOcean, LLC.

Additional Disclosures

CCPA Privacy Notice

Prior Versions of our Privacy Policy

- July 30, 2020