

## PRIVACY NOTICE – Effective October 11, 2022

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This Privacy Notice describes how we collect, use, share, and otherwise process your personal data for the activities described below, including when you use our products, visit our website, or attend our marketing and learning events.

A reference to “PROS”, “we”, “our” or “us” is a reference to PROS, Inc. and its relevant affiliates involved in the processing of personal data. A list of PROS affiliate companies currently within the PROS corporate group is provided as an exhibit to our Annual Report, available [on our Investor Relations web site](#).

PROS is the controller for the personal data discussed in this Privacy Notice unless specified otherwise. If you have any questions or concerns about this Privacy Notice, the handling of your

personal data, or believe that your personal data has been provided to us improperly, you may contact us by using the information in the “Contacting us” section below.

## **PROS as a service provider**

As a provider of services, we receive, process and store certain information, including personal data, on behalf of our customers, which are businesses. In the normal course of using the services and receiving support, our customers input electronic data into our systems, which may include personal data. We use this information to respond to your requests for information and to provide our services to you. As mentioned in more detail below, we may also collect information automatically as you use our services, but we typically do not associate this with you as an individual.

## **What personal data do we collect?**

- Personal data we collect directly from you: we collect personal data that you choose to provide to us when you:
  - Fill out forms (for example, a ‘Contact Us’ form) on our website or mobile app;
  - Register to receive materials, view webinars or attend a PROS-sponsored event;
  - Download certain content from our website or branded social media pages;
  - Subscribe to newsletters or other communications;
  - Correspond with us by phone, email or otherwise using our contact details;
  - Provide invoicing details for any charged service; or
  - Request or access customer support (including accessing the Connect portal).

This personal data may include your name, business address, business email address, company name, job title, phone number, geographic region, or username and password. When you attend a PROS-sponsored event, we may collect additional personal data such as mobile phone number, emergency contact (full name and mobile phone number), business title, dietary preferences, billing information if we are charging for the event, home address if we are shipping items to you, social media handles, and photos.

If you provide us with any personal data relating to other individuals, you represent that you have the authority to do so, and where required, have obtained the necessary consent, and acknowledge that it may be used in accordance with this Privacy Notice.

- Personal Data we automatically collect – if you visit or interact with our website or emails, we may collect information about your device, the pages you view, the length of time you spend on a page, links you click, emails you open, and other actions you take when accessing our website using cookies, web beacons and similar technologies. We also use website tracking technologies and log files to observe your activities, interactions, preferences, transactional information, and other computer and connection information relating to your use of our services. Such information may qualify as personal data and may include your IP address, domain, browser type, operating system, mobile carrier, and ISP; the date and time of your visit; and the URLs of websites from which you arrive or leave our website. See also our [Cookie Policy](#) to find out more. In addition, when you log into our services, we collect user credential and profile

data (name and other contact information) of our customers' authorized users and account administrators. If you participate in a PROS training course, your enrollment, attendance, progress, and certification information will be recorded to track and report your participation and completion. This registration and tracking may be conducted by third parties on behalf of PROS.

- Personal data we obtain from third party sources – we may collect business contact information about you from other sources including third parties from whom we have purchased business contact information and from publicly accessible websites, such as your company's website, professional network services, or press releases. Such data may include your name, business address, business email address, company name, title, phone number, and internet activity information. In some instances, we may combine personal data you have provided to us with personal data collected from other sources as described above. We process this data to update and analyze our existing marketing records; identify new customers; and send marketing emails.

## How do we use your personal data?

- **For our legitimate commercial interests:**
  - **To Make Contact:** We will use your personal data (both on an aggregated and individual basis), such as your contact details and your electronic identification data, to advertise to you, to contact you for marketing purposes in accordance with your marketing preference, for event planning and management, to send you marketing emails that we believe you would be interested in, or for other commercial or administrative purposes if you are an existing PROS customer, such as providing support or sending you policy updates or change notifications.
  - **Improvements:** We may also use your personal data to analyze, develop, and improve our website and services. We work with third party service providers, such as Google Analytics, to help us determine what features, posts, or other statements are of most interest to our customers and prospective customers. This enables us to assess what may interest you, to measure or understand the effectiveness of our advertising, to deliver more relevant content and service offerings, and to analyze trends and assess and improve the overall user experience for our services. Often such analysis is completed without using any personal information or attempting to identify a particular user.
  - **Personalization:** Based on your historical use of our website, we may personalize our offerings to you with more targeted advertising or other marketing materials that are customized to your personal preferences and experiences.
  - **Security of our website and services:** We may also use your personal data to investigate suspicious activity, to detect and protect against security issues, and to verify accounts and activity.
  - **Compliance with contractual obligations:** We may process your personal data to review compliance with the applicable usage terms in our customer contracts and to assess the capacity requirements of our services to the extent necessary to ensure adherence to the contractual terms from a usage and capacity requirements perspective.

- **Business Contact and Customer Relationship Management:** We may process your personal data, such as your billing and contact details, to allow us to manage our customer relationship.
  - **For PROS-offered training:** We may use data (in aggregated form) gathered from your enrollment, attendance, participation, and submitted feedback for reporting and to improve our training services. We may also use your contact information to invite you to future PROS training events or webinars.
- **To comply with our legal obligations:**
    - Any personal data referred to above may be used to comply with our legal obligations, such as maintaining appropriate business records, complying with lawful requests by governmental agencies and public authorities, complying with judicial proceedings, court orders, or legal processes, or otherwise with applicable laws and regulations or pursuing remedies available to us, defending legal claims, and limiting our damages.
- **With your consent:**
    - Sometimes we will ask for your consent to process your personal data, such as when we are legally required to obtain your consent for marketing purposes. You can withdraw your consent at any time without stating any reason by contacting us using the information in the “Contacting us” section below.

## How do we share your personal data?

- **PROS Affiliates and Service Providers.** We engage our affiliates and service providers to provide services on our behalf. In providing their services, they may access, receive, maintain, or otherwise process personal data on our behalf. For example, our service providers may assist us in fulfilling requests for information, receiving, and sending communications, updating marketing lists, analyzing data, providing IT support, including hosting services, and providing other customer support services. Our service providers will only use your information to the extent necessary to perform their functions and as instructed by PROS, and our contracts with these service providers do not permit the use of your personal data for their own (marketing) purposes. Consistent with applicable legal requirements, we require that our third-party vendors adequately safeguard your personal data and only process it in accordance with our instructions.
- **Events.** If you attend an event organized by us solely or jointly with third parties, or download or access third party or sponsor assets on the Event website, we may share your personal data with those third parties participating in the event and with sponsors involved in the event. If required by applicable law, you may consent to such sharing via the event registration form or by allowing your attendee badge to be scanned at a physical or virtual sponsor booth. In these circumstances, your information will be subject to the third party or sponsors’ privacy statements. If you do not wish for your information to be shared, you may choose to not opt-in via event/webinar registration or elect to not have your badge scanned.
- **Third parties in the case of a legal requirement or a corporate transaction.** We may also disclose your personal data if disclosure is required by law or in the context of an investigation,

regulatory requirement, judicial proceeding, court order or legal process served on us, or to protect the rights or safety of the website, us, our users or our affiliated companies. Information about our customers and prospective customers, which may include your personal data, may be disclosed, or transferred as part of any merger, sale, transfer of assets, acquisition, bankruptcy, or similar event.

- **PROS forums and blogs.** Anyone using PROS communities, forums, blogs, or chat rooms on our websites, during our virtual, in person or hybrid events, on our customer Connect portal, or on our product feedback forums in UserVoice, may read any personal data or other information you choose to submit and post.
- **Other disclosures.** We may share anonymous or de-identified customer usage data on an aggregate basis in the normal course of operating our business; for example, we may share information publicly to show trends about the general use of our services, publish market research, or to inform our customers on user adoption. This data will not include your personal data or attempt in any way to identify a particular user.

## How do we maintain the security of your personal data

To prevent unauthorized access, maintain data accuracy, and provide for the correct use of information, we have put in place physical, electronic, and managerial procedures designed to safeguard and secure the information we collect about you online. We endeavor to secure your personal data in accordance with industry standards and technology. Since the internet is not a 100% secure environment, we cannot ensure or warrant the security of any information you transmit to PROS. There is no guarantee that information may not be accessed, copied, disclosed, altered, or destroyed by breach of any of our physical, electronic, or managerial safeguards.

You are responsible for maintaining the security of any password, user ID or other form of authentication involved in obtaining access to password protected or secure areas of our website or other secured resources.

## International transfers of your personal data

PROS is a global group of companies and we may share personal data with our affiliated businesses as part of our business operations and administration of the services. We may also appoint service providers (who will operate under our instructions) to assist us in providing services to you, in conducting and managing our business, or in managing and improving the services. Your personal data may be transferred, stored, and processed in a country outside of your jurisdiction, including the United States and in any other country where we, or our affiliates, or third-party service providers maintain facilities or personnel.

If we transfer personal data from the EEA to a country outside it, such as the United States, we will take steps to safeguard European privacy rights by implementing a valid data transfer mechanism to give adequate protection to such personal data, such as Binding Corporate Rules or EU standard contractual clauses. When transferring your personal data to PROS affiliates outside the EEA, we use standard contractual clauses (in the form approved by the European Commission). For further information about where PROS group companies are located please see the exhibit to our Annual Report, available on [our Investor Relations web site](#).

## Retention of your personal data

PROS will retain your personal data for as long as necessary to fulfill the purpose for which it was collected or as required for our legal obligations. Unless we inform you otherwise, this will usually be a period of three years after our last interaction with you plus the length of any applicable statutory retention period following such activity. If you wish to cancel your account or request that we no longer use your information to provide you services, please contact us by using the information in the “Contacting us” section below.

Personal data will be handled in the following manner:

- Stored appropriately in light of the sensitivity and confidentiality of the information.
- Retrievable.
- Disposed of appropriately to prevent it from being accessed by unauthorized persons.
- Considered as confidential in nature.

## Use of cookies and other tracking technologies

We use common information tracking tools, such as cookies, clear GIFs/pixel tags, JavaScript, web beacons, local storage, log files, and other similar technologies which automatically collect certain usage information as you navigate our website, emails, marketing material and services. When you visit our website, we may observe your browsing activities and automatically collect information to track user engagement, store your preferences and settings, provide for targeted marketing and advertising, and personalize content. When you read or download our marketing emails and materials, we may collect information to improve your user experience and our service offering, including your email address; your IP address; and which files you open and how long you view those files. We collect information derived from the performance, use and operation of our cloud service, including the number of records, the number and types of transactions, configurations and reports processed in our service, IP address, log files and other usage statistics described below. More specifically, when you use our cloud service, our server automatically collects certain browser or device generated information, which may in some cases constitute personal data, including but not limited to your domain; your IP address; the date, time and duration of your visit; your browser type; your operating system; your mobile carrier; your ISP; and other information about your computer or device. We gather this information to help us track bugs and errors, improve the performance and functionality of our services, verify account credentials, maintain the security of our services, review capacity requirements and compliance with usage terms, assist our customers in analyzing effectiveness of our services and monitoring user adoption, and to assess and improve your user experience. We typically do not combine this activity information with other personal data we collect about you except as permitted by law.

For more detailed information about these mechanisms and how we collect activity information when you visit our website, please read our [Cookie Policy](#).

*Google Analytics:* Google Analytics is a web analytics service provided by Google that uses cookies to help us analyze how users use our services, including our customer Connect portal; monitor user adoption of the services, certain features and self-service tools; and assist us in improving the user experience. The information generated by the cookies is transmitted to and stored by Google on servers in the United States. In addition, we may use the information. We have enabled Google’s IP Masking, which means Google will truncate the last octet of your IP

address. Google will not associate your IP address with any other data held by Google. You can opt-out of the Google Analytics we use by downloading and installing this browser plug-in: <https://tools.google.com/dlpage/gaoptout/>. For more information about Google Analytics cookies, please see Google's help pages (<https://support.google.com/analytics/answer/6004245>) and privacy policy (<https://www.google.com/intl/en/policies/privacy/>).

*Pendo:* We use third party web analytics software Pendo.io in our cloud services. Pendo uses localStorage as part of tracking, to help us analyze how you use and interact with our cloud services, allowing us to guide you on the use of new features and improve the user experience. This information will be transmitted to and stored by Pendo on servers in the United States. We have disabled the IP address/Geolocation feature within Pendo, which means neither your location nor any other personal identifiers will be known or kept on Pendo's servers. You may refuse to accept Pendo tracking at any time by clicking on your username at the top right corner of the cloud service log in page and selecting "Opt out of Pendo". You can always opt back in by selecting "Opt in to Pendo" within the same menu. For more details, please review Pendo's privacy policy available at <https://www.pendo.io/legal/privacy-policy/>.

## External Links

PROS' website may, from time to time, contain links to external sites for which this Privacy Notice does not apply. These links take you outside our website and are beyond our control. The sites you can link to have their own separate privacy policy and although we seek to protect the integrity of our website, we cannot be held liable for the content and activities of these external sites. Your visit/access to these sites is therefore entirely at your own risk. Please note that these other sites may send their own cookies to users, collect data, or solicit personal data.

## Your rights over your personal data

You may have certain legal rights relating to your personal data, subject to your local data protection laws. These may include the right to:

- Access the personal data we hold about you;
- Have any inadequate, incomplete or incorrect personal data corrected;
- Have your personal data deleted;
- Have our processing of your personal data restricted;
- Transfer your personal data to another controller to the extent possible;
- Object to our processing of your personal data which is based on our legitimate interests or for direct marketing purposes. To that end, you may also use the unsubscribe button provided in every direct marketing email we send;
- If you have a question or complaint about how we process your personal data, you can contact us using the information in the "Contacting us" section below. Alternatively, you can lodge a complaint with your local supervisory data protection authority;
- Not be discriminated against for exercising your rights;

- Not be subject to a decision based solely on automated processing, including profiling, which produces legal effects ("Automated Decision-Making"). Automated Decision-Making currently does not take place on our websites or in our services; and
- Withdraw your consent at any time (to the extent we base processing on consent), without affecting the lawfulness of the processing based on such consent before its withdrawal.

If your personal data has been submitted to us by or on behalf of a PROS customer and you wish to exercise any rights you may have under applicable data protection laws, please contact the applicable customer directly.

## Changes to this Privacy Notice

This Privacy Notice may be revised by us from time to time. The updated Notice will be posted on pros.com with the change being indicated through an updated "effective date" at the top of this Notice. If a fundamental change to the nature of the use of your personal data is involved, the information will be provided in advance of the change taking effect, such as by posting a notice on pros.com, issuing a notification of the change through our customer portal, or by contacting you directly. We encourage you to periodically review this Privacy Notice for the latest information.

## Contacting us

If you have questions or concerns about this Privacy Notice, or would like to submit a request or make a complaint about a possible breach of applicable privacy laws, please contact us at [privacy@pros.com](mailto:privacy@pros.com), or write to us at:

PROS Privacy & Governance Team  
3200 Kirby Drive, Suite 600  
Houston, TX 77098, USA

Alternatively, individuals in Germany may always reach out to our data protection officer in Germany: Intersoft Consulting, Beim Strohhaus 17, 20097 Hamburg.

## Special Notice for California Residents

The California Consumer Privacy Act ("CCPA") requires that we provide California residents certain specific information about how we handle their personal information, whether collected online or offline. Under the CCPA, "personal information" is any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household. It does not include publicly available data as defined by the CCPA.

- **Information that We Collect About You:** Above, we describe the personal data that we collect about you. As the CCPA prescribes specific categories, we repeat our data collection practices here – please also note that in this section, we also describe our offline data collection practices,

as pertains to California residents. Of the categories established in the CCPA, we collect the following information about you:

- Name, Contact Information and Other Identifiers: when you interact with us online or offline, we collect your contact information which may include your name, mailing address, IP address, email address, and employer's name (if you are an authorized user of our services).
  - Customer Record Information/Purchase Histories: we may collect certain information about the purchases made by our customers' end consumers. Please note that only certain business-related information is within scope of the CCPA.
  - Usage Data: as detailed above, we collect information about your use of our website and our services, including our customer Connect portal, from data analytics providers and internet service providers. This may include log activities, IP address, browsing history, click stream data, but we do not necessarily associate this information with any individual user or account holder (except as described above). We also collect information about downloads of our whitepapers, posts to our social media feeds, or other references to PROS in the public space; we do not usually associate this with any PROS account or seek to identify a particular individual.
  - Audio/Visual Data: if you visit our offices, we may use CCTV or other surveillance to protect our property; we do not associate this information with your account. If you choose to chat with our online sales representatives through our website, we also collect personal data about your chat. Absent a customer service inquiry, we typically do not associate this information with your account. We may use the information obtained through the chat to contact you about our products and services.
- **Disclosure:** We disclose each of the categories above for a business purpose to assist us in providing our services to you.
  - **Right to Opt-out of Sale of Personal Information:** California residents have the right to opt-out of the sale of their personal data. PROS does not sell personal data.
  - **Additional Rights:** California law grants California residents' certain rights, including the right to request deletion of personal data, to know the categories of data that we collect, and the right to request a copy of the specific pieces of personal data that we have collected in the prior 12 months and to have this delivered, free of charge, in an easy to read format either by email or another portable means. If you wish to exercise your rights, your request may be submitted by going to our [California Individual Rights Page at this form](#), as well as by contacting us at 1-800-555-3548, option 5 (toll free). We may need to verify your identity and place of residence before completing your rights request. We will accept requests from authorized agents as required by applicable law, but we will require that the consumer complete a notarized statement authorizing the agent to submit the request on his/her behalf.