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GDPR.

5. When is a service provider a controller?

As detailed in the GDPR and the Guidelines, an entity that determines the purposes and means of processing independently from another party is a controller. In practice, determining the purposes and the means amounts to deciding “why” and “how” the personal data is processed. Therefore, a service provider is a controller if they ultimately determine:

- Why the processing is taking place (i.e., “to what end” or “what for”), and
- How the data is processed in the course of the business activity (i.e., which means shall be employed to attain the objective).

6. When is a service provider a processor?

Also as detailed in the GDPR and the Guidelines, a processor solely acts on behalf of a controller. In practice, acting “on behalf of” means that a processor may not carry out processing for its own purpose(s). Therefore, a service provider is a processor if they:

- Do not determine the purposes and means of processing, and
- Only process personal data on behalf of and upon the instructions of another party (i.e., the controller).

7. Does Ansys process customer personal data?

As further detailed in [Ansys Global Privacy Notice](#), as may be updated from time to time, Ansys processes certain personal data received from its customers to communicate with its customers, respond to their requests, market and sell its products and services, ensure compliance with the terms of its license agreements, perform its contractual obligations, and fulfill certain legal obligations.

8. Does Ansys process customer personal data as a controller or a processor?

8.1. Generally, when providing services or products Ansys processes the personal data of its customers as an independent controller, for the purposes outlined above and as further detailed in the [Global Privacy Notice](#) and the applicable business-to-business product-specific terms and/or agreements. In these cases, processing of customer personal data is not done on behalf of, nor at the direction of, its customers. Ansys, in its sole discretion and in accordance with applicable laws and regulations, independently determines the purposes and means of all processing of its customer’s personal data.

8.2. For certain cloud products, Ansys acts as a processor, offering a processor-to-controller Data Processing Addendum (“DPA”) to its customers, available at <https://www.ansys.com/legal/agtc#tab1-5> as may be updated from time to time. The products in



scope are exhaustively listed on this page and all details of processing as well as applicable security measures are laid out therein on a product-specific basis.

9. How does Ansys comply with data protection laws?

Although GDPR is the most well-known regulatory framework when it comes to the protection of personal data, more is to be considered and followed on a global level.

Ansys makes strenuous efforts to comply with globally applicable data protection laws and regulations as well as industry best practices. In that direction, Ansys has enforced a series of measures that constitute its Data Governance and Compliance Program; for your information, below we list some of the most important ones. Ansys:

- Has a dedicated data privacy team, led by its appointed Global Data Protection Officer, that works closely with the cybersecurity team;
- Develops and adopts data privacy corporate policies and processes;
- Determines when and for what purpose(s) Ansys processes personal data;
- Determines where personal data is stored and/or otherwise processed;
- Establishes applicable retention periods, and enforces deletion/ destruction of personal data as necessary or applicable;
- Implements industry-approved technical and organizational security measures, considering the nature, scope, context, and purposes of the processing as well as the risks for rights and freedoms of the individuals;
- Communicates data privacy requirements, including changes, to its employees through various internal channels, communications, and trainings;
- Communicates data privacy requirements, including changes, to third parties as part of its third-party risk management program;
- Imposes contractual obligations to third parties that participate in any processing activities, including third parties' sub-processors;
- Implements applicable cross-border transfer mechanisms, and complies with additional restrictions that may apply to certain types of data depending on the jurisdiction (e.g., restrictions on cross-border transfer of Chinese "important data", as this is defined in applicable China laws and regulations); and
- Follows certain procedures to respond to data subjects' requests.

As a global operator, striving to conform with the ever-changing global regulatory environment and market imperatives, Ansys constantly reviews and improves its Data Governance and Compliance Program to further compliance with its obligations to customers. As part of this endeavor, these FAQs are updated from time to time to better address customers' needs and concerns.

10. What about Ansys DPA and why can't I as a customer use my own DPA?

When Ansys acts as an independent controller as described in section 8.1., Ansys does not require its



customers to sign a DPA as it is independently accountable for its compliance with applicable data privacy laws. If a customer requests it, Ansys may offer its standard controller-to-controller DPA for the exchange of limited personal data in the course of performance of the main agreement, such as the contact details and job position of customer’s representative(s).

When Ansys acts as a processor as described in section 8.2., Ansys requires that customers accept its standard processor DPA available online.

For both scenarios the following apply: Ansys operates globally and so do its customers; therefore, it has standardized its approach to data processing terms for all customers on a global level. The Ansys DPA is non-negotiable, and Ansys does not review nor enter into negotiation of individual customer DPAs. The company has taken this stance so that it may maintain alignment with its global practices and policies, and its expectations and standards as framed by applicable global data privacy laws. The Ansys DPA has been drafted to be fair for both parties and to account for applicable data privacy laws, including the GDPR, United Kingdom’s Data Protection, Privacy and Electronic Communications, Personal Information Protection Law of the People’s Republic of China, Personal Information Protection Act of the Republic of Korea and Regional Laws of the United States.

Regarding security, to ensure that Ansys consistently meets its obligations, Ansys does not agree to individual customer security policies and strives to maintain a consistent and comprehensive set of security policies in its approach for all its customers. However, upon request, Ansys will respond to security and audit questionnaires to confirm that Ansys is satisfying its corresponding obligations.

11. How does Ansys process personal data related to anti-piracy?

Ansys may embed its software with anti-piracy technology that reports limited information to Ansys to ensure compliance with the terms of the license agreement and verify that the use of Ansys software is appropriately licensed. Information collected may include unique user and network identification information related to the use of Ansys software (“Identification Information”). Identification Information collected includes geographic location data, usernames, e-mail addresses, IP addresses, hostname, MAC addresses, and the domains from which the use of Ansys software originated. Ansys seeks Identification Information only if there is a suspected or confirmed unauthorized access to or use of the software or to determine if modifications to certain code files of the software have been made. Information can be found at [Ansys Global Privacy Notice](#), as may be updated from time to time.

Ansys is an independent controller of any Identification Information processed during its anti-piracy activities and processes the Identification Information solely to enforce its license compliance program. Such processing includes (i) the transfer of this information to certain Ansys Affiliates, Service Providers, and Technology Providers (as defined in the applicable terms or agreement), and (ii) Ansys’ and its Affiliates’, Service, and Technology Providers’ collection, use, and storage of the Identification Information to administer and enforce compliance. To the extent that applicable data protection laws require special treatment of specific types of Identification Information, Ansys



takes appropriate measures to comply with these laws. Additionally, Ansys ensures that transfers of such Identification Information reasonably comply with applicable data protection laws, including, to the extent applicable, restrictions on cross-border data transfers under the GDPR and implementation of valid transfer mechanisms.

12. Contact

For additional information please visit www.ansys.com/privacy. If you have more questions regarding how Ansys processes customer personal data, please contact privacy@ansys.com.

