

California Consumer Privacy Act Disclosures

These disclosures are provided by MKS Instruments, Inc., and its affiliates and subsidiaries (collectively the “Company”) and applies solely to residents of the State of California (“consumers” or “you”) with respect to personal information Company processes as a business. Any terms defined in the California Consumer Privacy Act of 2018, as amended from time to time, including by the California Privacy Rights Act of 2020 and its implementing regulations (“CCPA”) have the same meaning when used in these disclosures. These disclosures do not reflect our collection, use, or disclosure of California residents’ personal information, or data subject rights, where an exception or exemption under the CCPA applies.

1. Notice at Collection

We have set out below categories of personal information about California resident website visitors, customers, prospective customers, corporate representatives of our vendors and other partners, and job applicants and other potential employees. We do not sell or share for cross context behavioural advertising any personal information of California residents. The California Consumer Privacy Act Privacy Policy is in section 2 of these disclosures.

Website Visitors

What Categories of Personal Information Do We Collect?

Non-Sensitive Personal Information:

- Identifiers such as a real name, alias, unique personal identifier, online identifier, Internet Protocol address, email address, or other similar identifiers.
- Any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, address, telephone number, but excluding publicly available information that is lawfully made available to the general public from federal, state, or local government records.
- Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.
- Geolocation data.

For What Purposes Do We Collect and Use Personal Information?

We use personal information about our website visitors as reasonably necessary and proportionate to:

- To perform the services or provide the goods reasonably expected by you in your role, including those services and goods that are reasonably necessary for us to administer our client relationships and for our employees to perform their duties;
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information, including in or via our premises, computers, software, networks, communications devices, and other similar system;
- To resist malicious, deceptive, fraudulent or illegal actions directed at us and to prosecute those responsible for those actions;

- For short-term, transient use;
- To perform services on behalf of us;
- To verify or maintain the quality or safety of our services and products;
- To improve, upgrade, or enhance our services and products;
- To market to you;
- To collect or process it where such collection or processing is not for the purpose of inferring characteristics about a consumer such as to perform functions that are required under laws that apply to us and to support any claim or defense that we could face before any jurisdictional and/or administrative authority, arbitration, or mediation panel, and cooperating with – or informing – law enforcement or regulatory authorities to the extent required by law.

What Criteria Do We Consider When Retaining Personal Information?

In general, with respect to categories of personal information about website visitors, we retain each category as long as needed or permitted in light of the purpose(s) for which it was obtained and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up and deletion processes.

Job applicants or other potential employees

What Categories of Personal Information Do We Collect?

Non-Sensitive Personal Information:

- Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.
- Any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, address, telephone number, education, employment, employment history, disability information, but excluding publicly available information that is lawfully made available to the general public from federal, state, or local government records.
- Characteristics of protected classifications under California or federal law.
- Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.
- Professional or employment-related information; and
- Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).

Sensitive Personal Information:

- A consumer's social security, driver's license, state identification card, or passport number.

- A consumer's racial or ethnic origin.
- Personal information collected and analyzed concerning a consumer's health.

For What Purposes Do We Collect and Use Personal Information?

We use personal information about you as a job applicant or other potential employee for the following purposes:

- To perform the recruiting services expected by you in your role, including those services and goods that are reasonably necessary for us to administer the application process and for our employees to perform their duties;
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information, including in or via our premises, computers, software, networks, communications devices, and other similar system;
- To resist malicious, deceptive, fraudulent or illegal actions directed at us and to prosecute those responsible for those actions;
- For short-term, transient use;
- To perform services on behalf of us;
- To verify or maintain the quality of our recruiting services; and
- To collect or process it where such collection or processing is not for the purpose of inferring characteristics about a consumer such as to perform functions that are required under laws that apply to us and to support any claim or defense that we could face before any jurisdictional and/or administrative authority, arbitration, or mediation panel, and cooperating with – or informing – law enforcement or regulatory authorities to the extent required by law.

What Criteria Do We Consider When Retaining Personal Information?

In general, with respect to categories of personal and sensitive personal information about job applicants and other potential employees of the Company, we retain each category until the withdrawal or rejection of your application, or if you are engaged by the Company, until the end of your employment, plus 4 years and any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up and deletion processes.

Customers, prospective customers, corporate representatives of our vendors and other partners

What Categories of Personal Information Do We Collect?

Non-Sensitive Personal Information:

- Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.
- Any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, address, telephone number, employment, employment history, but excluding publicly available information that is lawfully made available to the general public from federal, state, or local government records.

- Commercial information, including products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.
- Geolocation data.
- Professional or employment-related information.

For What Purposes Do We Collect and Use Personal Information?

We use personal information about you as a customer, prospective customer, corporate representative of our vendors and other partners for the purposes of:

- To perform the services or provide the goods reasonably expected by you in your role, including those services and goods that are reasonably necessary for us to administer our client relationships and for our employees to perform their duties;
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information, including in or via our premises, computers, software, networks, communications devices, and other similar system;
- To resist malicious, deceptive, fraudulent or illegal actions directed at us and to prosecute those responsible for those actions;
- For short-term, transient use;
- To perform services on behalf of us;
- To verify or maintain the quality or safety of our services and products;
- To improve, upgrade, or enhance our services and products;
- To perform functions that are required under laws that apply to us;
- To market to you; and
- To collect or process it where such collection or processing is not for the purpose of inferring characteristics about a consumer such as to perform functions that are required under laws that apply to us and to support any claim or defense that we could face before any jurisdictional and/or administrative authority, arbitration, or mediation panel, and cooperating with – or informing – law enforcement or regulatory authorities to the extent required by law.

What Criteria Do We Consider When Retaining Personal Information?

In general, with respect to categories of personal and sensitive personal information about customers, prospective customers, corporate representatives of our vendors and other partners, we retain each category until we determine that the Company will not be engaged by or engage the customer, vendor, or partner, or if a customer, vendor or partner engages or is engaged by the Company, until the end of such engagement, plus any additional time periods necessary for the compliance with laws, exercise or defense of legal rights, and archiving, back-up and deletion processes.

2. California Consumer Privacy Act Privacy Policy

Last Updated: May 11, 2023

Our Personal Information Handling Practices in 2022

We have set out below categories of personal information about California residents we have collected, and as applicable disclosed, for a business purpose in the preceding 12 months. The table is followed by a description of the purposes for which we collected personal information, identification of the categories of sources from which the personal information is collected from, identification the categories of third parties to whom the information was disclosed. In the preceding 12 months we did not sell or share for cross context behavioural advertising, the personal information of California residents. If we process de-identified information, we will maintain the information in a deidentified form and not attempt to reidentify the information, except that we may attempt to reidentify the information solely for the purpose of determining whether deidentification processes used satisfy legal requirements.

Category of personal information	From what source did we collect?	Did we disclose? If so, to whom and for what purpose?
<i>Non Sensitive Personal Information</i>		
Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.	Job applicants, website visitors, customers, prospective customers, corporate representatives of our vendors, and employees.	Yes, to our affiliates and employees, third party service providers, to customers and prospective customers, and to our channel partners. We disclose this information to receive services including to procure services for our employees such as health insurance and other benefits, to facilitate corporate transactions, and to comply with the law.
Any information that identifies, relates to, describes, or is capable of being	Job applicants, website visitors, customers, prospective customers, corporate representatives of our vendors and other partners, and employees.	Yes, to our affiliates and employees, third party service providers, to customers and prospective customers, and to our channel partners. We disclose this information to receive services including to procure services for our

Category of personal information	From what source did we collect?	Did we disclose? If so, to whom and for what purpose?
<p>associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, medical information solely related to disability but excluding publicly available information that is lawfully made available to the general public from federal, state, or local government records. (The categories of personal information described in the California</p>		<p>employees such as health insurance and other benefits, to facilitate corporate transactions, and to comply with the law or to protect you or others.</p>

Category of personal information	From what source did we collect?	Did we disclose? If so, to whom and for what purpose?
Customer Records Act (Cal. Civ. Code § 1798.80(e))		
Characteristics of protected classifications under California or federal law.	Job applicants and employees.	<p>Yes, to our affiliates, employees and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law or to protect you or others.</p>
Commercial information, including products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Customers and prospective customers.	<p>Yes, to our affiliates, employees, third-party service providers, and channel partners.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website application, or advertisement.	Website visitors, customers, prospective customers, corporate representatives of our vendors and other partners, employees, and job applicants.	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>

Category of personal information	From what source did we collect?	Did we disclose? If so, to whom and for what purpose?
Geolocation data.	Job applicants, customers, prospective customers, website visitors, employees, and corporate representatives of our vendors	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>
Professional or Employment related information.	Job applicants, customers, prospective customers, corporate representatives of our vendors, and employees.	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>
Education information, defined as information that is not publicly available	Job applicants and employees.	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>
<i>Sensitive Personal Information</i>		
A consumer's social security, driver's license, state identification card, or passport number.	Job applicants and employees.	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law.</p>
A consumer's racial or ethnic origin.	Job applicants and employees.	<p>Yes, to our affiliates, employees, and third-party service providers.</p> <p>We disclose this information is to receive services, to facilitate corporate transactions, and to comply with the law.</p>

Category of personal information	From what source did we collect?	Did we disclose? If so, to whom and for what purpose?
Personal information collected and analyzed concerning a consumer's health	Job applicants and employees.	Yes, to our affiliates, employees, and third-party service providers. We disclose this information to receive services, to facilitate corporate transactions, and to comply with the law or to protect you or others.
Personal information collected and analyzed concerning a consumer's sex life or sexual orientation.	Employees.	Yes, to our affiliates and employees. We disclose this information to provide diversity, equity and inclusion services to our employees and to comply with the law.
Precise Geolocation	Employees	Yes, to our affiliates, employees, and third-party service providers. We disclose this information to receive services, for security purposes, and to comply with the law or to protect you or others.

Business or Commercial Purpose for Collecting Personal Information

- To perform the services or provide the goods reasonably expected by you in your role, including those services and goods that are reasonably necessary for us to administer our customer relationships and for our employees to perform their duties such as to fulfill an individual's employee terms of employment, to manage our relationship with our employees from recruitment through post-employment and to ensure the safety of our employees;
- To prevent, detect, and investigate security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted personal information, including in or via our premises, computers, software, networks, communications devices, and other similar system;
- To resist malicious, deceptive, fraudulent or illegal actions directed at us and to prosecute those responsible for those actions;
- For short-term, transient use;
- To perform services on behalf of us;
- To verify or maintain the quality or safety of our services and products;
- To improve, upgrade, or enhance our services and products;

- To perform functions that are required under laws that apply to us:
- To market to consumers such as website visitors, customers, prospective customers, corporate representatives of our vendors and other partners; and
- To collect or process it where such collection or processing is not for the purpose of inferring characteristics about a consumer such as to perform functions that are required under laws that apply to us and to support any claim or defense that we could face before any jurisdictional and/or administrative authority, arbitration, or mediation panel, and cooperating with – or informing – law enforcement or regulatory authorities to the extent required by law.

Categories of sources from which the personal information is collected from

Directly from the consumer, and in some cases we may obtain information about you from third parties, partners, and financial/credit services.

Categories of third parties to whom the information was disclosed

We disclose the categories of personal information described above to our affiliates and employees, third party service providers, vendors and channel partners, in corporate transactions and when required to comply with law or to protect you or others.

We do not have actual knowledge that we sell or share for cross context behavioural advertising, the personal information of California residents under 16 years of age.

CCPA Rights

As a California resident, you have the following rights under the CCPA:

- The **right to know** what personal information we have collected about you, including the categories of personal information, the categories of sources from which the personal information is collected, the business or commercial purpose for collecting, selling, or sharing personal information, the categories of third parties to whom we disclose personal information, and the specific pieces of personal information we have collected about you. You may only exercise your right to know twice within a 12-month period.
- The **right to delete** personal information that we have collected from you, subject to certain exceptions.
- The **right to correct** inaccurate personal information that we maintain about you.
- The **right to opt-out of the sale or sharing** of your personal information by us. We do not sell or share for cross-context behavioral advertising any of the categories of personal information that we collect about California residents.
- The **right to limit** our use and disclosure of sensitive personal information to purposes specified in Cal. Civil Code 1798.121(a). We do not use or disclose sensitive personal information for purposes other than those specified in Cal. Civil Code 1798.121(a).
- The **right not to receive discriminatory treatment** by the business for the exercise of privacy rights conferred by the CCPA, in violation of California Civil Code § 1798.125, including an employee's, applicant's, or independent contractor's right not to be retaliated against for the exercise of their CCPA rights.

How to Exercise CCPA Rights

Methods of Submission and Instructions: To submit a request to exercise your **rights to know, delete or correct**, please email privacy@mksinst.com or call 1-855-378-5244 (toll free) or populate our web form [\[insert link\]](#).

Verification: Only you, or someone legally authorized to act on your behalf, may make a request related to your personal information. You may designate an authorized agent by taking the steps outlined under "Authorized Agent" further below. In your request or in response to us seeking additional information, you, or your authorized agent, must provide sufficient information to allow us to reasonably verify that you are, in fact, the person whose personal information was collected which will depend on your prior interactions with us and the sensitivity of the personal information being requested. We may ask you for information to verify your identity and, if you do not provide enough information for us to reasonably verify your identity, we will not be able to fulfill your request. We will only use the personal information you provide to us in a request for the purposes of verifying your identity and to fulfill your request.

Authorized Agents: You can designate an authorized agent to make a request under the CCPA on your behalf if:

- The authorized agent is a natural person or a business entity and the agent provides proof that you gave the agent signed permission to submit the request; and
- You directly confirm with the Company that you provided the authorized agent with permission to submit the request.

If you provide an authorized agent with power of attorney pursuant to Probate Code sections 4121 to 4130, it may not be necessary to perform these steps and we will respond to any request from such authorized agent in accordance with the CCPA.

Contact Us

If you have any questions or comments about these disclosures or our practices, please contact us at:

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