

**Acceptable Use of Proprietary
and Confidential Information
From Third Parties Policy**

Latest Updated Date: 26 Dec, 2024

Scope

This policy applies to all employees, contractors, consultants, temporaries, and other workers at HCLTech.

This policy applies to all equipment and information that is owned or leased by HCLTech or that to which HCLTech is made privy.

Policy Statement

Objective

HCL Technologies Limited and its affiliates (collectively "**HCLTech**" or the "**Company**") intention for publishing the Policy on Acceptable Use of Proprietary or Confidential information from third parties is not to impose restrictions that are contrary to HCLTech's established culture of openness, trust and integrity. HCLTech is committed to protecting HCLTech's employees, customer, clients, partners and the Company from illegal or damaging actions by individuals, either knowingly or unknowingly.

Effective security is a team effort involving the participation and support of every HCLTech employee who deals with information and/or information systems. It is the responsibility of every employee, to know these guidelines, and to conduct their activities accordingly.

Purpose

The purpose of this policy is to outline the acceptable use of confidential and proprietary information at HCLTech. Inappropriate use exposes HCLTech to risks including violations of intellectual property rights, confidentiality obligations towards clients, customers and partners, compromise of network systems and services and legal issues.

Policy Details

Confidential and Proprietary Information

Confidential Information and Proprietary Information include, but not limited to, Company's private information, corporate strategies, competitor sensitive, competition analysis reports, trade secrets, specifications, customer lists, research data, procedures, documentations, know how, product plans, designs, drawings, codes and algorithms, and information owned and / or received by HCLTech or its employees from its customer, clients, partners and other third parties, etc.. Employees should take all necessary steps to prevent unauthorized access, use or dissemination of such Confidential Information and Proprietary Information.

NOTE: Use of third-party Confidential Information or Proprietary Information, must be upon express written consent or approval from the owner of such information with express authorization to whom, when, how and to what extent such information may be shared.

Unacceptable Use

Under no circumstances, an employee of HCLTech is authorized to engage in any activity that is illegal under the applicable local, state, federal or international law while utilizing any Confidential Information or Proprietary Information.

Following is the list of activities falling under the category of unacceptable use. The list is not exhaustive, but an attempt to provide a framework.

Violations in System and Network Activities

The following activities are strictly prohibited, with no exceptions:

- Violations of rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of "pirated" or other software products that are not appropriately licensed for use by HCLTech.
- Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs or videos from magazines, books or other copyrighted sources, copyrighted music, or the installation of any copyrighted software for which HCLTech or the end user does not have an active license is strictly prohibited.
- Exporting software, products, technical information, encryption software or technology, in violation of international, national or regional export control laws, is illegal. The appropriate management should be consulted prior to export of any material that is in question.

Violations in Communication Activities

- Unauthorized use or forging of email header information.
- Unauthorized copying or distributing or altering of Confidential Information or Proprietary Information, in disregard of affixed copyright notices by others and designating HCLTech as copyright owner in the replacement notice.
- In the event of an employee of HCLTech intends to copy portions of any Confidential Information or Proprietary Information, he/ she must obtain express prior written consent for use of such material in question from the owner thereof and use only for the purpose and in respect of which permission to reproduce is granted and reference appropriate owner as the source of the material. Keep intact all copyright notices on any copies of the material. Any violation of the foregoing amounts to Plagiarism. For purpose of clarity, Plagiarism means taking the writings or literary concepts (a plot, characters, words) of another and selling and/or publishing them as one's own product.
- Please be aware that copyright notices hold true legal value in that they inform third parties that the underlying work is protected by copyright, identifies the copyright owner and creates a presumption as to copyright ownership and hence copyright notices are not to be taken lightly.
- Please be aware that in some jurisdictions, no weight is given to a defendant's defense based on innocent infringement where the infringed material contains a copyrighted notice/ material of others.
- Apart from you may being personally liable for such infringement, your action may also constitute a breach of confidential obligation HCLTech has towards its clients, customers, partners, other third parties

etc. and create a liability for HCLTech.

Illustration 1:

Gautam works as a Sales Executive in an IT company and is making a product presentation. Following is an interaction between him and the prospective customer.

Gautam: Edward, our AB product is robust and we also support it with XY and XZ tools.

Edward: Gautam, please correct me if I am wrong. I believe XY and XZ tools belong to SONI Group.

Gautam: Right Edward. Soni Group is our sub-contractor and we have license for this tools till 2014.

Edward: But Gautam, neither your proposal nor your presentation is revealing this fact.

Gautam: Sorry Edward. It was not done intentionally. I only put it because we had the license.

Gautam ought not to have included references to a product whose intellectual property belongs to a third party without proper notices confirming the third party ownership. While Gautam act was unintentional and oblivious of the IP issues, this could have been construed as a copyright violation and misappropriation of third party's intellectual property. Gautam should have disclosed that the tools belong to the subcontractor and that his company had a license for a particular period.

Illustration 2:

Following is an interaction between Vijay and Saleem who are part of a designing team on use of an unlicensed designing tool.

Vijay: Hi Saleem. I was just going through your samples for the new interface and was really wondering how you managed to get the texture. It has really come well.

Saleem: Thanks Vijay. It was really tough to do it. I used the AAA software to do that.

Vijay: But Saleem, I don't remember our Company buying that tool.

Saleem: Vijay. I downloaded it and installed it using the pirated key found on another website.

Vijay: Saleem didn't you know that this is strictly prohibited in our company.

Saleem: No Vijay. I didn't know. I will immediately uninstall it and rework on the samples.

Vijay is right in guiding his colleague to uninstall pirated software. Downloading or using unlicensed software exposes both you and the company to copyright violations.

Illustration 3:

Below is conversation between 2 team members wherein team member A has created a workflow and has prepared a Standard Operating Procedure ("SOP").

Team member B: Heard that new workflow created by you is going Live on 1st of December.

Team member A: Yes.

Team member B: Hope you have circulated the SOP to respective stakeholders for better understanding of the workflow.

Team member A: Yes. Just want to share that few extracts for preparing SoP, I had taken verbiage from a website.

Team member B: Hope you have mentioned the source of the verbiage and have put them in quotation marks.

Team member A: I have not done so and what's the harm.

Team member B: This amounts to copyright violation and is termed plagiarism.

Team member A: I didn't intend to violate and will follow your guidance. Thanks for bringing this up and providing an insight.

Reporting of Violation

Every employee is expected to report a violation he / she has witnessed or reasonably believes to have occurred. Upon becoming aware of such misuse or infringement of Confidential Information or Proprietary Information by you or others, immediately cease and desist from continued misuse or infringement and/ or report the incident/ action taken to:

- Immediate Reporting Manager or Vertical Head;
- If it is an ethical issue, employees can raise concerns by submitting their grievance in the Global Ethics Helpline. Path: **MyHCLTech >>Top Ribbon (Main Menu)>> Ethics Helpline.**
- Employees based out of Germany/Netherlands shall continue to raise their grievance by writing to whistleblower@hcltech.com.
- For information security violation, report to Infosecincidents@hcltech.com.

Consequences

Any employee found to have violated this policy may be subject to same disciplinary action as defined under the Code of Business Ethics and Conduct policy ("COBEC") of HCLTech.

Annexure

Revision History:

Version	From	To	Description	Author	Approved By
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1	01 Aug 2012	28 Feb 2019	First Copy	HR Policy & Compliance CoE	HR Policy & Compliance CoE Head
2	19 Mar 2021	31 Jul 2022	Revision	HR Policy & Compliance CoE	HR Policy & Compliance CoE Head
3	01 Aug 2022	14 Jun 2023	Revision	HR Policy & Compliance CoE	HR Policy & Compliance CoE Head
4	15 Jun 2023	31 March 2024	Revision	HR Policy & Compliance CoE	HR Policy & Compliance CoE Head

Keywords

Acceptable use policy, Proprietary information, Confidential information, Third-party information policy, Data security, Information sharing, Partnership, Collaboration, Data integrity, Compliance policy, Corporate Governance

Disclaimers

The company reserves the right to alter, append or withdraw this policy either in part or in full based on management's discretion along with Unions or Work Council approval/discussions (as applicable). All procedures as per the law of land to be adhered to prior to policy launch.

Policy History

Modified Date	Version No.	From	To	Reason for creation / updation	Author	Approved by
15 Nov, 2024	1	2 Apr, 2024	5 Sep, 2024	New Launch on Policy Studio	Ruchi Smita Khandai(Geo HR Serv - Trans - Trans - Offshore)	Srinivasan Govindan(Ent HR-I&C-I&C-Policy-Policy)
26 Dec, 2024	2	6 Sep, 2024	25 Dec, 2024	Business Requirement	Ruchi Smita Khandai(Geo HR Serv - Trans - Trans - Offshore)	Srinivasan Govindan(Ent HR-I&C-I&C-Policy-Policy)
26 Dec, 2024	3	26 Dec, 2024		Policy has been revised	Ruchi Smita Khandai(Geo HR Serv - Trans - Trans - Offshore)	Srinivasan Govindan(Ent HR-I&C-I&C-Policy-Policy)