

# CCPA shared responsibility model

Title	Title summary	Customer's responsibility	Druva (inSync)	Druva (Phoenix)
1798.100.A	A consumer shall have the right to request that a business that collects a consumer's personal information disclose to that consumer the categories and specific pieces of personal information the business has collected.	Druva allows the customer administrators to control and upload only the content they want to backup and manage through the product settings. Customers should identify the type of data they backup and manage through Druva's product offering and confirm that they have disclosed the categories and specific pieces of information that the business has collected	<p>While Druva has no access to customer's unencrypted data, due to Druva's envelope encryption method, Druva InSync allows customers to determine which data is processed through Druva's cloud services.</p> <p>inSync customer can choose how much control they leave to end users as to which data is backed up. inSync also allows customers to leave it completely to end users to define which data to backup and which data not to. In addition, Customers may also configure inSync so that end users choose whether inSync admins have access to their data. Should Customer choose to force a backup policy on its end users, customer needs to disclose to the end user the categories and specific pieces of personal information the business will collect.</p> <p>For Cloud Apps data it is customer's responsibility to obtain end user's consent for processing.</p>	While Druva has no access to customer's unencrypted data, due to Druva's envelope encryption method, Druva Phoenix allows customers to determine which data is processed through Druva's cloud services.
1798.100.B	A business that collects a consumer's personal information shall, at or before the point of collection, inform consumers as to the categories of personal information to be collected and the purposes for which the categories of personal information shall be used. A business shall not collect additional categories of personal information or use personal information collected for additional purposes without providing the consumer with notice consistent with this section.	It is customer's responsibility to provide proper privacy notices at the point of data collection from data subjects. Druva's privacy policy can be found at <a href="https://www.druva.com/privacy-policy/">https://www.druva.com/privacy-policy/</a>		
1798.100.C	A business shall provide the information specified in subdivision (a) to a consumer only upon receipt of a verifiable consumer request.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services. As such, any individual data requests to access data must be managed by the InSync Admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.
1798.100.D	A business that receives a verifiable consumer request from a consumer to access personal information shall promptly take steps to disclose and deliver, free of charge to the consumer, the personal information required by this section. The information may be delivered by mail or electronically, and if provided electronically, the information shall be in a portable and, to the extent technically feasible, readily useable format that allows the consumer to transmit this information to another entity without hindrance. A business may provide personal information to a consumer at any time, but shall not be required to provide personal information to a consumer more than twice in a 12-month period.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services. As such, any individual data requests to access data must be managed by the InSync Admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.
1798.100.E	This section shall not require a business to retain any personal information collected for a single, onetime transaction, if such information is not sold or retained by the business or to reidentify or otherwise link information that is not maintained in a manner that would be considered personal information.	It is customer's responsibility as a data controller to ensure retention and security of personal data.	Druva maintains appropriate technical and organizational safeguards to protect the security, confidentiality and integrity of Customer Data, including any personal data contained therein. Such measures are designed to protect Customer Data from loss, alteration, unauthorized access, acquisition, use, disclosure, or accidental or unlawful destruction. Such measures include, but are not limited to logical data segregation, data encryption in flight and at rest, network security, security logging and monitoring, envelope encryption model, and regular third party penetration testing. For more information on Druva's security protocols, please email <a href="mailto:security@druva.com">security@druva.com</a> or review Druva's security White Papers <a href="https://www.druva.com/resources/white-papers/">https://www.druva.com/resources/white-papers/</a> .	

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1798.105.A	A consumer shall have the right to request that a business delete any personal information about the consumer which the business has collected from the consumer.	It is customer's responsibility to ensure compliance with this section. Druva's products can be used to help comply with this requirement.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests must be managed by the inSync admin. The following options should help the inSync admin to a data subject's withdrawal of consent. Options for customers: A. Data subject can create a folder and move all of the personal data into that folder. Admin then deletes the folder. B. inSync admin can go Print_Area Availability-> Restore, search for the user, and then manage their snapshots. This would allow the inSync admin to delete all of the data subject's data. Proactive compliance + Elite customers (excluding Cloud Apps): If the admin knows the particular file name, the admin can search within Governance -> Enterprise Search, filter by meta-data if needed and then the admin will have the option of deleting the file from source and/or snapshots.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests must be managed by the Phoenix Admin.
1798.105.B	A business that collects personal information about consumers shall disclose, pursuant to Section 1798.130, the consumer's rights to request the deletion of the consumer's personal information.	It is customer's responsibility to ensure compliance with this section. If a data subject sends a request to exercise rights with regards to such data subject's personal data, Druva shall communicate such request to customer as soon as possible to allow compliance with this section.		
1798.105.C	A business that receives a verifiable consumer request from a consumer to delete the consumer's personal information pursuant to subdivision (a) of this section shall delete the consumer's personal information from its records and direct any service providers to delete the consumer's personal information from their records.	It is customer's responsibility to ensure compliance with this section. Druva's products can be used to help comply with this requirement.	It is customer's responsibility to ensure compliance with this section. Druva's products can be used to help comply with this requirement.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests must be managed by the Phoenix Admin.
1798.105.D	A business or a service provider shall not be required to comply with a consumer's request to delete the consumer's personal information if it is necessary for the business or service provider to maintain the consumer's personal information under specified circumstances.	It's customers responsibility to comply with this section and determine which personal information is necessary for provider to maintain.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests must be managed by the inSync admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests must be managed by the Phoenix Admin.
1798.110.A	A consumer shall have the right to request that a business that collects personal information about the consumer disclose to the consumer certain information.	It is customer's responsibility to provide proper privacy notices at the point of data collection from data subjects. Druva's privacy policy can be found at <a href="https://www.druva.com/privacy-policy/">https://www.druva.com/privacy-policy/</a> .		
1798.110.B	A business that collects personal information about a consumer shall disclose to the consumer, pursuant to paragraph (3) of subdivision (a) of Section 1798.130, the information specified in subdivision (a) upon receipt of a verifiable consumer request from the consumer.			
1798.110.C	A business that collects personal information about consumers shall disclose certain information, pursuant to subparagraph (B) of paragraph (5) of subdivision (a) of Section 1798.130.			
1798.110.D	This section does not require a business to do the following: (1) Retain any personal information about a consumer collected for a single one-time transaction if, in the ordinary course of business, that information about the consumer is not retained. (2) Reidentify or otherwise link any data that, in the ordinary course of business, is not maintained in a manner that would be considered personal information.	It is customer's responsibility to ensure compliance with these sections.		
1798.115.A	A consumer shall have the right to request that a business that sells the consumer's personal information, or that discloses it for a business purpose, disclose to that consumer certain information.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services. As such, any individual data requests to access data must be managed by the InSync Admin. "Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.
1798.115.B	A business that sells personal information about a consumer, or that discloses a consumer's personal information for a business purpose, shall disclose, pursuant to paragraph (4) of subdivision (a) of Section 1798.130, the information specified in subdivision (a) to the consumer upon receipt of a verifiable consumer request from the consumer.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services. As such, any individual data requests to access data must be managed by the InSync Admin. "Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.

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1798.115.C	A business that sells consumers' personal information, or that discloses consumers' personal information for a business purpose, shall disclose certain information, pursuant to subparagraph (C) of paragraph (5) of subdivision (a) of Section 1798.130.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services. As such, any individual data requests to access data must be managed by the InSync Admin. *Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.	Druva does not have access to the customer data stored by using Druva's cloud services. As such, any individual data requests to access data must be managed by the Phoenix Admin.	
1798.115.D	A third party shall not sell personal information about a consumer that has been sold to the third party by a business unless the consumer has received explicit notice and is provided an opportunity to exercise the right to opt-out pursuant to Section 1798.120.	It is customer's responsibility to respond to data subject's request to access data subject's personal data.	Druva does not have access to the customer data processed by using Druva's cloud services and does not sell customer or consumer data.	Druva does not have access to the customer data stored by using Druva's cloud services and does not sell customer or consumer data.	
1798.120.A	A consumer shall have the right, at any time, to direct a business that sells personal information about the consumer to third parties not to sell the consumer's personal information. This right may be referred to as the right to opt-out.	It is customer's responsibility to ensure compliance with this section.	If Druva receives data subject's opt-out request, Druva will communicate such request to customer as soon as possible to allow compliance with this section.		
1798.120.B	A business that sells consumers' personal information to third parties shall provide notice to consumers, pursuant to subdivision (a) of Section 1798.135, that this information may be sold and that consumers have the "right to opt-out" of the sale of their personal information.	It is customer's responsibility to provide proper privacy notices at the point of data collection from data subjects. Druva's privacy policy can be found at <a href="https://www.druva.com/privacy-policy/">https://www.druva.com/privacy-policy/</a> .			
1798.120.C	Notwithstanding subdivision (a), a business shall not sell the personal information of consumers if the business has actual knowledge that the consumer is less than 16 years of age, unless the consumer, in the case of consumers at least 13 years of age and less than 16 years of age, or the consumer's parent or guardian, in the case of consumers who are less than 13 years of age, has affirmatively authorized the sale of the consumer's personal information. A business that willfully disregards the consumer's age shall be deemed to have had actual knowledge of the consumer's age. This right may be referred to as the "right to opt-in."	Customers must ensure that personal data of children is processed appropriately and that end users have provided appropriate notices and obtained where applicable parental consent requirements.	Druva InSync enables customers to control and upload only the data they want to process through Druva's cloud services. Druva does not differentiate or separate the types of personal data processed by customers, so customers must ensure that personal data of children is processed appropriately and that end users have provided appropriate notices and obtained where applicable parental consent requirements.	Druva Phoenix enables customers to control and upload only the data they want to process through Druva's cloud services. Druva does not differentiate or separate the types of personal data processed by customers, so customers must ensure that personal data of children is processed appropriately and that data subjects have provided appropriate notices and obtained where applicable parental consent requirements.	
1798.120.D	A business that has received direction from a consumer not to sell the consumer's personal information or, in the case of a minor consumer's personal information has not received consent to sell the minor consumer's personal information shall be prohibited, pursuant to paragraph (4) of subdivision (a) of Section 1798.135, from selling the consumer's personal information after its receipt of the consumer's direction, unless the consumer subsequently provides express authorization for the sale of the consumer's personal information.	It is customer's responsibility to ensure compliance with this section.	If Druva receives data subject's opt-out request, Druva will communicate such request to customer as soon as possible to allow compliance with this section. Druva does not sell customer or consumer data.		
1798.125.A	A business shall not discriminate against a consumer because the consumer exercised any of the consumer's rights under this title.	It is customer's responsibility to ensure compliance with these sections.			
1798.125.B	A business may offer financial incentives, including payments to consumers as compensation, for the collection of personal information, the sale of personal information, or the deletion of personal information. A business shall not use financial incentive practices that are unjust, unreasonable, coercive, or usurious in nature.				
1798.130.A.1	Make available to consumers two or more designated methods for submitting requests for information required to be disclosed.				
1798.130.A.2-4, 7	Disclose and deliver the required information to a consumer free of charge within 45 days of receiving a verifiable consumer request from the consumer. After verifying the requestor's identity, the business must provide the information for the 12 months preceding the request. Any personal information collected from the consumer in connection with the business' verification of the consumer's request shall be used solely for the purposes of verification.				
1798.130.A.5	Disclose certain information in its online privacy policy or policies if the business has an online privacy policy or policies and in any California-specific description of consumers' privacy rights, or if the business does not maintain those policies, on its internet website and update that information at least once every 12 months.				
1798.130.A.6	Ensure that all individuals responsible for handling consumer inquiries about the business' privacy practices or the business' compliance with this title are informed of all requirements in Sections 1798.100, 1798.105, 1798.110, 1798.115, and 1798.125, and this section, and how to direct consumers to exercise their rights under those sections.				

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1798.135.A	Provide a clear and conspicuous "Do Not Sell My Personal Information" link on the business' Internet homepage, that will direct users to a web page enabling them, or someone they authorize, to opt out of the sale of the resident's personal information. If a user exercises this right, respect the users decision for at least 12 months before asking them to opt-in to the sale of their data.	It is customer's responsibility to ensure compliance with these sections.		
1798.135.B	Nothing in this title shall be construed to require a business to comply with the title by including the required links and text on the homepage that the business makes available to the public generally, if the business maintains a separate and additional homepage that is dedicated to California consumers and that includes the required links and text, and the business takes reasonable steps to ensure that California consumers are directed to the homepage for California consumers and not the homepage made available to the public generally.			
1798.135.C	A consumer may authorize another person solely to opt-out of the sale of the consumer's personal information on the consumer's behalf, and a business shall comply with an opt-out request received from a person authorized by the consumer to act on the consumer's behalf, pursuant to regulations adopted by the Attorney General.			
1798.140.A-Y	Definitions.			
1798.145.A - N	Restrictions and Exemptions.			
1798.150.A-D & 1798.155.A-C	Legal action and fines.			
1798.160.A-B	The Consumer Privacy Fund.			
1798.175.	This title is intended to further the constitutional right of privacy and to supplement existing laws relating to consumers' personal information, including, but not limited to, Chapter 22 (commencing with Section 22575) of Division 8 of the Business and Professions Code and Title 1.81 (commencing with Section 1798.80). The provisions of this title are not limited to information collected electronically or over the Internet, but apply to the collection and sale of all personal information collected by a business from consumers. Wherever possible, law relating to consumers' personal information should be construed to harmonize with the provisions of this title, but in the event of a conflict between other laws and the provisions of this title, the provisions of the law that afford the greatest protection for the right of privacy for consumers shall control.			
1798.180.	This title is a matter of statewide concern and supersedes and preempts all rules, regulations, codes, ordinances, and other laws adopted by a city, county, city and county, municipality, or local agency regarding the collection and sale of consumers' personal information by a business.			
1798.185.A-C	Attorney General Responsibilities, commitments, and enforcement date of July 1, 2020.			
1798.190.	If a series of steps or transactions were component parts of a single transaction intended from the beginning to be taken with the intention of avoiding the reach of this title, including the disclosure of information by a business to a third party in order to avoid the definition of sell, a court shall disregard the intermediate steps or transactions for purposes of effectuating the purposes of this title.			
1798.192.	Any provision of a contract or agreement of any kind that purports to waive or limit in any way a consumer's rights under this title, including, but not limited to, any right to a remedy or means of enforcement, shall be deemed contrary to public policy and shall be void and unenforceable. This section shall not prevent a consumer from declining to request information from a business, declining to opt-out of a business's sale of the consumer's personal information, or authorizing a business to sell the consumer's personal information after previously opting out.			
1798.194.	This title shall be liberally construed to effectuate its purposes.			
1798.196.	This title is intended to supplement federal and state law, if permissible, but shall not apply if such application is preempted by, or in conflict with, federal law or the United States or California Constitution.			
1798.198.A	Subject to limitation provided in subdivision (b), and in Section 1798.199, this title shall be operative January 1, 2020.			

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1798.198.B	This title shall become operative only if initiative measure No. 17-0039, The Consumer Right to Privacy Act of 2018, is withdrawn from the ballot pursuant to Section 9604 of the Elections Code.	It is customer's responsibility to ensure compliance with these sections.		
1798.199.	Notwithstanding Section 1798.198, Section 1798.180 shall be operative on the effective date of the act adding this section.			



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