

# MarXtar Privacy Policy

Last Modified: 11<sup>th</sup> October 2018

MarXtar sells software, not data. We collect data in order to respond to your inquiries, improve our products and services, support your use of our products, help you use our products more efficiently, market our products and services, and generally perform our contractual obligations. We do not sell, rent, share, or otherwise disclose your personal data to anyone except as necessary to support your use of our products and to market and sell our products and services.

We rely on a variety of legal reasons and permissions to process data. These legal reasons and permissions include when you have given your consent, as part of the performance of a contract, to comply with legal obligations, and for other legitimate interests.

## Scope of Policy

This policy applies to all the personal data that you provide and MarXtar collects through its products, apps, services, websites, events, and other communications such as our marketing efforts. References to MarXtar products in this statement include MarXtar software, apps, services, events, and websites.

This Privacy Policy describes how MarXtar collects, uses, shares and secures the personal data you provide. It also describes your choices regarding use, access and correction of your personal data.

We encourage you to read this privacy policy and the privacy policies of all websites you visit and/or companies who send you communications.

## Personal Data We Collect

We automatically collect statistical information that may include personal data when you use our products. We also collect personal data when you ask for or consent to receive products or marketing materials from us. We may associate that information with personal data we collect in other ways or receive from third parties. The data we collect depends on the context of your interactions with us and the choices you make, including your privacy settings, email subscription settings, and the products and features you use. We process personal data in a manner that is compatible with the initial purpose of the data collection.

When you use our products, you provide us with data that may include the following:

**Name and contact data.** Your first and last name, email address, postal address, phone number, and other similar contact data.

**Credentials.** Passwords, password hints, and similar security information used for authentication and account access. Credentials used to access systems other than those hosted by MarXtar are not collected.

**Demographic data.** Data about you such as your age, gender, country, and preferred language.

**Payment data.** Data to process payments, such as your payment instrument number (e.g., a credit card number), and the security code associated with your payment instrument.

**Subscription and licensing data.** Information about your subscriptions, licenses, and other entitlements to our products.

**Interactions.** Data about your use of our products. In some cases, this is data you provide in order to use the products. In other cases, such as error reports, this is data we generate. Other examples of interactions data include:

- **Device and usage data.** Data about your device and the product and features you use, including information about your hardware and software, how our products perform, as well as your settings. For example, device, connectivity, and configuration data; error reports and performance data; troubleshooting and Help Data.
- **Location data.** Data about your device's location, which can be either precise or imprecise. For example, we collect location data using Global Navigation Satellite System (GNSS) (e.g., GPS) and data about nearby cell towers and wi-fi hotspots. Location can also be inferred from a device's IP address or data in your account profile that indicates where it is located with less precision, such as at a city or postal code level.
- **Other input.** Other inputs provided when you use our products.

**Content.** Content of your files and communications you input, upload, receive, create, and control. Please be aware that any information you provide in public areas, including our websites, may be read, collected, and used by others who access them.

**Feedback and ratings.** Information you provide to us and the content of messages you send to us, such as feedback, survey data, and product reviews you write.

**Database information.** If you receive technical support for an MarXtar product, you may also provide us with database information that contains personal data of third parties such as your employees or clients. We have no control over what you provide to us, nor what steps you have taken to ensure that the data is reliable for its intended use, non-infringing, accurate, complete, and current. If you provide any personal information about any third parties to us, you must have an appropriate legal basis for processing as required by applicable law. You must also provide instructions on how to use that information.

**Data We Process on Behalf of our Customers.** The use of information collected through our Services shall be limited to the purpose of providing the service for which the customer has engaged MarXtar. MarXtar collects information under the direction of its Customers, and has no direct relationship with the individuals whose personal data it processes. If you are a user of one of our Customers and would no longer like to be contacted by one of our Customers that use our service, please contact the Customer that you interact with directly. We may transfer personal data to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our Customers.

An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to MarXtar's Customer (the data controller).

**Mobile Apps.** When using an app on a mobile device, we may automatically collect information about the device running the app, such as the type of device, the version of the operating system, the device identifier ("UDID") and mobile network information. We may also record information such as how often the app is used, the events that occur within the app, aggregated usage, performance data, any exceptions that occur within the app, and the source from which the app was downloaded.

**Metadata and other information.** We may collect metadata and other information to analyse and benchmark your use of our products. We may use that information to generate reports, analyse product usage, administer and improve the products, both for your individual use and our user base as a whole. We may also use the information to improve or create new products and to make recommendations to you and our customers about how to better use our products and services.

**Third party data.** We also obtain data from third parties. We protect data obtained from third parties according to the practices described in this policy, plus any additional restrictions imposed by the source of the data. Third party data that we obtain may include, but are not limited to, the following:

- Data brokers from which we purchase demographic data to supplement the data we collect.
- Service providers that help us determine your device's location.
- Partners with which we offer co-branded services or engage in joint marketing activities.
- Publicly-available sources, such as open government databases.

You have choices when it comes to the technology you use and the data you share. When we ask you to provide personal data, you can decline. Many of our products require some personal data to provide you with a service. If you choose not to provide the data necessary to provide you with a product or feature, you cannot use that product or feature and we may have to suspend or cancel it. Likewise, where we need personal data to enter into or carry out a contract with you, and you do not provide the data, we will not be able to enter into the contract or perform under the contract. We will notify you if this is the case at the time. Where providing the data is optional, and you choose not to share personal data, features like personalization that use such data will not work for you.

## Cookies and Similar Technologies

Cookies are small data files that your browser places on your computer or mobile device. A cookie itself does not contain or collect information, but it can send information back to our website to help deliver a more user-friendly experience.

MarXtar and our partners use technologies such as “cookies” and “web beacons” to automatically collect information from you when you use our products. We use cookies and similar technologies to analyze trends, administer and track the use of our products, gather demographic information about our user base as a whole, remember user settings, improve the functionality of our products, and understand product and Internet usage.

MarXtar and our partners may use cookies and similar technologies to personalize your experience at our websites (e.g., to recognize you by name when you return to our site or to prefill a form to download a whitepaper). We may also use cookies to help us offer you information about products, programs, or services that may be of interest to you. In some cases, we also use cookies to enable relevant advertising on websites owned by third parties.

Most browsers automatically accept cookies. You can prevent cookies from being stored on your computer or device by configuring your browser to not accept cookies or to notify you when a cookie is being placed on your hard drive. Some browsers provide a mode where cookies are always deleted after a visit. This is called InPrivate, Incognito, or Private Browsing, depending on your browser.

You can learn more about how to manage and remove cookies in your browser or device's online help. You can also visit <http://www.aboutcookies.org> for more information on how to manage and remove cookies across a number of different internet browsers.

If you choose not to accept cookies at all, you can still use our products. However, not all features of our products will function as intended if you reject cookies.

Our websites also gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, browser language, device identifier, Internet service provider (ISP), referring/exit pages, length of visit, pages viewed, operating system, date/time stamp, clickstream data, crashes, system activity, hardware settings, the date and time of requests and other usage data. If you contact us over the telephone or via facsimile, we may also log information such as your phone number, forwarding calls, SMS routing information, and types of calls.

Your Internet browser and mobile device may allow you to adjust your browser settings so that “do not track” requests are sent to the websites you visit. We respect your wishes and will not track user activity once “do not track” signals have been activated. However, our third party service providers may not respond to “do not track” signals.

Our products may include social media features, such as the Facebook “Like” button. These features may collect your IP address and which page you are visiting on our website and may set a cookie to enable the feature to function properly. Social media

features and widgets are either hosted by a third party or hosted directly on our websites. Your interactions with these features are governed by the privacy policy of the company providing them. We encourage you to read each company's privacy policy.

We may also partner with a third party to display advertising on our website or to manage our advertising on other sites. Our third party partner may use cookies or similar technologies in order to provide you advertising based upon your browsing activities and interests. You may utilize the DIGITAL ADVERTISING ALLIANCE (DAA) SELF-REGULATORY PROGRAM to manage your level of desired advertising and opt out at any time of interest-based advertising in the U.S. or European Union depending upon your location. Please note you will continue to receive generic ads.

## How We Use the Personal Information We Collect

We may use personal information collected from or about you for any of the following purposes:

- To respond to your requests, whether it be a product purchase, a downloaded whitepaper, or product demonstrations and evaluations.
- To provide the products, communicate with you about our products and fulfil any contractual obligations we may have with you including providing post-purchase technical support, implementation services, and updates for the products.
- To protect, investigate and deter against fraudulent, unauthorized or illegal activity.
- To provide online forums such as user groups and bulletin boards.
- To deliver live or online events such as training seminars or conferences, including third party events we sponsor.
- To comply with legally mandated reporting, subpoenas, court orders, or other legal process requirements.
- To market our products and events including sending you surveys about our products and your use of our products.
- To analyze your use of our products in order to operate, maintain, improve and create new products.
- To manage and verify your account and the identity of users of the products.
- For any other legal, business, or marketing purposes that are not inconsistent with the terms of this policy.

## When We Share Your Information

We share your personal data with your consent or as necessary to complete any transaction or provide any product you have requested or authorized, including between MarXtar controlled affiliates and subsidiaries. We may share your information

with our business partners, resellers, and subcontractors who use the information to fulfil product orders, process payments, develop and improve products, contact you about product orders or in connection with the performance, operation, and support of the products, perform marketing or consulting services, respond to your requests, or as otherwise appropriate for us to provide you with the products.

We may disclose your information to:

- Service providers who host or facilitate the delivery of online training, seminars, and webinars.
- Other technology providers and third parties that assist in the delivery of the products, marketing materials, technical support services, other products, or other information.
- Third parties who conduct data analytics.
- An acquiring company in the event of a merger, acquisition, or other sale of all or a portion of our assets.

Other than to the extent ordered by a bankruptcy court, any other legal authority, or as otherwise agreed to by you, the use and disclosure of all personal data transferred to a third party will be subject to this policy.

We may disclose your personal data in the following cases:

- When required or permitted by law, regulation, legal process, or other legal requirement.
- When we believe that disclosure is necessary or appropriate to respond to an emergency.
- To protect our rights, your safety or the safety of others.
- To investigate fraud.
- To enforce our agreements, policies, and terms of use.
- To comply with a judicial proceeding, subpoena, court order, law enforcement or government request, or national security requirements.
- When you consent to such disclosure.

## No Use by Children

MarXtar products are not intended for children. We do not knowingly collect information from children. Do not use our products or provide us any information unless you are capable of consent in your territory our country.

## Managing Your Information



If you have previously signed up to receive emailed information about our products or special offers, and no longer wish to receive these communications, you may opt-out through the **Unsubscribe** link included in each email.

If a third party has provided your personal data as part of a database, you should direct your requests to that third party.

If you register for an account on a MarXtar community site, you will be listed in our publicly accessible member directory. If you do not wish to be listed in the directory, please do not register for an account. If you wish to close an existing account, please contact us to have your account closed.

Upon request MarXtar will provide you with information about whether we hold any of your personal data. You can access, correct, update, or request deletion of your accounts or personal data by managing your account settings or by emailing us at: [privacy@MarXtar.com](mailto:privacy@MarXtar.com). We will respond to any request regarding your personal data within a calendar month.

We may retain your information and the personal data we process on behalf of our Customers for as long as your account is active or as needed to provide you services, comply with our legal obligations, resolve disputes and enforce our agreements.

## Security

MarXtar implements reasonable and appropriate technical and organizational measures to protect personal information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction, taking into due account the risks involved in the processing and the nature of the personal information. However, no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, we cannot guarantee its absolute security. If you have any questions about our security, you can contact us at [privacy@MarXtar.com](mailto:privacy@MarXtar.com).

## EU-U.S. and Swiss-U.S. Privacy Shield Frameworks

We and our U.S.-affiliated entities (MarXtar Corporation) comply with the EU- U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and/or Switzerland, as applicable, to the United States. We have certified to the Department of Commerce that we adhere to the Privacy Shield Principles. If there is any conflict between the terms in this Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program and to view our certification, please visit <https://www.privacyshield.gov/>.

The Federal Trade Commission (“FTC”) has jurisdiction over our compliance with the Privacy Shield Principles. We are also subject to the investigatory and enforcement powers of FTC. We may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security and/or law enforcement requirements.

In compliance with the Privacy Shield Principles, we commit to resolve complaints about your privacy and our collection or use of your personal information. European Union and/or Swiss individuals with inquiries or complaints regarding this Policy should first contact us at [privacy@MarXtar.com](mailto:privacy@MarXtar.com) or by postal mail at:

MarXtar  
Attn: Privacy  
3B Vulcan House, Calleva Park, Aldermaston, Berkshire, United Kingdom, RG7 8PA

We are further committed to refer unresolved Privacy Shield complaints to an alternative dispute resolution provider located in the United States. If you have an unresolved privacy or data use concern that you feel we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

Under certain conditions, you may invoke [Privacy Shield Binding Arbitration](#) when other dispute resolution procedures have been exhausted.

We comply with the Privacy Shield Principles for all onward transfers of personal data from the European Union and Switzerland to any third parties acting as an agent on its behalf. We are responsible under the Privacy Shield Principles for the actions of our agents who process personal information covered by this Policy in a manner inconsistent with the Privacy Shield Principles, except where we are not involved in the event giving rise to the damage.

*MarXtar commits to cooperate with EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.*

## California Privacy

If you are a California resident, California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal data by MarXtar or its affiliates to a third party for the third party’s direct marketing purposes. To make such a request, please send an email to [privacy@MarXtar.com](mailto:privacy@MarXtar.com) or write to us at:

MarXtar  
Attn: Privacy  
3B Vulcan House, Calleva Park, Aldermaston, Berkshire, United Kingdom, RG7 8PA



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## Privacy Policy Changes

We reserve the right to modify this policy at any time. When we make only minor modifications, we may do so without notifying you. If we make changes to this policy that we believe materially impact the privacy of your personal data, we will notify you either by means of a notice on this website prior to the change becoming effective or by sending an email to the address specified in your account.

We encourage you to periodically review this page for the latest information on our privacy practices. The “Last Modified” date at the top of this policy will allow you to quickly know when the last changes were made.

## Contact Information

If you have questions or concerns regarding this policy or would like to contact our Data Protection Officer, you can contact us by email at [privacy@MarXtar.com](mailto:privacy@MarXtar.com). You can also write to us at:

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Attn: Privacy  
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