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# Opsview Privacy and Cookies Policy

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## WHO WE ARE

We are a limited company registered in England and Wales under company number 5396532. Our registered office is at Enterprise Centre, Whiteknights Road, Reading, RG6 6BU, UK. We are registered on the Information Commissioner's Office Register of Data Controllers under registration number Z79076717. This registration covers all of our different business divisions. For details of how to contact us, please refer to the Contact Us page.

This Opsview Privacy and Cookies Policy applies to personal data that is collected and processed by Opsview Limited. or, as relevant, the particular company named in your contract, such as our US affiliate, Opsview Inc. (references to **Opsview, us, we** or **our** in this Privacy Policy refer to Opsview Limited and affiliates).

Opsview understands the importance of protecting your information. We recognize that when you choose to provide us with information about yourself, you trust us to use it in a responsible manner. This Privacy Policy applies to any information provided or collected through our services, such as our website <http://www.opsview.com/>, our Opsview branded mobile app, email communications and marketing services (**Services**). and outlines how Opsview as a data controller collects, processes, uses and discloses the information you provide by using our Services.

Opsview, as a data controller, collects and processes personal data relating to interactions with our Services and you can contact us at: [privacy@opsview.com](mailto:privacy@opsview.com).

We will use your personal data only for the purposes and in the manner set forth below, which describes the steps we take to ensure our processing of your personal data is in compliance with the General Data Protection Regulation ((EU) 2016/679) (**GDPR**) and any implementing legislation (**Data Protection Legislation**).

Please read the following carefully to understand our use of your personal data.

## WHAT TYPE OF PERSONAL DATA DO WE COLLECT ABOUT YOU?

“Personal data” means any information about an individual from which that person can be identified. We only collect personal data about you through interactions with our website, information you volunteer by emailing us, by using our online forms, to deliver a service or product to you, by using our free software and applications, or to send you newsletters or other information. In addition to the information you provide to us, we collect certain information when you visit our website, as explained in our Cookies section below.

When you use our Services in any way, we collect and process different types of information about you:

- **Identity Data** includes first name, last name, username or similar identifier, and title.
- **Contact Data** includes billing address, delivery address, email address and telephone numbers.
- **Financial Data** includes bank account and payment card details collected and used by Sage Pay solely for purposes of completing your purchase. We do not store or use your credit card information. Financial information provided by you via the website will be collected, stored and processed by Sage Pay and any other third-party payment service providers as designated by Opsview from time to time. Sage Pay and any other third party payment service providers will be responsible for your payments information which will be subject to the privacy policy of Sage Pay (available here [www.sagepay.co.uk/policies/privacy-policy](http://www.sagepay.co.uk/policies/privacy-policy)), or any other third party service provider as applicable.
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- **Profile Data** includes your purchases or orders made by you, your preferences, feedback, communications and survey responses, and your Opsview password and username as applicable.
- **Usage Data** includes information about how you use our website, products and services.

- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Unless you are purchasing products or services, the provision of your personal data is not a statutory or contractual requirement and you may refuse to disclose same. You can choose not to provide this information; however, you might not be able to gain access to our information, services or products.

## LINKS TO OTHER WEBSITES

Our Services may, from time to time, contain links to third party websites. If you follow a link to any of those third-party websites, please note that those websites have their own privacy policies and we do not accept any responsibility or liability for those practices. Please check those policies before you submit any personal data to those websites.

## NO INFORMATION FROM CHILDREN UNDER AGE 18

Our Services are not intended for children and we do not knowingly collect data relating to children. If you are under the age of 18, please do not attempt to register with us at this website, use our products or provide any personal information about yourself to us. If we learn that we have collected personal information from a child under the age of 18 we will promptly delete that information. If you believe we have collected personal information from a child under the age of 18, please contact us at [privacy@opsview.com](mailto:privacy@opsview.com).

## HOW DO WE USE THE INFORMATION WE GATHER?

We will only use your personal data for the purposes and legal bases set out in the table below:

Purpose(s) for Processing	Legal Basis for Processing
<ul style="list-style-type: none"> <li>• To register a new customer, create and maintain your customer account and provision of services to you.</li> <li>• To provide Free and Open Source Software</li> </ul>	Processing is necessary for the <b>performance of a contract</b> or to enter into such a contract with you.

<p>(OSS).</p> <ul style="list-style-type: none"> <li>• To provide product technical support.</li> <li>• To provide user training classes and certifications to customers.</li> <li>• To manage our relationship with you, including processing your order and delivering the requested product or service to you on our website Online Store.</li> </ul>	
<ul style="list-style-type: none"> <li>• To provide you with information about Opsview and its products and services and provide newsletters or email updates to you;</li> <li>• To notify you about special offers and products or services that may be of interest to you.</li> <li>• To understand the flow of traffic and interactions on our website and to provide a better website experience and to understand the needs of our customers.</li> </ul>	<p>Your <b>consent</b> – which you can withdraw at any time.</p>
<ul style="list-style-type: none"> <li>• To manage and operate our website – to keep our website updated and relevant, to develop our business and to inform our marketing strategy and monitoring how you use our website.</li> <li>• To provide you with general information on the website and to provide you with our products and services.</li> <li>• To measure your interest in and improve our products, services and the website.</li> <li>• To provide you with information, products or services that you request from us.</li> </ul>	<p>The processing is necessary to support our <b>legitimate business interests</b> in managing our business provided such interests are not overridden by your interests and rights. We have carried out a balancing test to ensure that your interests do not override this legitimate business interest of ours. <b>Please note that you have a right to object to processing of your personal data where that processing is carried on for our legitimate interest. You have the right to object at any time by emailing <a href="mailto:privacy@opsview.com">privacy@opsview.com</a></b></p>

<ul style="list-style-type: none"> <li>• To ensure that content of our Services are presented in the most effective manner for you and for your computer or mobile device.</li> <li>• To carry out our obligations arising from any contracts entered into between you and us.</li> <li>• To allow you to participate in interactive features of our Services, when you choose to do so.</li> <li>• To record and support your participation in the activities you select.</li> <li>• To notify you about any changes to the Services.</li> <li>• To assist in providing customer service and support.</li> <li>• To collect responses to NPS, customer satisfaction and other surveys.</li> </ul>	
<ul style="list-style-type: none"> <li>• Our customer managed and controlled plugins and Support Heartbeat may report personal information and usage data to us.</li> </ul>	<p>Processing is necessary for the <b>performance of a contract</b> or to enter into such a contract with you.</p>
<ul style="list-style-type: none"> <li>• For the prevention and detection of fraud, money laundering or other crimes or for the purpose of responding to a binding request from a public authority or court.</li> </ul>	<p>The processing is necessary to comply with <b>legal and regulatory obligations</b>.</p>

In addition to the purpose for which you submitted your personal data, you may also be given the option (through a check box or otherwise) to have your personal data used for an activity or service different from the primary activity or service that you are requesting.

## SHARING YOUR INFORMATION

We may share your information with:

- our suppliers, business partners and group companies from time to time so they can provide you with any information, products or services that you have requested. We may also share your information with our business partners for marketing purposes.
- with third party businesses with whom we are collaborating to provide a service to you, so that this service can be provided. That third party may also wish to use your information for other purposes and that third party should inform you of those purposes. We therefore encourage you to read any third party's privacy policies.
- providers of cloud-based CRM software in relation to customer account maintenance and billing;
- providers of cloud-based marketing software in relation to prospective customer information management;
- providers of payment processing services, such as Sage Pay
- providers of cloud-based training software in relation to online training and certification for customers and end users
- providers who collect information on our behalf, including as necessary to operate features of our website, such as customer satisfaction surveys
- providers of cloud-based accounting software in relation to management of accounting
- third parties which supply services to us or which process information on our behalf (for example, payment providers and website hosts where relevant). These third parties may have incidental access to your information, but we will ensure that they keep your information secure and do not use it for their own purposes.
- another organisation if we sell or buy (or negotiate to sell or buy) any business or assets.
- another organisation to whom we transfer our agreement with you.
- with our funders or potential funders, such as our bank and with our professional advisers who have a reasonable need to see it.

We may pass collective or aggregate information about the use of our website or our products or services to third parties, but this will not include information that can be used to identify you. The aggregate information that we share may include anonymous information that is captured by



cookies and other similar tracking technology. The third parties to whom we may provide this information may include our website design, data analysts, development and hosting contractors.

We will disclose your information if we are required to by law. We may disclose your information to enforcement authorities if they ask us to, or to a third party in the context of actual or threatened legal proceedings, provided we can do so without breaching data protection laws.

## **IS YOUR PERSONAL DATA SECURE?**

We are committed to protecting the security of your personal data. We use a variety of security technologies and procedures to help protect your personal data from unauthorised access and use. As effective as modern security practices are, no physical or electronic security system is entirely secure. We cannot guarantee the complete security of our database, nor can we guarantee that information you supply will not be intercepted while being transmitted to us over the Internet.

We have implemented strict internal guidelines to ensure that your privacy is safeguarded at every level of our organisation. We will continue to revise policies and implement additional security features as new technologies become available. Where we have given you passwords which enable you to access our Services, you are responsible for keeping those passwords confidential. We ask you not to share your passwords with anyone.

Although we will do our best to protect your personal data, we cannot guarantee the security of your personal data transmitted when using our Services. Any transmission of personal data is at your own risk. Once we receive your personal data, we use appropriate security measures to seek to prevent unauthorised access or disclosure.

## **HOW LONG DO WE STORE YOUR DATA?**

We store your personal data during the time that you are a customer or end user of Opsview for purposes of providing you the Services, and for up to seven years after you cease to be a customer or end-user. If you have never been a customer or registered end-user of Opsview's products but

have consented to receive marketing inquiries or other information from Opsview, we may store your data for up to two years. We reserve the right to store or delete your personal data earlier or later than set forth herein if required to do so by an applicable law or regulation, including the GDPR and for the exercise or defence of legal claims.

## WHERE WE STORE YOUR PERSONAL DATA

The personal data that we collect from you may be transferred to, and stored at, a destination outside the European Economic Area (EEA), for the purposes described above, including to countries such as the United States of America, which may not provide an adequate level of protection in relation to processing your data. We will take all steps reasonably necessary to ensure that your personal data is treated securely and in accordance with this Privacy and Cookies Policy and the Data Protection Legislation. To the limited extent that it is necessary to transfer your personal data outside of the EEA, we will ensure appropriate safeguards are in place to protect the privacy and integrity of such personal data, including European Union Model Clauses under Article 46.2.

## YOUR RIGHTS

Opsview is committed to ensuring that you have control and visibility to your personal data. Below is a summary of your rights and additional commitments from Opsview. You may exercise your rights by contacting us at [privacy@opsview.com](mailto:privacy@opsview.com).

### Right of Access

You can request a copy of the personal data we hold about you.

### Right to Erasure ('Right to be Forgotten')

You have the right to request that your personal data be deleted in certain circumstances including:

- The personal data are no longer needed for the purpose for which they were collected;
- You withdraw your consent (where the processing was based on consent);

- You object to the processing and there are no overriding legitimate grounds justifying us processing the personal data (see Right to Object below);
- The personal data have been unlawfully processed; or
- To comply with a legal obligation.

However, this right does not apply where, for example, the processing is necessary:

- To comply with a legal obligation; or
- For the establishment, exercise or defence of legal claims.

### **Right to Rectification**

You have the right to request that we correct any inaccuracies in the personal data we hold about you and complete any personal data where this is incomplete.

### **Right to Restriction of Processing**

You can ask that we restrict your personal data (i.e., keep but not use) where:

- The accuracy of the personal data is contested;
- The processing is unlawful, but you do not want it erased;
- We no longer need the personal data, but you require it for the establishment, exercise or defence of legal claims; or
- You have objected to the processing and verification as to our overriding legitimate grounds is pending.

We can continue to use your personal data:

- Where we have your consent to do so;
- For the establishment, exercise or defence of legal claims;
- To protect the rights of another; or
- For reasons of important public interest.

### **Right to Data Portability**

Where you have provided personal data to us, you have a right to receive such personal data back in a structured, commonly-used and machine-readable format, and to have those data transmitted to a third-party data controller without hindrance but in each case only where:

- The processing is carried out by automated means; and
- The processing is based on your consent or on the performance of a contract with you.

### **Right to Object**

You have a right to object to the processing of your personal data in those cases where we are processing your personal data in reliance on our legitimate interests. In such a case we will stop processing your personal data unless we can demonstrate compelling legitimate interests which override your interests and you have a right to request information on the balancing test we have carried out. You also have the right to object where we are processing your personal data for direct marketing purposes.

If you do not want to receive newsletters, announcements, or other communications and/or services from Opsview, please do not opt-in for those communications or services at the time of registration. If you have opted-in and, at a later time, wish to opt-out, please unsubscribe by following the unsubscribe process or directions provided at the bottom of every email we send you or by sending us an email entitled “UNSUBSCRIBE” to the Opsview Data Privacy Officer at [privacy@opsview.com](mailto:privacy@opsview.com).

### **Automated Decision-Making**

You have a right not to be subjected to decisions based solely on automated processing, including profiling, which produce legal effects concerning you or similarly significantly affects you other than where the decision is:

- Necessary for entering into a contract, or for performing a contract with you;
- Based on your explicit consent – which you may withdraw at any time; or
- Is authorized by European Union or Member State law.

Where we base a decision solely on automated decision-making, you will always be entitled to have a person review the decision so that you can contest it and put your point of view and circumstances forward.

## Right to Complain

You have the right to lodge a complaint with the Data Protection Authority, in particular in the Member State of your residence, place of work or place of an alleged infringement, if you are unhappy with how we are processing your personal data.

We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than one month after receipt of your request. That period may be extended by two further months where necessary, considering the complexity and number of requests. We will inform you of any such extension within one month of receipt of your request. We may request proof of identification to verify your request. All requests should be addressed to [privacy@opsview.com](mailto:privacy@opsview.com).

It is your responsibility to ensure that any information you have provided to us is accurate and up-to-date. If any of the information that you have provided to us changes, please send us an email entitled 'CHANGE OF DETAILS' to [privacy@opsview.com](mailto:privacy@opsview.com).

## HOW DO WE USE COOKIES?

Cookies are small data files that are stored in your web browser on your computer, tablet or smartphone (each a "Device") when you visit a website. Cookies serve several purposes like letting you navigate between pages efficiently, remembering your preferences, interests or log in details, and generally improving your experience.

Most web browsers automatically accept cookies, but if you do not want to allow cookies or only allow the use of certain types of cookies, please refer to your browser settings which should allow you to accept or deny cookies (please read section "Managing and Disabling Cookies" below for more details about how to do this). You can also use the browser settings to withdraw your consent to the use of cookies at any time or delete cookies that have already been set on your Device. Keep in mind that by disabling certain categories of cookies, you may be prevented from accessing some features of our websites. You should be able to find more in-depth information about opting out of cookies on your browser settings menu.

Opsview uses cookies to gather information on website usage. This information is gathered to improve the content, usability, and functionality of the website. This helps us better understand our customers and improve their experience with us. The following table provides additional information about cookies we use on our Website:

Categories of Use	Description
Preferences, Features, and Services	Cookies can tell us which language you prefer and what your communication preferences are. They can help you fill out forms on our website more easily. They also provide you with features, insights, and personalized content based on other content you've engaged with on the website.
Advertising	We use cookies to show you advertising both on and off the Opsview website. Similarly, we may work with advertising platforms who use a cookie to show you an ad off our website, and to determine how the ad performed, or provide us with information about how you interact with ads.
Performance, Analytics, and Research	Cookies help us learn how well our website performs in different locations, on different devices, and at different times of day.

**WEBSITE COOKIES**

Our specific use of cookies for the primary advertising and social media sites are contained in the following table:

Type	Purpose	Who Provides the Cookie?	Settings and Opt out
Optional	Advertising	Google Adwords	<a href="https://adssettings.google.com/authenticated">https://adssettings.google.com/authenticated</a>
Optional	Advertising	Adroll	<a href="https://app.adroll.com/optout/safari">https://app.adroll.com/optout/safari</a>
Optional	Advertising and Social Media	Twitter	<a href="https://twitter.com/personalization">https://twitter.com/personalization</a>
Optional	Advertising and Social Media	LinkedIn	<a href="https://www.linkedin.com/psettings/advertising/actions-that-showed-interest">https://www.linkedin.com/psettings/advertising/actions-that-showed-interest</a>
Optional	Advertising and Social Media	Facebook	<a href="https://www.facebook.com/ads/preferences/?entry_product=ad_settings_screen">https://www.facebook.com/ads/preferences/?entry_product=ad_settings_screen</a>

Required	Analytics	Marketo	<a href="https://documents.marketo.com/legal/cookies/">https://documents.marketo.com/legal/cookies/</a>
Required	Analytics	Google Analytics	<a href="https://support.google.com/analytics/answer/6004245?hl=en-GB">https://support.google.com/analytics/answer/6004245?hl=en-GB</a>

### Managing and Disabling Cookies

You can control the cookies placed and retained on your Device. The Privacy and Cookies Policy are provided to be transparent about our practices regarding the use of cookies and to allow you the opportunity to make an informed choice.

Where applicable, we will obtain your prior informed consent to use cookies and other tracking technologies which store or access information on your Device. Most browsers accept cookies automatically, but they can be set up to ask for your prior consent before an individual cookie is set on your Device. This will give you control over your cookies, however, it may interfere with your browsing experience as some websites may not function properly and you may not be able to take advantage of all the features offered by our website.

For instructions on blocking and deleting cookies, see the privacy and help documentation of your specific browser’s website. If you use more Devices and/or browsers, you will need to disable cookies on each Device and on each browser separately.

If you limit the ability of our websites to set cookies, this may prevent you from using certain features of our website properly and your user experience – which will no longer be personalised for you – may deteriorate. You may also be able to opt-out from certain cookies through third party cookie management sites. Disabling cookies may prevent you from using certain parts of our website. If you delete your cookies from the browser, you may need to remember to re-install opt-out cookies.



### **Where can I get more information about cookies?**

You can find more information about cookies by visiting the following information websites:

[www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org)

### **DO WE USE YOUR INFORMATION FOR ADVERTISING PURPOSES?**

We may place cookies on partner websites to advertise our brands and/or services. These cookies are mainly used to display content tailored to your interests and to evaluate our content (including advertising). Our cookies are also used by third party sites to provide advertising that is relevant. This relevance is based on a profile derived from your previous visits to our website, including the services you have visited.

We belong to ad networks that may use your browsing history across participating websites to show you interest based advertisements on those websites. For example, cookies can be used in the selection of the advertisements that appear on a Google search results page, or at a website in the Google Display Network (that is, ad content might be based on which pages you viewed during past visits to our website). You can set preferences for how Google advertises to you on their Ads Settings page. You can opt out of interest-based advertising by changing cookie settings in your browser or by using a browser plug in. We do not control cookies used by these advertising networks.

### **CHANGES TO OUR PRIVACY AND COOKIES POLICY**

We reserve the right to change this Privacy and Cookies Policy from time to time at our sole discretion. If we make any changes, we will post those changes here and update the “Last revised” date at the top of this Privacy and Cookies Policy. Where you have previously consented to our use of your personal data, your continued use of the website after we make changes is deemed to be acceptance of those changes, so please check this Privacy and Cookies Policy periodically for updates. If we consider the changes are significant, we will provide a more prominent notice

(including, for certain services, email notification of privacy and cookies policy changes). We will also keep prior versions of this Privacy and Cookies Policy in an archive for your review.

## **CONTACT US**

If you have any questions, comments, requests and complaints regarding this Privacy and Cookies Policy and the information we hold, please contact us at [privacy@opsview.com](mailto:privacy@opsview.com) or use our online Contact Us form to send us a message.

## **MORE INFORMATION**

If you would like further information about data protection, or if you would like to view the register of Data Controllers, you can visit the Information Commissioner's site at [www.ico.gov.uk](http://www.ico.gov.uk).