



## Privacy Policy

Last Modified: May 28, 2019

sensemetrics, Inc. (“sensemetrics”, “we”, “our”, “us”) is committed to protecting your personal information and right to privacy. Our Privacy Policy explains how we collect, use, process, maintain, and share Personal Information, as well as your choices regarding the use, access, and correction of your Personal Information. “Personal Information” is information that identifies an individual or relates to an identifiable individual. It does not include data where the identity has been removed (anonymous data). Personal Information may include, but is not limited to, your name, physical addresses, telephone numbers, email addresses, company affiliations, and associated interests. It may also include your history of transactional activities on the sensemetrics website or platform. The Personal Information that we collect may vary based on your interaction with our website, platform, and requests for our products and services.

This Privacy Policy is provided in a layered format so you can click through to the specific areas below. Please also use the [Definitions](#) to understand the meaning of some of the terms in this Privacy Policy.

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### I. IMPORTANT INFORMATION AND WHO WE ARE

sensemetrics is the controller responsible for the sensemetrics website and platform. This Privacy Policy applies to the use of sensemetrics website and platform, or when you attend a sensemetrics event, or otherwise interact with us (together, the “sensemetrics Services”). The sensemetrics website, webpages, platform, and platform portals (collectively, the “sensemetrics Website”) are primarily directed to our Customers and prospective Customers in a Business to Business, or B2B, context. Our Customers are rarely, if ever, individual consumers. We also will process our Customer Data (defined below) in accordance with our agreements with each Customer. That Customer Data may contain personal information. With the exception of Customer Information (defined below), this Privacy Policy does not apply to our security and privacy practices in connection with your access to and use of sensemetrics products and services. Those security and privacy practices, including how we collect, use, and protect Customer Data are outlined in the applicable agreement between the Customer and sensemetrics.

sensemetrics products and services, including the Website, are not for children. sensemetrics does not permit children to register as Customers. Upon being made aware of any collection or receipt of Personal

Information pertaining to a child under the legal age of consent in the country where the child is located, sensemetrics will delete the information from its records.

We encourage you to read this Privacy Policy so you are fully aware of how and why we use your personal information. If you have any questions or concerns, please contact us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com) or at this address:

sensemetrics, Inc.  
Attn: Data Privacy Manager  
750 B Street, Suite 1630  
San Diego, CA 92101 USA

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your Personal Information changes during your relationship with us.

Finally, our Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements or policies. When you leave our website, we encourage you to read the privacy notice of every website you visit.

## II. WHAT CATEGORIES OF PERSONAL INFORMATION WE COLLECT

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data (for example, your first name, last name, company affiliation, title, and username or similar identifier).
- Contact Data (for example, your business address, billing address, delivery address, email address and telephone numbers).
- Financial Data (for example your bank account and payment card details).
- Transaction Data (for example, details about payments to and from you and other details of products and services you have purchased from us).
- Technical Data (for example, your access keys, internet protocol (IP) address, login data, browser type, time zone setting and location, device type, browser plug-in types, operating system and other technology on the devices you use to access the Website).
- Usage Data (for example, information about how you use our Website, products and services).
- Profile Data (for example, your username and password, purchases or orders made by you, your business/industry, preferences, and help or support requests).
- Marketing and Communications Data (for example, your preferences in receiving marketing from us, if any, and your communication preferences).

We may also collect, use, and share aggregated data such as statistical or technical data for any purpose. Aggregated data may be derived from your personal information but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your usage data to calculate the percentage of users accessing a specific webpage or platform feature. However, if we combine or connect aggregated data with your Personal Information so that it can directly or indirectly identify you, we treat the combined data as Personal Information which will be used in accordance with this Privacy Policy.

Personal Information does not include, and this Privacy Policy does not cover, data from which individual persons cannot be identified, where the identity of an individual has been irretrievably removed, or situations in which personal information is anonymized.

#### Special Categories of Data

sensemetrics does not collect Special Data (i.e., data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, biometric and genetic information, and health or sex life) from its Visitors or Customers, and asks that its Visitors and Customers not provide their Special Data to sensemetrics.

#### WHAT CUSTOMER INFORMATION SENSEMETRICS COLLECTS AND PROCESSES

For certain products (e.g., THREAD devices) sensemetrics is a platform service provider to its Customers. In our capacity as a platform service provider, we will receive, store, and/or process Customer Data owned and/or controlled by our Customers. Customer Data is distinguishable from Customer Information because Customer Data is data and information that may reside on sensemetrics, Customer or Third-Party servers, desktops, or cloud-systems to which sensemetrics is provided access to perform its processing services. Customer Data may include Third-Party Personal Information about a Customer's employees, clients, customers, partners, agents, suppliers, or other individuals (collectively "Customer's Parties"). Customer Data may also be accessible to sensemetrics and the associated Customer via the sensemetrics platform portals. sensemetrics processes Customer Data according to its agreement with Customer and treats Customer Data as confidential in accordance with the terms of that agreement. sensemetrics is provided access to such information under the direction of its Customers, serves solely in the capacity of a data processor, and has no direct relationship with individuals that are Customer's Parties.

### III. HOW WE COLLECT YOUR PERSONAL INFORMATION

#### Cookies, Click-Throughs, Beacons, and other automated technologies or interaction.

As is common with most websites, applications, and platforms, when you visit or access the sensemetrics Website or interact with our platform, including by email, sensemetrics may automatically receive and collect, or facilitate the collection of, your Personal Information and interactions with us and the sensemetrics Website. For example, sensemetrics may collect Personal Information by using first and third party cookies, Flash cookies, HTML5 local storage, server logs, web beacons, clear gifs, click-throughs, and other similar technologies. Personal Information that the Website may automatically receive and collect include, but is not limited to:

- IP address, browser or device type, and network routing information.
- When the webpages were visited, the frequency of visits and the pages visited.
- Website performance data.
- General geo-location data.
- Anonymized segmentation data. (e.g. customer or user type)
- Login session data for the purpose of maintaining an authenticated state with the sensemetrics platform.

Cookies are small files of letters and numbers stored on your browser or device that enable the cookie owner to recognize the device when it visits websites or uses online services. The Website may set cookies directly, known as first-party cookies, or may trigger cookies set by other domain names, known as third-party cookies. We may automatically use some cookies that are strictly necessary for the core functionality of the Website, providing the services you request, enabling communications, and providing a secure digital environment. We request your consent for all of our other cookie uses, which can include:

- The Website may use, or facilitate the use of, other non-essential functionality cookies that enable helpful functions to provide an enjoyable user experience (for example, by recognizing when you return to the Website, remember your preferences, and the like).
- We may also use, or facilitate the use of, analytic or performance cookies, which allow us and our third party service providers to recognize and count the number of Visitors and to see how Visitors move around the Website when they are using them. This helps us improve how the Website works. These analytic cookies generally generate aggregate statistics that are not associated with an individualized profile. For example, the Website uses Google Analytics to track how often people gain access or visit various pages or features of the Website. We use this information to understand what pages and features of the Website Visitors find useful. To better understand Google Analytics, and how you can opt-out of the Google Analytics features, we encourage you to visit the following: <https://tools.google.com/dlpage/gaoptout/>. We do not control third party service provider websites, platforms and applications collecting your Personal Information, in this regard, and are not responsible for their privacy statements or policies. We encourage you to read the privacy notice of every website you visit or application you use when you use or enable these platforms and applications, or leave our Website.

sensematics may also make use of embedded URLs, pixels, widgets, buttons, web beacons, social media buttons, and tools on the Website and emails to link to sensemetrics, and other third party websites, services, and platforms. Bear in mind that non-sensematics websites and services are outside of sensemetrics' control. By clicking on the links or tools, you may be allowing a third-party to collect and/or share your Personal Information. When doing so, we may also collect Personal Information that you share with third party sites and platforms depending upon that third party's privacy practices. We do not control these third party websites, platforms and applications collecting your Personal Information and are not responsible for their privacy statements. Your interactions with these features are governed by the privacy notices of the companies that provide them.

Your consent for our collection and use of your Personal Information may be managed in a variety of ways at the operating system level of your device or equipment, through third-party platform extensions, or you can learn how else you can exercise your option not to accept these cookies. However, cookies are important for the Website to properly function and disabling or limiting their use may limit or interfere with Visitors' experiences or ability to access Website features, functions, and customizations.

In compliance with California AB 370, Section 22575, sensemetrics has a responsibility to inform you that the Website does not take any specific automated action in response to browser "Do Not Track" signals or similar mechanisms ("DNT Signals"). As specified above, there are certain actions that Visitors can take to restrict or eliminate the use of tracking technologies within the Website, however no actions are taken automatically in response to DNT Signals.

#### What you Provide sensemetrics.

sensematics collects information a Visitor may make available, provide, and submit to us, if we have a legal reason to collect the information, or because you consented for us to do so for a specific purpose. For example, we may ask for your name, email address, additional contact information, and other Personal Information when you:

- Register to receive sensemetrics whitepapers through a web form, e-newsletters, or other publications and communications.
- Request support or assistance.
- Sign up for events.
- Apply for a job at sensemetrics.

- Apply for access to the sensemetrics Developer API.
- Request access to demo or test accounts for trial use with the website.

Keep in mind, before you disclose to us the Personal Information of another person, you must obtain that person's consent to both the disclosure and the processing of that information in accordance with this Privacy Policy. If you choose to provide us with that Personal Information, you represent that you have that other person's consent to do so.

#### Information provided by Third Party Partners and Public Sources.

We may receive information about you from various third parties and public sources including, for example, business partners, subcontractors in technical, payment, and delivery services, advertising networks, analytics providers, and (for example, if you are applying for a job) credit reference agencies and background checking agencies. We may receive information about you from them as part of the services we provide you or for legal reasons.

#### If You Are a sensemetrics Customer.

In addition to the above, if you are a Customer, sensemetrics collects "Customer Information," which is information that we obtain from a Customer's online and offline interactions with sensemetrics in or related to the Customer's use of the Website and our products, services, and software, including our platform and associated portals. Customer Information may include Personal Information such as:

- A Customer's name, address, billing information, and employee contact information may be provided by you for Customer account management purposes.
- Visit and access information to the Website, including access and interaction with the platform, may be collected.
- In responding to service or help requests, sensemetrics may receive Customer Information to facilitate a resolution, and Customer Information relating to the request may be retained in accordance with this Privacy Policy.
- We may also associate an IP address, cookie, or other personalization mechanism with a specific Customer to help facilitate a smooth experience when you register an account with sensemetrics or become a Customer using our products and services.

Customer Information is treated according to the terms of sensemetrics's Privacy Policy.

#### IV. LEGAL BASIS FOR PROCESSING (EU/EEA; UK; OTHER APPLICABLE JURISDICTIONS ONLY)

Regardless of your jurisdiction, we will only use your Personal Information when the law allows us to. Our primary legal basis for processing Personal Information is consent. That said, if you are an individual from the EU/EEA, the United Kingdom, or other applicable jurisdictions, our legal basis for collecting and using the Personal Information will depend on the Personal Information concerned and the specific context in which we collect it. As a general rule, we will not collect or access any Personal Information other than under the following circumstances:

- Where we need to perform the agreement we are about to enter into or have entered into with you or your business.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

- Where we need to comply with a legal, regulatory, or self-regulatory obligation.

Note that we may process Personal Information for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need additional details about the specific legal ground we are relying on to process your personal data.

Where we rely upon your consent to process the Personal Information, you have the right to withdraw or decline your consent at any time. If you are a Customer, withdrawal of consent will negatively impact your ability to use our Website, products, and services. You may withdraw consent to marketing at any time by contacting us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com) or by clicking the unsubscribe link in any marketing email. Please note that this does not affect the lawfulness of the processing based on consent before its withdrawal.

sensemetrics also maintains and processes Customer Data that may contain Third-Party Personal Information (“Customer’s Parties”) submitted by its Customers. sensemetrics does not act as a controller with respect to Customer Data when a Customer transfers it to sensemetrics or when Customers provide sensemetrics access to the Customers’ servers, cloud, desktops, networks, or systems. Under these circumstances, sensemetrics is acting under the direction of the Customer and solely as a data processor. Sensemetrics has no direct relationship with the data subjects whose personal information may be in the Customer Data.

## V. HOW SENSEMETRICS USES AND SHARES THE INFORMATION COLLECTED

sensemetrics uses and shares the Personal Information that it collects from its Visitors and Customers, unless otherwise restricted by law, for the following business purposes:

1. *Provide Products and Services.* sensemetrics may use Personal Information to maintain, support, and improve its products and services, deliver and provide the requested products or services, communicate with you about those services or products (including to request feedback), and comply with and enforce its contractual obligations. This includes, for example, managing transactions, reporting, invoices, renewals, customer support and other operations related to providing services to a Customer. This may also include notifications about product and service changes, updates, fixes, patches, or other similar operational (non-marketing) communications.

2. *Provide Relevant News and Developments about Similar Products and Services.* When you sign up for or inquire about receiving our products and/or services, sensemetrics may use your Personal Information necessary to provide you information about a new or improved similar product or service, major changes to our platform or software, an upcoming event, or other necessary marketing communications on sensemetrics’ behalf.

Opting Out: If you wish to discontinue receiving marketing messages sent by us, you can do so by: a) not selecting the option initially provided to receive such communications, b) follow the unsubscribe link in the marketing email, or c) email us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com). If you are a Customer, you will continue to receive information and communications pertaining to your sensemetrics account, products, and services even where you have opted out of marketing communications.

3. *To Provide Information about Other Products and Services.* When you sign up to use our products and services (including, for example, newsletters or whitepapers), with your consent, we may collect and use your Personal Information to communicate with you about different products and services that may be of interest to you. These may be about products or services provided by sensemetrics, or by our technology partners, alliance members, or service providers. These communications may come from sensemetrics or third parties.

Withdrawing Consent: You can manage which communications you would prefer to receive, or elect to not receive these direct marketing communications, or have your Personal Information not shared with third party partners providing the marketing communications, by: a) not initially selecting the options provided to receive such communications, b) using the unsubscribe link in a direct marketing email, or c) emailing us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com). Please note that, in such cases, it will remain necessary for us to process your Personal Information to the extent it is needed to maintain a suppression list, and we may also be required to disclose your opt-out information to third parties so they can suppress your name, from future solicitations. If you are a Customer, you will continue to receive information and communications pertaining to your sensemetrics account, products, and services even where you have opted out of these other marketing communications.

4. *Inquiry/Request Response.* sensemetrics may use Personal Information when a Customer or Visitor contacts us for information or support for its Website, services, products, or account.

5. *Processing of Orders.* We may use Personal Information when a Customer is submitting an order or other transaction through the Website or by other means, such as over the phone.

6. *Monitor Website Usage, Trends, Experience.* sensemetrics may use Personal Information to improve its Website, services, and products, or customer relationships and experiences. Personal Information may be used to remember information a Visitor entered on the Website, track page views and click-through links, or provide information a Visitor requested on our Website. sensemetrics may also use Personal Information to tailor interactions with its Website when a Visitor is logged in as a Customer, or when a Customer is accessing the platform.

7. *Customer Testimonials/Reviews/Exemplars.* Occasionally a customer testimonial or exemplar will be posted on the Website. While Customers are primarily businesses, a testimonial may contain Personal Information. sensemetrics will obtain the Customer's explicit consent to post any Personal Information along with the testimonial/exemplar prior to such posting.

8. *Vendors, Consultants, and other Service Providers.* We may share your information with third party vendors, consultants, and other service providers who are working on our behalf and require necessary access to your information to carry out that work. These service providers are authorized to use your Personal Information only as necessary to provide services to Customers.

9. *Government Reporting/Audit/Requests Requirements.* sensemetrics may use or share Personal Information in order to satisfy governmental reporting, tax, and other requirements (e.g., import/export), as required by law. This may include having to meet U.S. national security or law enforcement, regulatory, or self-regulatory requirements.

10. *To verify and/or authenticate an identity, access rights, privileges, etc.* We may use Personal Information to authenticate and permit online access to Customer account information.

11. *At Your or Customer's Direction.* sensemetrics may use or share Personal Information as requested or directed by you or a Customer with control over the Personal Information. If you or one of our Customers requests or provides such direction, sensemetrics presumes you have consent or other legal authority for the use or sharing. In this event, sensemetrics is acting as a processor of Personal Information under your direction.

Except as otherwise provided herein, sensemetrics discloses Personal Information only to Third Parties who reasonably need to know such data in order to provide the agreed services to the Customers, such as cloud hosts, archive centers, and wireless telephone providers. Such recipients must agree to abide by

confidentiality obligations, respect the security of your Personal Information, and treat it in accordance with the law.

#### Your California Privacy Rights (California Civil Code Section 1798.83)

Residents of the State of California have the right to request from companies conducting business in California a list of all third parties to which the company has disclosed certain personally identifiable information as defined under California law (if any) during the preceding year for third party direct marketing purposes. You are limited to one request per calendar year. In your request, please attest to the fact that you are a California resident and provide a current California address for our response. You may request the information in writing at:

sensemetrics, Inc.  
Attention: Data Privacy Manager  
750 B Street, Suite 1630  
San Diego, CA 92101 USA

#### HOW SENSEMETRICS USES CUSTOMER DATA

sensemetrics also processes Customer Data which may contain Personal Information as agreed upon in the Customer's agreement or otherwise legally obligated under applicable law. sensemetrics processes the Customer Data but will not control its collection or use practices. It is the Customer's obligation to provide any notice and/or obtain any consents necessary for sensemetrics to access, use, collect, retain, and/or transfer Customer Data, including potential Special Categories or Sensitive Data.

If you are an individual who interacts with a Customer using our services, then you will be directed to contact our Customer or any inquiries or requests regarding your Personal Information. We receive Customer Data under the direction of our Customers, and have no direct relationship with individuals whose Personal Information we process in connection with our Customer's use of our services.

#### VI. CROSS BORDER TRANSFERS (EU/EEA; UK; OTHER APPLICABLE JURISDICTIONS ONLY)

sensemetrics is headquartered in the United States but provides a global platform for its business Customers and partners that are located around the world. Thus, sensemetrics takes a global approach to its data privacy and security commitments.

For operational and other legitimate interest reasons, we may process, store, and transfer Personal Information, including that which is in Customer Data, in a country which may be outside of your own, such as the United States, with different privacy laws that may or may not be as comprehensive as your own. We may also transfer your Personal Information to third parties described in [Section V](#), which may be located in a different country to you. Where we do so, and where we are required to do so under local law, we will rely on and put in place lawful measures and mechanisms to ensure your Personal Information receives an adequate level of protection whenever it is processed, such as the US-EU Privacy Shield Framework or EU Standard Contractual Clauses.

When sensemetrics shares your Personal Data with Third Parties, that Third Party must agree in writing to use such Personal Information only for the purposes for which they have been engaged by sensemetrics and they must either: (1) comply with the EU-US Privacy Shield Principles or another mechanism permitted by the applicable European data protection law(s) for transfers and processing of Personal Information; or (2) agree to provide adequate protections for the Personal Information that are no less protective than those set out in this Privacy Policy. If you are visiting our Website from the EU/EEA or UK or other regions with laws governing data collection and use, please note that you are acknowledging and agreeing to the transfer of



your Personal Information to the U.S. and other jurisdictions in which we operate. By providing your Personal Information, you consent to any such transfer in accordance with this Privacy Policy.

## VII. DISPUTE RESOLUTION

Customers with questions or concerns about the use of their Personal Information should contact us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com). Upon receipt of the question or concern we will begin an investigation and attempt to achieve a resolution as soon as reasonably possible. If we cannot satisfy the Customer's question or concern through this informal process, sensemetrics may in its discretion agree to formal mediation of the issue.

## VIII. DATA INTEGRITY AND SECURITY

sensemetrics uses reasonable efforts to maintain the accuracy and integrity of Personal Information and update it as appropriate. While no security is impenetrable, sensemetrics implements and maintains commercially appropriate technical, physical, administrative and organizational measures to ensure a level of security appropriate to the risk for sensemetrics' processing of the Personal Information. sensemetrics maintains, monitors, tests, and upgrades information security policies, practices, and systems to assist in protecting the Personal Information that it knowingly collects from, and to maintain the ongoing confidentiality, integrity, availability and resilience of sensemetrics' systems and services. sensemetrics personnel receive training, as applicable, to effectively implement its privacy policies.

sensemetrics has implemented physical and technical safeguards, online and offline, to protect Personal Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. For example, electronically stored Personal Information is stored on a secure network with firewall protection, and access to sensemetrics' electronic information systems requires user authentication via password or similar means. Moreover, the servers on which Personal Information is stored are kept in secure environments. Further, sensemetrics uses secure encryption technology to protect certain categories of Personal Information. For example, Secure Socket Layer encryption is employed on secure pages, such as order forms.

Additionally, sensemetrics has designated an internal team to oversee its information security program. The internal team shall review and approve any material changes to sensemetrics' information security program as necessary. Any questions or concerns regarding the security practices under this Privacy Policy may be directed to [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com).

Despite these precautions, no data security safeguards guarantee 100% security all of the time. We have put in place procedures to deal with any suspected Personal Information breach and will notify you no later than 72 hours after we become aware of the breach. We will also notify any applicable regulator of a breach where we are legally required to do so.

## IX. MINIMIZATION, RETENTION, AND DELETION OF PERSONAL INFORMATION

sensemetrics will retain Visitor and Customer information, and where applicable, Customer Data, all of which may include Personal Information, not longer than is necessary for the purpose or purposes of its collection and processing, or unless a longer retention period is required or permitted by law (such as tax, accounting, or other legal requirements). For example, sensemetrics may retain the Personal Information as necessary to comply with sensemetrics' legal and contractual obligations, to enforce an agreement, for as long as the applicable Customer's account is active, for as long as the Website is being used by the Customer, and/or to enable sensemetrics to investigate events and resolve disputes, subject to our compliance with this Privacy Policy.

To determine the appropriate retention period of Personal Information, we consider the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of Personal Information, the purposes for which we process Personal Information and whether we can achieve those purposes through other means. In some circumstances, you can ask us to delete your Personal Information: see [Erasure](#) below for further information. When we have no ongoing business need to process your Personal Information, we will either delete or anonymize it, or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible. For Personal Information that we process on behalf of our Customers, we retain such Personal Information in accordance with our agreement with them, subject to applicable laws and this Privacy Policy.

## X. YOUR RIGHTS (EU/EEA, UK, AND OTHER APPLICABLE JURISDICTIONS)

Under certain circumstances, you have rights under applicable data protection laws with respect to Personal Information we knowingly collected. Please click on the links below to expand and find out more about those rights.

- [Choice](#)
- [Request access to your Personal Information](#)
- [Request correction of your Personal Information](#)
- [Request erasure of your Personal Information](#)
- [Object to processing of your Personal Information](#)
- [Request restriction of processing your Personal Information](#)
- [Request transfer of your Personal Information](#)
- [Right to withdraw Consent](#)

sensematics will use commercially reasonable efforts to comply with any of these requests regarding your Personal Information. Please recognize that sensemetrics may in certain circumstances be unable to provide the access or information sought, or correction or deletion requested. For example, sensemetrics may be unable to fulfil a request if it requires us to release commercial confidential information, the disclosure of Personal Information relating to another person that is not the requestor, or would result in impracticability, excessive redundancy, and/or an undue burden or expense to sensemetrics. We may need to verify your identity before acting on your request. This is a security measure to ensure that Personal Information is not disclosed to any person who has no right to receive it. We may also contact you for further information in relation to your request to facilitate or expedite our response.

You will not have to pay a fee for these requests. However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests.

- **Choice.** sensemetrics enables its Visitors and Customers the ability to determine certain privacy preferences that can serve to modify the Personal Information collected. For example, you may choose your e-mail marketing preferences and can disable browser cookies. Please note that the disabling of cookies may prevent the Website from working properly or at all. Limiting or disabling cookies may limit or interfere with the ability to access Website features, functions and customizations, particularly Customer Accounts.
- **Right to Access.** A person who reasonably believes that his or her Personal Information is being processed by sensemetrics has the right to ask us for confirmation on whether their Personal Information is being processed, and if so, the person may request access to the Personal

Information and related information on that processing (for example, the processing purposes, or the Personal Information categories involved).

- Correction. You may request correction of the Personal Information that we hold about you. In making modifications to your Personal Information, you must provide only truthful, complete, and accurate information. In your request, please be as clear as possible what Personal Information you have provided to sensemetrics and what Personal Information you would like edited and/or updated. If a Customer seeks to request erasure of Personal Information, Customers should submit a written request to sensemetrics. If you are not a Customer but know or have a reasonable belief that you provided Personal Information to sensemetrics that you would like deleted, please contact us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com).
- Erasure. You may ask us to delete or remove Personal Information. This right may be exercised where our processing of your information is no longer necessary for the purposes for which it was collected or otherwise processed. You also have the right to ask us to delete or remove your Personal Information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully, or where we are required to erase your Personal Information to comply with applicable law. Note, however, that for legal or contractual reasons, we may not always be able to comply with your request of erasure. Erasure will be undertaken in the manner described under [Section IX](#). You may edit or update your Personal Information by contacting us at [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com).
- Object to processing. You may object to the processing of your Personal Information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Restriction. You may request restriction of processing of your Personal Information which enables you to ask us to suspend the processing of your Personal Information in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Transfer. You can request the transfer of your Personal Information to you or to a third party. We will provide to you, or a third party you have chosen, your Personal Information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform an agreement with you.
- Withdraw Consent. You may withdraw consent at any time where we are relying on consent to process your Personal Information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
- Requests for Personal Information. sensemetrics will track each of the following and will provide notice to the appropriate parties under law and contract when either of the following circumstances arise: (a) legally binding request for disclosure of the Personal Information by a law enforcement authority unless prohibited by law or regulation; or (b) requests received from the Data Subject.

#### CUSTOMER'S PARTY RIGHT TO ACCESS

SENSEMETRICS' ACCESS TO CUSTOMER DATA IS PRESCRIBED BY THE CUSTOMER ACTING AS THE DATA CONTROLLER, AND LIMITED TO SENSEMETRICS' ROLE AS A DATA PROCESSOR. AS SUCH, IF SENSEMETRICS RECEIVES A REQUEST FOR PERSONAL INFORMATION FROM A CUSTOMER'S PARTY, THEN, UNLESS OTHERWISE REQUIRED BY LAW OR CONTRACT WITH SUCH CUSTOMER, SENSEMETRICS WILL REFER SUCH REQUEST TO THE CUSTOMER CONTROLLER. PERSONS THAT

HAVE SUBMITTED THEIR PERSONAL INFORMATION TO OUR CUSTOMERS SHOULD CONTACT THE CUSTOMER IN THE FIRST INSTANCE TO UPDATE THEIR DATA AND INFORMATION.

#### XI. ACCEPTANCE AND CHANGES TO THIS POLICY

This Privacy Policy may be amended from time to time, consistent with applicable data protection and privacy laws and principles. We will post those changes on our Website so that Visitors and Customers are always aware of what information we collect, how we use it, and under what circumstances we disclose it. We reserve the right to modify this Privacy Policy at any time, so please review it frequently. We will also notify you by email or Website message if we make changes that materially affect the way we handle Personal Information. If you do not wish your information to be subject to the revised Privacy Notice, you will need to notify us and discontinue use of the Website and related services. Your use of the Website and services after the posting of such changes will constitute your consent to such changes.

By using sensemetrics' Services and/or submitting your Personal Information to our Website, you agree to the terms of this Privacy Policy. Please do not send us any Personal Information if you do not want that information used in the manner described here.

#### XII. QUESTIONS OR COMPLAINTS

You may contact sensemetrics with questions or complaints concerning this Privacy Policy at the following address [privacymanager@sensemetrics.com](mailto:privacymanager@sensemetrics.com) or at:

sensemetrics, Inc.  
Attention: Data Privacy Manager  
750 B Street, Suite 1630  
San Diego, CA 92101 USA

#### XIII. DEFINITIONS

Capitalized terms in this Privacy Policy have the following meanings:

"Customer" means a prospective, current, or former customer, or client of sensemetrics. The term also shall include any individual agent, employee, representative, customer, or client of a Customer where sensemetrics has obtained his or her Personal Information from such Customer as part of its business relationship with the Customer.

"Customer Data" is data and information that may reside on sensemetrics, Customer or Third-Party servers, desktops, or systems to which sensemetrics is provided access to perform its processing services. Customer Data may include Third-Party Personal Information about a Customer's Parties.

"Customer Information" is information that sensemetrics may collect from a Customer's online and offline interactions with sensemetrics in or related to the Customer's use of the Website and sensemetrics' Services. Examples of such information include a Customer's name, address, billing information, employee contact information, Website visits, or other such account information. sensemetrics may also associate an IP address, cookie, or other automatic personalization mechanism with a specific Customer.

"Customer's Party" is third parties that are Customer's employees, clients, customers, partners, agents, suppliers, or other individuals that are unaffiliated with and have no direct relationship to or with sensemetrics. Customer's Party data and information may be included in Customer Data.

“EU/EEA” refers to any country or member state currently in the European Union (EU) and/or the European Economic Area (EEA).

“Personal Information” is any information relating to an identified or identifiable natural person. This is any information, in any form, relating to a living person who can be identified, directly or indirectly, by reference to that information. It includes, but is not limited to, an individual’s name, country of birth, marital status, emergency contact, salary information, terms of employment, job qualifications (such as educational degrees earned), address, phone number, e-mail address, user ID, password, and/or identification numbers. Personal Information does not include data that is de-identified, anonymous, or publicly available.

“sensemetrics Website” or “Website” means <https://sensemetrics.com/> or any of its inside or inner pages, including but not limited to the sensemetrics’ platform portals and API.

“Specific Categories” or “Sensitive Data” or “Sensitive Information” (as interchangeable terms) means Personal Information that discloses a person’s medical or health condition, race or ethnicity, political, religious or philosophical affiliations or opinions, sexual orientation, genetic or biometric information, or trade union membership.

“Third Party” is any individual or entity that is neither sensemetrics nor an sensemetrics employee. For example, it may be an agent, contractor, vendor, partner or representative. The term may also mean any individual or entity that is not associated with the individual or entity with which it is being used in conjunction. For example, if another person is requesting a change to your personal information, that other person would be a considered Third Party (in relationship to you).

“Visitor” is an individual that may or may not be a Customer, who visits the Website.