



GLOBAL PRIVACY POLICY

Data Innovations LLC, including its subsidiaries (“Data Innovations”) is a developer and provider of software solutions (“Products”) and related maintenance and support services and related professional services (collectively referred to as “Services”). As a provider of the Products and Services Data Innovations may have access to and processes the personal information of its users of its Products and Services (“Users”). Data Innovations is committed to protecting the privacy of its User’s personal information. Data Innovations has established this Privacy Policy to provide a general explanation of how Data Innovations will collect, use and disseminate the personal information.

1) DEFINITIONS

- a) **Contractor** means all third-party workers who Process Personal Information as part of their respective duties or responsibilities.
- b) **Data Controller** means the entity which determines the purposes and means of the Processing of Personal Information.
- c) **Data Processor** means the entity which Processes Personal Information on behalf of the Data Controller.
- d) **Data Protection Law** means any law, subordinate legislation, bylaw, enforceable right, regulation, order, regulatory policy, mandatory guidance or code of practice, judgment of a relevant court of law, or directives or requirements or administrative interpretation of any of the above, as well as any guidance, guidelines, codes of practice, approved codes of conduct or approved certification mechanisms issued by any relevant supervisory authority related to the Processing of Personal Information with which Data Innovations is bound to comply, including but not limited to GDPR and HIPAA;
- e) **Data Subject** means the identified or identifiable person to whom the Personal Information relates.
- f) **Employee** means an employee, or former employee of Data Innovations.
- g) **GDPR** means the General Data Protection Regulation ((EU) 2016/679) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the Processing of Personal Information and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- h) **HIPAA** means the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) and Title XIII of the American Recovery and Reinvestment Act of 2009 (“ARRA”) also known as the Health Information Technology for Economic Clinical Health Act (the “HITECH Act”).
- i) **Personal Information** means any information, received from or on behalf of the **User**, or otherwise obtained in connection with the performance of Services by Data Innovations for or on behalf of the Users, that directly, or indirectly to can be used to identify (i) a natural person, including but not limited to Sensitive Information and (ii) a legal entity (where such information is protected in a similar way as personal data or personally identifiable information under applicable Data Protection Laws).
- j) **Personal Information Breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized use, disclosure of, or access to, Personal Information transmitted, stored or otherwise Processed.
- k) **Primary Purpose** means the purpose for which Personal Information was originally collected.
- l) **Privacy Impact Assessment** means a process used to identify and document risks associated with the Processing of Personal Information.
- m) **Processing** means any operation or set of operations that is performed on Personal Information, whether or not by automatic means, such as collection, recording, storage, organization, alteration, use, disclosure, structuring, adaptation, retrieval, consultation, dissemination or otherwise making available, alignment or combination, restriction (including the granting of remote access), transmission or deletion of Personal Information.
- n) **Sensitive Information** means Personal Information that receives heightened protection under Data Protection Law, because it:
 - i) Reveals an individual’s racial or ethnic origin, political opinions or membership in political parties or similar organizations, religious or philosophical beliefs, membership in a professional or trade organization or union; or
 - ii) Relates to physical or mental health including any opinion thereof, disabilities, genetic code, addictions, sex life, biometrics, criminal offences, criminal records or proceedings or unlawful behavior;
- o) **Service Agreement** means the underlying agreement between Data Innovations and the User pursuant to which the Services are performed.
- p) **Service Provider** means any third-party entity which Data Innovations uses to provide certain services, such as hosting, software maintenance, database maintenance, address verification, order fulfillment, credit card processing, training, or human resource management.
- q) **Supplier** means any individual or individuals associated with an entity, which provides goods or services to Data Innovations (such as an agent, consultant or vendor).



2) INTRODUCTION

- a) Data Innovations Processes Personal Information of Users in the performance of Services for such Users. Data Innovations is committed to protecting the Personal Information of its Users it handles.
- b) This General Privacy Policy (“**Policy**”) is based on legal requirements and internationally recognized standards, principles and practices relating to the handling of Personal Information, establishes a high-level framework and indicates how this commitment is met by Data Innovations. The Policy also sets forth how Data Innovations seeks to protect Personal Information in its possession and ensures staff understand the rules governing their use of Personal Information to which they have access in the course of their work.
- c) This Policy supplements Data Innovations other policies relating to information security or document management and any separate privacy and security agreements, required to facilitate compliance with Data Protection Laws, that are entered into between Data Innovations and its Users.
- d) Data Innovations may supplement or amend this Policy by additional policies and guidelines from time to time.

3) PURPOSE OF POLICY

- a) This Policy addresses the Processing of Personal Information of Users for whom Data Innovations provides Services. This Policy aims to ensure compliance with the Data Protection Laws.
- b) All Data Innovations Employees, Contractors, Suppliers, Service Providers, and other third parties who receive or have access to Personal Information must be familiar with this Policy and comply with its terms

4) PROCESSING OF PERSONAL INFORMATION

- a) The parties acknowledge and agree that with regard to the Personal Information, User shall be the Data Controller and Data Innovations shall be the Data Processor.
- b) Prior to providing Data Innovations with access to any Personal Information, Users are required to obtain any necessary consent from Data Subjects for the Processing of the Data Subjects’ Personal Information.
- c) Data Innovations shall not Process Personal Information other than on the User’s instructions unless Processing is required by Data Protection Laws, in which case Data Innovations shall, to the extent permitted by Data Protection Laws, Process such data in accordance with the applicable Data Protection Laws.
- d) Data Innovations only Processes Personal Information that is relevant and useful for the purposes for which it is collected. Personal Information is only collected and Processed if Data Innovations has a legal basis for such purposes, which may include providing appropriate notice depending on the applicable Data Protection Law.

Processing of Personal Information includes:

- e) Activities necessary for Data Innovations’ to perform business operations including the performance of Services, including:
 - i) Marketing, sales, and other promotional activities;
 - ii) Client relationship and account management;
 - iii) External communications;
- f) Internal operations and personnel management, including:
 - i) Finance and accounting;
 - ii) Purchasing, order, and event management;
 - iii) HR, personnel, and employee related management and training activities;
 - iv) To prevent, detect, investigate, and address violations of law or Data Innovations policy;
- g) Compliance, including:
 - i) Compliance with Data Protection Law and other legal and regulatory obligations to which Data Innovations is subject; and
- h) As otherwise required or permitted by law.

Data Innovations takes commercially reasonable steps to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, or destruction.

5) DATA PROCESSING PRINCIPLES

Data Innovations will observe the following principles in respect of the Processing of Personal Information to:

- a) Process Personal Information fairly and lawfully in line with individuals’ rights;
- b) Collect Personal Information only for specified, explicit and legitimate purposes and to not further Process them in a manner that is incompatible with those purposes;
- c) Make sure that any Personal Information Processed for a specific purpose is adequate, relevant and not excessive for that purpose;
- d) Keep Personal Information accurate and up to date;



- e) Keep Personal Information for no longer than is necessary; and
- f) Keep Personal Information secure against loss or misuse

6) INFORMING THE INDIVIDUAL

As Data Innovations deems appropriate or as required by Data Protection Law, Data Innovations will inform individuals through privacy notices about:

- a) The purposes for which their Personal Information is Processed, including whether Data Innovations sells Personal Information (if applicable) or discloses it for business purposes;
- b) Categories of third parties to whom Data Innovations sells Personal Information (if applicable) or discloses it for a business purpose;
- c) Categories of Personal Information being Processed;
- d) Sources from where Personal Information is obtained;
- e) Location of Personal Information Processing activities;
- f) Information regarding transfer of the individual's Personal Information to other countries with laws that may provide less protection than the individual's own country;
- g) Description of individual rights under Data Protection Law;
- h) How the individual can contact Data Innovations to exercise individual rights or make other enquiries under Data Protection Law; and
- i) Other relevant information related to handling or Processing of Personal Information as may be required by Data Protection Law.

7) RISK ASSESSMENTS

- a) Where Data Innovations considers it necessary, or as required by Data Protection Law, new initiatives or activities that involve or affect the Processing of Personal Information will undergo appropriate risk assessments (Privacy Impact Assessments) to evaluate, report, mitigate, and monitor risks associated with the envisioned information Processing.
- b) Upon written request, Data Innovations shall provide reasonable assistance to Users with any data protection impact assessments, and assist in consultations with competent data privacy authorities, which User reasonably considers to be required by article 35 or 36 of the GDPR or equivalent provisions of any other Data Protection Law, in each case solely in relation to Processing of Personal Information, and taking into account the nature of the Processing and information available to Data Innovations.

8) RIGHT OF DATA SUBJECTS

- a) Data Innovations shall, to the extent legally permitted, promptly notify User if it receives a request from a Data Subject to exercise the Data Subject's right of access, correction, amendment, or the option to opt out of a sale (if applicable), right to rectification, restriction of Processing, erasure ("right to be forgotten"), obtaining copies of Personal Information, data portability, objection to the Processing, or right not to be subject to automated individual decision making ("Data Subject Request") related to the Personal Information Data Innovations holds about the Data Subject.
- b) Taking into account the nature of the Processing, Data Innovations shall assist User by appropriate technical and organizational measures, insofar as practicable, to fulfil User's obligation to respond to a Data Subject Request under Data Protection Laws.
- c) In addition, to the extent User does not have the ability to address a Data Subject Request, in relation to the Personal Information, Data Innovations shall upon User's request provide commercially reasonable efforts to assist User to respond to such Data Subject Request, to the extent Data Innovations is legally permitted to do so and the response to such Data Subject Request is required under Data Protection Laws.

9) PERSONAL INFORMATION RETENTION

- a) Personal Information will not be retained for any longer than necessary but will be stored as described for as long as the information is required to fulfill our legitimate business needs or the purposes for which the information was collected, or for as long as is required by law.

Upon the ending of the applicable retention period, Personal Information must be:

- b) Securely deleted or destroyed;
- c) Anonymized; or
- d) Archived securely, where allowed or required by local applicable law or applicable information retention policy.

10) SECURITY

- a) Data Innovations has, and shall continue to, implement commercially reasonable steps to protect Personal Information transmitted to Data Innovations and to protect such information from loss, misuse, unauthorized access, disclosure, alteration, or destruction.



- b) All Employees are required to adhere to Data Innovations' respective security protocols and procedures, in particular to Data Innovations' policy relating to information security.

11) CONFIDENTIALITY

- a) Data Innovations shall ensure that its Employees are informed of the confidential nature of the Personal Information, have received appropriate training on their responsibilities and have executed written confidentiality agreements. Data Innovations shall ensure that such confidentiality obligations survive the termination of the engagement by Data Innovations of the personnel.
- b) Employees of Data Innovations are only allowed access to Personal Information as necessary and to the extent required to perform their assigned job functions, and to serve the purpose(s) for which the Personal Information was collected.
- c) Employees of Data Innovations are restricted from sharing, transferring or otherwise disclosing Personal Information in a manner inconsistent with this Policy, and Data Innovations will ensure appropriate contractual and other controls are imposed on Contractors, Suppliers and Service Providers.
- d) All Employees and Contractors are required to adhere to the confidentiality obligations as set out in their contracts of employment or other contractual agreements and with applicable Data Innovations policies.
- e) Employees and Contractors are required to immediately report actual or potential data protection compliance failures to Data Innovations' Privacy Officer (who also acts as Data Innovation's Privacy Advocate) and Data Innovations management. This allows Data Innovations to investigate the failure and take remedial steps, if necessary, and make any applicable notifications.

- 12) **DATA BREACHES.** Data Innovations shall make every effort and measure to reduce the risk of data breaches and has dedicated controls and procedures in place for such situations, along with procedures to make notifications to the relevant supervisory authority, Users and Data Subjects (where applicable).

13) TRANSFER OF PERSONAL INFORMATION TO THIRD PARTIES

- a) Transfers of Personal Information to third parties can occur via actual physical or technical transfer, or by providing remote access to Personal Information. Data Innovations will transfer Personal Information to third parties:
 - i) To the extent necessary to fulfill the purpose for which the Personal Information is Processed;
 - ii) For purposes to which the individual has provided consent; or
 - iii) As required by applicable law.
- b) Data Innovations will only allow Processing of Personal Information by third-party Data Processors which have agreed to appropriate contractual obligations regarding the Processing of Personal Information, including:
 - i) Processing Personal Information only at the direction of and for the specific purposes authorized by Data Innovations;
 - ii) Protecting the confidentiality, integrity, and availability of the Personal Information;
 - iii) Implementing commercially reasonable steps to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, or destruction;
 - iv) Prohibiting Service Providers from Processing the Personal Information without prior written consent from Data Innovations;
 - v) Prohibiting Processing of Personal Information for the third party's own purposes or those of any additional third party, including but not limited to selling, marketing or commercially exploiting Personal Information, or retaining, using, or disclosing Personal Information outside of the direct business relationship with Data Innovations;
 - vi) Providing Data Innovations with the right to review security measures or perform vendor risk assessments and submit Processing facilities to inspection or audit by Data Innovations or independent auditor;
 - vii) Promptly notifying Data Innovations of any information security incident involving Personal Information.

14) INTERNATIONAL DATA TRANSFERS

- a) Many countries have limitations and restrictions on the extent and type of Personal Information that may be transferred or Processed outside of the country of origin. Data Innovations ensures that any Personal Information Processing occurs in compliance with Data Protection Law.

15) POLICIES AND PROCEDURES

- a) Data Innovations has developed and implemented procedures, sub-policies, and processes aimed at ensuring compliance to this Policy.
- b) Data Innovations takes compliance with this Policy very seriously. Failure of Employees to comply puts Data Innovations at risk and may lead to disciplinary action, which may result in dismissal.



16) TRAINING

- a) Data Innovations shall provide training on this Policy and other Data Protection Law to those Employees and Contractors who have access to Personal Information or who have responsibilities associated with Personal Information management.

17) COMPLIANCE MONITORING AND AUDITS

- a) Data Innovations will perform periodic audits on Data Innovations business processes that involve the Processing of Personal Information in the regular course of Data Innovations' audit activities.
- B) Upon written request, Data Innovations shall respond to requests for information by a User in relation to the Processing of the User's Personal Information and compliance with this Policy.

18) DELETION OR RETURN OF PERSONAL INFORMATION AND COPIES: Upon receipt of a User's written request, and in accordance the Service Agreement, Data Innovations shall either securely delete or securely return all the Personal Information to User in such form as the User reasonably requests upon (i) the termination of the Service Agreement; or (ii) once Processing by Data Innovations of any Personal Information is no longer required for the purpose of Data Innovations' performance of the Services(whatever comes earlier), provided Data Innovations is not required by law to retain the Personal Information.

19) LEGAL DISCLOSURES. In certain situations, Data Innovations may be required to disclose Personal Information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

QUESTIONS OR COMMENTS. Any questions or comments about this Policy should be directed to privacyofficer@datainnovations.com.