

Marketch Digital Solutions Website Privacy Policy

Please read this Privacy Policy carefully before using the <https://www.marketchdigital.com/> (the "Service") operated by Marketch Digital Solutions LLC ("us", "we", "our", "Marketch", "Marketch Digital Solutions", or "Marketch Digital Solutions LLC").

Marketch Digital Solutions is the data controller for processing personal data provided to us through the Service. Our registered office is at 188 Albion Street, San Francisco, California.

This page informs you of our policies regarding the collection, use and disclosure of Personal Data when you use our Service. It applies to personal data and other information collected by us from or about: (i) visitors ("Visitors"), (ii) user ("Applied Users"), and (iii) customers ("Customers").

We will not use or share your information with anyone except as described in this Privacy Policy.

We use your Personal Data for providing and improving the Service and Product(s). By using the Service, you agree to the collection and use of information in accordance with this policy. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our Terms and Conditions, accessible at <https://www.marketchdigital.com/>.

DEFINITIONS

- Personal Data: any information relating to an identified or identifiable real person. An identifiable real person is defined as any real person who can be directly or indirectly identified.
- Processing: any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collecting, recording, transmission, storage, conservation, extracting, consultation, use, disclosure by transmission and so on.
- Controller: the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data.
- Processor: the natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.
- Third party: a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the controller or processor, are authorized to process personal data.
- Consent: consent of the data subject means any freely given, specific, informed and

unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

COMMUNICATIONS

You may communicate with us using any of the following methods:

- E-mail, via justin@marketchdigital.com for general communication, product information, privacy-related information or request, support or any other commercial or non-commercial inquiry, and for any privacy-related information or request via justin@marketchdigital.com
- Contact Forms for general communication, product information, support or any other commercial or non-commercial inquiry
- Support Chat for any information on inquiries on our Service or Products; • If you initiate a contact with us, without being a registered user, we will use your contact information to respond to your requests.

We may send you information by email on our Service's new content, our Products, or other promotions. If required by applicable law, we will send you such information only with your consent, which was given at the time you provided us with the Personal Data.

Please note that we will send transactional messages, triggered, but not limited by opt-ins, opt-outs, account changes, and any Personal Data requests.

We will deliver Service Bulletins and Product Bulletins regarding the provision of our Service to our Service Customers, unless an account deletion and/or contract termination request is made.

A Service Bulletin is non-marketing and non-commercial communication including but not limited to updates to the Terms and Conditions, Privacy Policy, Cookie Policy, Business Transactions, and any other contractual communication.

A Product Bulletin is a non-marketing and non-commercial communication, including but not limited to security notifications, Product(s) updates, Product(s) security patches or data breach notifications.

INFORMATION COLLECTION AND USE

When you submit an application on our Service ("Applied User"), or when you order a Product(s) from our Service ("Customer"), we save the following Personal Data we collect the following Personal Data from you:

- First and last name;

- Your email address;

We collect this information for the purpose of providing the Service, identifying and communicating with you, responding to your requests/inquiries, and improving our services.

We will never collect sensitive categories of data such as:

- race and ethnic origin (besides voluntary declaration of Hispanic/Latino origins);
- politics;
- religion;
- trade union membership;
- genetics;
- biometrics (where used for ID purposes);
- health (besides voluntary declaration of Disability Status);
- sex life;
- criminal records;
- sexual orientation.

Automatically Collected Data

When you visit the Service, we may automatically collect information that your browser sends whenever you visit our Service (“Analytics Data”). This Analytics Data may include information such as the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, actions performed on those pages, your computer’s Internet Protocol (“IP”) address, browser type, browser version, and other Service usage statistics.

In addition, we may use third-party services such as Google Analytics and Facebook Analytics that collect, monitor and analyze this type of information in order to improve our Service. These third-party service providers have their own privacy policies addressing how they use such information.

The full list of third-party services collecting any Automatically Collected Data includes:

- Google Analytics
- Google Ads
- Facebook Analytics
- LinkedIn
- Google Optimize
- Hotjar
- Quora

We do not use your submitted Personal Data in association with any Automatically Collected Data. When we process Automatically Collected Personal Data you can expect a minimal privacy impact.

HOW WE USE YOUR INFORMATION

To provide the Service and respond to your requests, we use Personal Data submitted by you to provide access to the Service, assist your support request and inquiries and to notify you of important changes to the Services. This use is necessary for the performance of the contract between you and us.

When you ask for information about the Service or about the Products, we will use your contact information to respond to your requests. Such use is necessary to respond to your request prior to entering into a contract with us. We will never use the Personal Data acquired from this type of communication for marketing purposes.

We will use your Personal Data for marketing purposes only to the extent permitted by applicable law. We may use your Personal Data to send you information by email on our Service's new content, our Products, or other promotions.

Where required by the applicable law, we will obtain your consent before doing so. We will send you such information only with your consent, which was given at the time you provided us with the Personal Data. If you do not provide us with your consent to the processing of your Personal Data for this purpose, we will not send you this information.

You are entitled to withdraw your consent at any time, including by following the instructions contained in each promotional communication we send you permitting you to "opt-out" of receiving future promotional information, and/or withdrawing your consent from your Control Panel. Additionally, if, at any time, you wish not to receive any future communications, or you wish to have your name deleted from our mailing lists, or you wish to have your Personal Data removed from our Service, please contact us at: justin@marketchdigital.com

If the content of the message delivered to the above-mentioned address is blank, we will stop processing any Personal Data associated with the e-mail address until further clarification.

Please note that we will continue to contact you via email only to respond to your requests and inquiries. This use is necessary for the performance of the contract between you and us.

Please note that we will continue to deliver transactional messages, triggered, but not limited by opt-ins, opt-outs, account changes, and any Personal Data requests. This use is necessary for the performance of the contract between you and us.

We will continue to deliver Service Bulletins and Product Bulletins regarding the provision of our Service to our Service Customers unless an account deletion and/or contract termination request is made. This use is necessary for the performance of the contract between you and us.

If you no longer wish to receive any communication at all from our service, you can terminate

the contract between you and the Service by deleting your account. If you are a Customer of a supported product by our Service, we won't be able to provide you with support or product updates.

We may use your Automatically Collected Personal Data to analyze, administer, support, and improve the use of the Service. We may use data relating to your use of Service, without identifying you, to analyze, administer, support and improve your access to and use of the Services.

We may also compile, anonymize and/or aggregate your Personal Data and other data and use such anonymized and/or aggregated data for our business purposes. This aggregate information does not identify you, and we may share such data with affiliates and business partners. This use of your Personal Data is necessary for our legitimate interests in understanding how the Service is being used by you and to improve your experience on it.

We may use your Personal Data for other purposes. We will use your Personal Data for other purposes only after providing specific notice at the time of collection, and only after an explicit opt-in.

COOKIES

A cookie is a piece of information sent to your browser from a website and stored on your computer's hard drive. Cookies can help a website recognize repeat users and allow a website to track web usage behavior. Cookies work by assigning a random number to the user and has no meaning outside of the assigning website.

Cookies are a common practice with almost all professional websites. We use cookies to collect information about your device, such as IP address, operating system, and browser type in order to improve your experience. More information on how we use Cookies, how to disable cookies, the type of cookies we set and how cookies relate to your privacy can be found in our Cookie Policy, accessible at <https://www.marketchdigital.com/>. If you have any questions about the Cookie Policy, please contact us at: justin@marketchdigital.com

When you're first connected to our Service, you will be asked to confirm whether you agree to our use of cookies and similar technologies in accordance with this Policy.

Some cookies expire at the end of your visit to our website (session cookies), others remain on your computer or terminal device for a longer period (persistent cookies).

SHARING AND DISCLOSURE

We may share your Personal Data and other information with certain third parties without

further notice to you, as set forth below:

- **Vendors and/or Service Providers:** to perform certain services and functions: providers of payment processing and fraud prevention, marketing, web analytics, hosting, email communication and customer support services, and recruiting services and to assist us in meeting our business processes and our operational needs. Pursuant to our instructions, these parties may access, process or store Personal Data in the course of performing their duties to us as data processors. These third parties have access to your Personal Data only to perform specific tasks on our behalf and are obligated not to disclose or use your information for any other purpose.
- **Legal Requirements:** if required to do so by law or in the good faith belief that such action is necessary to (i) comply with a legal obligation or lawful requests by public authorities, including meeting national security or law enforcement requirements and applicable law, rule, order, or regulation, (ii) protect and defend the rights or property of the Service, (iii) act in urgent circumstances to protect the personal safety of users of the Service or the public, or (iv) protect against legal liability.

UPDATE YOUR INFORMATION

If you need to change or correct your Personal Data provided to us or wish to have Personal Data removed from our systems, you can use the built-in functionality, or you may contact us at: justin@marketchdigital.com

We will address your requests as required by applicable law.

EU AND EEA DATA SUBJECTS

This section applies if you are an EU data including the European Economic Area countries of Iceland, Liechtenstein and Norway and, where applicable, Switzerland.

Subject to the applicable law, you have the following rights in relation to your Personal Data:

- **Right of access:** if you ask us, we will confirm whether we are processing your Personal Data and, if so, provide you with a copy of that Personal Data (along with certain other details). If you require additional copies, we may need to charge a reasonable fee. If you are a Registered user, you may download your data via the built-in functionality.
- **Right to rectification:** if your Personal Data is inaccurate or incomplete, you are entitled to have it rectified or completed. If we have shared your Personal Data with others, we will tell them, where possible, about the rectification. If you ask us, where possible and lawful to do so, we will also tell you with whom we shared your Personal Data so that you can contact them directly.
- **Right to erasure:** You may remove your Personal Data via the built-in functionality. You may ask us to delete or remove your Personal Data and we will do so. We may not delete your data when other interests outweigh your right to deletion. If we have shared your data with others, we will tell them about the erasure where possible. If you ask

us, where possible and lawful to do so, we will also tell you with whom we shared your Personal Data so that you can contact them directly.

- Right to restrict processing: you may ask us to restrict or 'block' the processing of your Personal Data in certain circumstances. We will tell you before we lift any restriction on processing. If we have shared your Personal Data with others, we will tell them about the restriction where possible. If you ask us, where possible and lawful to do so, we will also tell you with whom we shared your Personal Data so that you can contact them directly.
- Right to data portability: you have the right to obtain your Personal Data from us that you consented to give us or that is necessary to perform a contract with you. We will give you your Personal Data in a structured, commonly used and machine-readable format. You may reuse it elsewhere.
- Right to object: You may ask us at any time to stop processing your Personal Data, and we will do so:
 - If we are relying on a legitimate interest to process your Personal Data — unless we demonstrate compelling legitimate grounds for the processing; or
 - If we are processing your Personal Data for direct marketing.
- Rights in relation to automated decision-making and profiling: You have the right to be free from decisions based solely on automated processing of your Personal Data, including profiling, unless such profiling is necessary for entering into, or the performance of, the contract between you and us.
- Right to withdraw consent: If we rely on your consent to process your Personal Data, you have the right to withdraw that consent at any time. This will not affect the lawfulness of processing based on your prior consent.
- Right to lodge a complaint with the data protection authority: If you have a concern about our privacy practices, including the way we have handled your Personal Data, you can report it to the data protection authority that is authorized to hear those concerns. • You may exercise your rights by contacting us as at: justin@marketechdigital.com

PERSONAL DATA TRANSFER

The Personal Data collected by the Service is transferred and stored in the United States, where we are located.

Your Personal Data may be transferred outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.

For EU and EEA users, the Service will transfer your data only via a Privacy Shield certified third party. The service will store your data only to a Privacy Shield certified storage provider.

The data will be transferred and processed in accordance with the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement and Liability as seen here:

PERSONAL DATA RETENTION

We only retain the Personal Data collected from you for the duration of the contract between you and us or, for a limited period of time as long as we need it to fulfill the purposes for which we have initially collected it unless otherwise required by law. We will retain and use information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

We may automatically remove, at our own discretion, any Personal Data we require to provide the Service.

SECURITY

The security of your Personal Data is important to us, and we strive to implement and maintain reasonable, commercially acceptable security procedures and practices appropriate to the nature of the information we store, in order to protect it from unauthorized access, destruction, use, modification, or disclosure.

Your data will be stored on services and providers who are ISO/IEC 27001:2013, PCI DSS, SOC 1 Type II and SOC 2 Type II certified or higher.

However, please be aware that no method of transmission over the internet, or method of electronic storage is 100% secure and we are unable to guarantee the absolute security of the Personal Data we have collected from you.

If we learn of a security systems breach, we will inform you and the authorities of the occurrence of the breach in accordance with applicable law.

BUSINESS TRANSACTION

If Marketech Digital Solutions is involved in a merger, acquisition or asset sale, your Personal Data may be transferred as a business asset. In such cases, we will provide notice before your Personal Data is transferred and/or becomes subject to a different Privacy Policy.

LIMITATIONS

Our Service may contain links to other sites that are not operated by us. If you click on a third-party link, you will be directed to that third party's site. We strongly advise you to review the Privacy Policy of every site you visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party services.

Through our Service, you can choose to access certain social media websites and services that are owned and/or controlled by third parties, such as Facebook, Twitter, Instagram, LinkedIn, and YouTube (“Social Media Services”). When you choose to access and use Social Media Services, including interacting with our pages on those sites, you will be sharing your Personal Data and other information with them.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third-party services.

CHILDREN’S PRIVACY

Only persons age 18 or older have permission to access our Service. Our Service does not address anyone under the age of 13 (“Children”).

We do not knowingly collect personally identifiable information from children under 13. If you are a parent or guardian and you learn that your Children have provided us with Personal Data, please contact us. If we become aware that we have collected Personal Data from a child under age 13 without verification of parental consent, we take steps to remove that information from our servers.

CHANGES TO THIS PRIVACY POLICY

This Privacy Policy is effective as of October 4, 2018, and will remain in effect except with respect to any changes in its provisions in the future, which will be in effect immediately after being posted on this page.

We reserve the right to update or change our Privacy Policy at any time and you should check this Privacy Policy periodically. Your continued use of the Service after we post any modifications to the Privacy Policy on this page will constitute your acknowledgment of the modifications and your consent to abide and be bound by the modified Privacy Policy.

If we make any material changes to this Privacy Policy, we will notify you either through the email address you have provided us or by placing a prominent notice on our website.

CONTACT US

If you have any questions about this Privacy Policy, please contact us.

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