

ObserVR Privacy Policy

Effective as of July 18, 2018

We at ObserVR, Inc (“ObserVR, “we”, “us”, or “our”) have created this privacy policy because we know that you care about how information you provide to us is used and shared. This privacy policy (the “Privacy Policy”) relates to the information collection and use practices of ObserVR in connection with our website located at <https://www.ObserVR.tech/> (the (“Website”) and our proprietary analytical platform (the “Platform”).

By accessing and using the Platform, and/or visiting the Website, you are acknowledging that you have read, understood, and agree to the terms of this Privacy Policy and our Terms of Use found here:

<https://storage.googleapis.com/observr-static/Legal/TermsOfService.pdf>

Capitalized terms not defined in this Privacy Policy shall have the meaning set forth in our Terms of Use.

The Information We Collect and How We Use It

In the course of operating the Website and the Platform, we will collect (and/or receive) the following types of information.

Contact Information

We collect contact information on our Website and Platform from visitors and customers who wish to obtain information or support, to purchase our products and services or to become a subscriber. The contact information you will be asked to provide is typical business contact information and may include first name, last name, title, company name, company address, business telephone number and e-mail address (“Contact Information”). The Contact Information is used to establish an account, provide the requested service or information, and to contact prospective and current customers for purposes of direct marketing of our current and future products and services. Such direct marketing shall be sent in response to a request from you to receive marketing emails, or similar communications, or when you have purchased products or services, or expressed interest in such products or services. When you or an Authorized User registers for the Platform, you will be asked to provide us with personal information about yourself, such as your name, address, phone number, and e-mail address (collectively, the “Contact Information”). The Contact Information is used to provide the requested service or information and to contact you and your Authorized Users for purposes of direct marketing of our current and future services.

We store our Contact Information with our customer relationship management (“CRM”) system to further help our sales and customer support team manage our relationships with current and prospective customers

Platform Data

In connection with our customer's use of the Platform, we may collect geolocation, user ID or account number, and analytics data collected during "events" set up by customer. We collect this information on behalf of our customers when providing the Platform.

Billing Information

In order to purchase a subscription to our Platform, you may be required to provide certain additional information, which may include a credit card number, expiration date, billing zip code, activation code, and similar information ("Billing Information"). Billing Information is collected and processed by our third-party payment processor operating as our agent. ObserVR does not directly obtain or process any Billing Information.

From Cookies

We also collect information by using "cookie" technology. Cookies are small packets of data that a website stores on the hard drive of your computer or mobile device to "remember" information about your visit. We may use session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer/device until you delete them). If you do not want us to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser's documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the Platform or the Website, respectively, may not function properly.

Third Party Analytics

We may use third-party analytics services to evaluate your use of the Platform or the Website, as the case may be, compile reports on activity (based on their collection of IP addresses, Internet service provider, browser type, operating system and language, referring and exit pages and URLs, data and time, amount of time spent on particular pages, what sections of the Website and/or the Platform you visit, number of links clicked while on the Website and/or the Platform, search terms and other similar usage data), and analyze performance metrics. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the Website or the Platform, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Platform or the Website, respectively.

Below is a list of analytics providers that we use; however, such list may be subject to change based on how we wish to understand the user experience and we will endeavor to update it diligently. You may use the accompanying links to learn more about such providers and, if available, how to opt-out from their analytics collection.

For Heap Analytics, please visit: <https://www.heapanalytics.com>.

Information Collected by or Through Third-Party Advertisers/Remarketers

We may share information about you collected through cookies and other automatic data collection technologies with third parties, including, but not limited to, advertising and remarketing providers, or other brand partners, for purposes of personalizing or otherwise understanding how you engage with ads or other content. These third parties may use cookies, pixel tags (also called web beacons or clear gifs), or other technologies to collect other information in furtherance of such purposes, including to tailor, target (i.e., behavioral, contextual, retargeting, and remarketing), analyze, report on, and/or manage advertising campaigns or other initiatives. For example, when a browser visits a site, pixel tags enable us and these third-parties to recognize certain cookies stored within the browser to learn which ads or other content bring a user to a given site. In addition, we may receive other information from these third parties, including through their service providers, such as advertising identifiers, IP addresses, and post-conversion data.

Below is a list of advertising/remarketing providers that we use; however, such list may be subject to change based on the campaigns that we run and we will endeavor to update it diligently. You may use the accompanying links to learn more about such providers and, if available, how to opt-out from their targeted ads or other personalization features. Please note you will not necessarily be opted-out of advertising or content generally; you may still receive generic ads or content.

For Google AdWords, you can set preferences for how Google advertises to you using the Google Ad Preferences page, and if you want to you can opt out of interest-based advertising entirely by cookie settings or permanently using a browser plugin.

In addition, you may opt-out of interest-based advertising by participating providers by visiting <http://www.networkadvertising.org> and <http://www.aboutads.info/choices> for details on how to do so.

Aggregate Data

In an ongoing effort to better understand our users and the Website and the Platform, we might analyze your information in aggregate form to operate, maintain, manage, and improve the Website and/or the Platform. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.

Onward Transfer to Third Parties

Like many businesses, we hire other companies to perform certain business and research related services. We may disclose personal information to certain types of third party companies but only to the extent needed to enable them to provide such services. The types of companies that now or in the future may receive personal information and their functions are: marketing assistance, error tracking, email management, payment processing, billing, customer service, data storage, CRMs and hosting services. All such third parties function as our agents, performing services at our instruction and on our behalf pursuant to contracts which require they provide at least the same level of privacy protection as is required by this Privacy Policy and implemented by ObserVR.

Business Transfers

In the event of a merger, dissolution or similar corporate event, or the sale of all or substantially all of our assets, we expect that the information that we have collected, including personal information, would be transferred to the surviving entity in a merger or the acquiring entity. All such transfers shall be subject to our commitments with respect to the privacy and confidentiality of such personal information as set forth in this Privacy Policy.

Disclosure to Public Authorities

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. We may also disclose personal information to other third parties when compelled to do so by government authorities or required by law or regulation including, but not limited to, in response to court orders and subpoenas.

Opt Out for Direct Marketing

You may opt out at any time from the use of your personal information for direct marketing purposes, and/or transfer of your personal information to third parties for direct marketing purposes by sending us an email at privacy@observr.tech. Please allow us a reasonable time to process your request.

You cannot opt out of receiving transactional e-mails related to your requests for information or materials.

Retention of personal information

We will retain your personal information in a form that identifies you only for as long as it serves the purpose(s) for which it was initially collected as stated in this Privacy Policy, or subsequently authorized. We may continue processing your personal information for longer periods, but only for the time and to the extent such processing reasonably serves the purposes of archiving in the public interest, journalism, literature and art, scientific or historical research and statistical analysis, and subject to the protection of this Privacy Policy. After such time periods have expired, we may either delete your personal information or retain it in a form such that it does not identify you personally.

How We Protect Your Information

We take very seriously the security and privacy of the personal information that it collects pursuant to this Privacy Policy. Accordingly, we will implement reasonable and appropriate security measures to protect your personal information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in processing and the nature of such data, and comply with applicable laws and regulations

Children's Privacy

Our Website, Platform and services are intended for use strictly by adults. We do not knowingly solicit or collect personal information from children under the age of 13. If we learn that any personal information has been collected inadvertently from a child under 13, we will delete the information as soon as possible. If you believe that we might have collected information from a child under 13, please contact us at privacy@observr.tech.

Important Notice to All Non-US Residents

Our servers are located in the U.S.. If you are located outside of the U.S., please be aware that any information provided to us, including personal information, will be transferred from your country of origin. Except in the case of data transfers under the EU-U.S. Privacy Shield and the Swiss-US Privacy Shield Framework, your decision to provide such data to us, or allow us to collect such data through our Website or Platform constitutes your consent to this data transfer.

Important Notice For Individuals of the European Economic Area and Switzerland

ObserVR complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries and Switzerland transferred to the United States pursuant to Privacy Shield. ObserVR has certified that it adheres to the Privacy Shield Principles with respect to such data. If there is any conflict between the policies in this privacy policy and data subject rights under the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>

ObserVR is subject to the investigatory and enforcement powers of the Federal Trade Commission.

Upon request to privacy@observr.tech we will provide you with confirmation as to whether we are processing your personal data, and have the data communicated to you within a reasonable time. You have the right to access, correct, amend or delete your personal data where it is inaccurate or has been processed in violation of this Privacy Policy. We may require payment of a non-excessive fee to defray our expenses in this regard. Please allow us a reasonable time to respond to your inquiries and requests.

We will provide an individual opt-out choice (for personal data) before we share your data with third parties other than our agents, or before we use it for a purpose other than which it was originally collected or subsequently authorized. To request to limit the use and disclosure of your personal information, please submit a written request to privacy@observr.com.

We will not disclose your sensitive personal information to any third party without first obtaining your opt-in consent. You may grant such consent by contacting us at to

privacy@observr.tech. In each instance, please allow us a reasonable time to process your response.

In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements. We may also disclose personal information to other third parties when compelled to do so by government authorities or required by law or regulation including, but not limited to, in response to court orders and subpoenas.

ObserVR's accountability for personal data that it receives in the United States under the Privacy Shield and subsequently transfers to a third party is described in the Privacy Shield Principles. In particular, ObserVR remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process the personal data on its behalf do so in a manner inconsistent with the Principles, unless ObserVR proves that it is not responsible for the event giving rise to the damage.

In compliance with the EU-US Privacy Shield Principles and the Swiss-U.S. Privacy Shield Principles, ObserVR commits to resolve complaints about your privacy and our collection or use of your personal information transferred to the United States pursuant to the EU-US and Swiss-US Privacy Shield Principles. EU individuals with inquiries or complaints regarding this Privacy Policy should first contact ObserVR at privacy@observr.tech, with the subject line, "Privacy Shield".

ObserVR has further committed to refer unresolved privacy complaints under the EU-US Privacy Shield Principles and Swiss-U.S. Privacy Shield Principles to BBB PRIVACY SHIELD, a non-profit alternative dispute resolution provider located in the United States and operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your Privacy Shield complaint is not satisfactorily addressed by ObserVR, please visit www.bbb.org/EU-privacy-shield/for-eu-consumers for more information and to file a complaint. This service is provided free of charge to you.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

California Residents

Under California Civil Code Section 1798.83, California residents who have an established business relationship with ObserVR may choose to opt out of our sharing their Information with third parties for direct marketing purposes. If you are a California resident and (1) you wish to opt out; or (2) you wish to request certain information regarding our disclosure of your Information to third parties for the direct marketing purposes, please send an e-mail to privacy@observr.tech.

Do Not Track

Although we do our best to honor the privacy preferences of our users, we are unable to respond to Do Not Track signals set by your browser at this time.

External Websites

Our Website and Platform may provide links to third-party websites or services that are not governed by this Privacy Policy. ObserVR has no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third party websites. You should check the applicable third party privacy policy and terms of use when visiting any other websites.

Changes to This Privacy Policy

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time, with or without notice to you. By accessing the Platform or the Website after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please refer back to this Privacy Policy on a regular basis.

Contact Us

For additional inquiries about this Privacy Policy, please send us an email at privacy@observr.tech