

## Cyberbit Cloud Range Privacy Policy

### About us

The Cyberbit Cloud Range software-as-a-service and related documentation as well as its support services (the "**Services**"), are operated by Cyberbit Ltd. (incorporated in the State of Israel and with its registered office at Zarchin 22, Ra'anana, Israel) or Cyberbit, Inc., (incorporated under the laws of Delaware, USA) or Cyberbit India Private Limited (incorporated under the laws of India).

In this privacy policy when we refer to "**Cyberbit**", "**our**", "**we**" or "**us**", we mean any or all of those group companies or Cyberbit Ltd. and they are collectively referred to as the "**Cyberbit Group**".

### About this privacy policy

This privacy policy applies to the Services, made available through [www.cyberbitrange.com](http://www.cyberbitrange.com) (the "**Cyberbit Cloud Range**") and the support services available through [www.cyberbit.com/support](http://www.cyberbit.com/support) (the "**Ticketing System**").

This privacy policy applies to any registered user of the Services or administrator or manager on behalf of our customers using the Services or any other individual who has been granted access to the Services by us or is otherwise using the Services in an unpermitted manner (referred to as "**User**", "**you**" or "**your**" in this policy). For any questions or requests under this privacy policy, please send us an email at [privacy@cyberbit.com](mailto:privacy@cyberbit.com).

**Please read this privacy policy carefully to understand how we handle your personal information. By accessing or browsing the Cyberbit Cloud Range, using any of the Services or otherwise sharing your personal information with us in connection with the Services, you confirm that you have read and understood the terms of this privacy policy.**

This privacy policy is divided into the following sections:

- Section 1**      **What personal information do we collect about you?**
- Section 2**      **How do we use the information we collect about you?**
- Section 3**      **What is our legal justification for using your personal information?**
- Section 4**      **With whom do we share your personal information?**
- Section 5**      **How is your personal information transferred outside of the EEA?**
- Section 6**      **How long do we keep you information for?**
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- Section 8**      **What rights do you have regarding your personal information?**
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## 1. **What personal information do we collect about you?**

Personal information is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular person, consumer or household. As you use the Services, we collect personal information directly from you and/or automatically generate it as you use the Services.

### 1.1 ***Personal information that you give to us***

When you engage with certain features of our Services, we will collect personal information from you. Except as otherwise indicated below, the personal information you provide is such that we need in order to provide the Services. If you do not provide us with the requested personal information, we would not be able to do so. Specifically, we collect personal information directly from you when you:

- (a) **Register to the Cyberbit Cloud Range.** When you are designated as a User by your organization and receive log in credentials to access the Cyberbit Cloud Range and use the Services, we will need you to provide us with personal identifiers (full name, email address, role, company,) and the organization account (“**Account**”) to which you are associated. We use this information to enable you to access the Cyberbit Cloud Range and keep track of your use of the Services.
- (b) **Contact us.** If you send us a question or inquiry, schedule a demo, or ask for other support, you will need you to provide us with personal identifiers (name, email address, telephone number, company, and country). We use this information to fulfil your request for additional information or support from us. We may also use this personal information to send you communications on Cyberbit products or offers we feel may be of interest to you.
- (c) **Use Cyberbit’s support services.** When you are designated as a User by your organization and receive log in credentials to access the Ticketing System, we will need you to provide us with personal identifiers (full name, email address, phone number, title, company,) and the Account to which you are associated. We use this information to enable you to access the support services, use the Ticketing System to open and track support requests and access our knowledge base.

### 1.2 ***Personal information we collect***

If you are a User, we will collect the following information about you:

- (a) Training history record - i.e. which training sessions you participated in and when, performance evaluation, such as scores / grades for each session, training duration (completion time), etc. We use this information to enable you to keep track of your past performance and for our statistical information on use of the Services and we may publish it on an anonymous basis.
- (b) Per Account information: Account name, all training sessions performed under the Account, dates, evaluation and performances of each User associated to the Account. We use this information to enable you to keep track of your Account’s past performance and for our statistical information on use of the Services and we may publish it on an anonymous basis.

### 1.3 ***Personal information that we collect automatically from you:***

Each time you visit the Cyberbit Cloud Range or use our Services we may automatically collect the following internet or other electronic network activity information:

- (a) Technical information, including the Internet protocol (IP) address used to connect your computer to the internet, domain name and country which requests information;
- (b) Information about your visit and usage, including the full Uniform Resource Locators (URL) clickstream to, through and from our site (including date and time), time and length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, traffic data, location data, weblogs and other communication data and information provided when requesting further service or downloads; and
- (c) Location information, which may be determined through your IP address.
- (d) Use of the Services. When you use the Services, we will collect for statistical and analytical purposes and on an anonymous basis which features of the Services you use and at what frequency you use them.

To collect this information, we use cookies and other tracking technologies. Cookies are small pieces of text sent by your browser to your device. Cookies can be persistent (cookies that remain on your device for a set period of time or until you delete them) or session (cookies that are deleted as soon as you close your browser). When you use the Services, we and our third-party providers may place a number of cookies on your device. These cookies include:

- (a) Essential Cookies. We use essential cookies to authenticate users, prevent fraudulent use of the Cyberbit Cloud Range, and to allow the Services and its features to function properly.
- (b) Functional Cookies. We use functional cookies to provide enhanced functionality and personalization, to remember your preferences, to diagnose server and software errors, and in cases of abuse, track and mitigate the abuse
- (c) Analytics Cookies. Our analytics providers use cookies as part of their tools. Analytics cookies allow us and our analytics providers to recognize and count the number of users in the Cyberbit Cloud Range, see how users interact with the Services and different functions, and when users are using the Services. We use this information to improve the Cyberbit Cloud Range and Services.

All session cookies expire after you close your browser. Persistent cookies can be removed by following your browser's directions. To disable cookies and limit the collection and use of information through them, you can set your browser to refuse cookies or indicate when a cookie is being sent. When you opt-out, an opt-out cookie will be placed on your device. The opt-out cookie is browser and device specific and will only last until cookies are cleared from your browser or device. The opt-out cookie will not work for strictly necessary cookies. If the cookie is removed or deleted, if you upgrade your browser or if you visit us from a different computer, you will need to return and update your preferences. To find out how to see what cookies have been set on your device, and how to reject and delete the cookies, please visit: <https://www.aboutcookies.org/>. Please note that each browser is different. For information on reviewing or deleting cookies from specific browsers, click on the appropriate browser: [Firefox](#), [Firefox IOS](#), [Firefox Android](#), [Safari](#), [Safari Mobile](#), [Chrome](#), [Internet Explorer](#), [Microsoft Edge](#), [Opera](#). To find information relating to other browsers, visit the browser developer's website. However, if you choose to decline cookies, you may not be able to fully experience the full features our Services. To learn more about cookies and how to manage them, visit [internetcookies.org](http://internetcookies.org).

Particular third-party cookies which the Cyberbit Cloud Range and/or the Ticketing System currently uses include:

- (a) Auth0 - We use Auth0 (<https://auth0.com/>) for authentication of Users. Auth0 uses various cookies on the Cyberbit Cloud Range in order to authenticate Users. We are not responsible for the privacy practices of Auth0 and their use of cookies. A list of Auth0 cookies stored in the browser can be found in the documentation here: <https://auth0.com/docs/sessions-and-cookies/samesite-cookie-attribute-changes#browser-cookie-changes> and the Auth0 privacy policy can be found here <https://auth0.com/privacy>.
- (b) Pendo -We use Pendo (<http://pendo.com/>) for analytics purposes for improving the Cyberbit Cloud Range and the user experience. Pendo uses various cookies on the Cyberbit Cloud Range in order to collect information on the User of the Cyberbit Cloud Range, which features are used, at what frequency, etc. We are not responsible for the privacy practices of Pendo and their use of cookies. The Pendo Privacy Policy can be found here: <https://www.pendo.io/legal/privacy-policy/>.
- (c) Zoho – We use Zoho (<https://www.zoho.com/> ) for providing support services to our Users. Zoho uses various cookies in the Ticketing System in order to create the User's account and to provide the platform for providing the support services. We are not responsible for the privacy practices of Zoho and their use of cookies A list of cookies used by Zoho can be found here: <https://www.zoho.com/privacy/cookie-policy.html> and the Zoho Privacy Policy can be found here: <https://www.zoho.com/privacy.html> and the Zoho Privacy Policy for California residents can be found here: <https://www.zoho.com/us-ca/privacy.html>.

## 2. **How do we use the personal information we collect about you?**

We will use your personal information for the following purposes:

### 2.1 Accessing the Cyberbit Cloud Range

- (a) To allow you to access the Cyberbit Cloud Range and use the Services;
- (b) To provide technical support;
- (c) To recognize you when you return to the Cyberbit Cloud Range and provide you your training history and with customized content;
- (d) To ensure that the Cyberbit Cloud Range is functioning correctly and to monitor, investigate any bug with, and improve the Cyberbit Cloud Range and Services;
- (e) To provide you with the information that you request from us;
- (f) For research purposes and for further analysis and statistics, where data will be anonymized where possible, to improve our products and services (for example, we analyze information collected through cookies which to help us understand behavior when accessing the Cyberbit Cloud Range as explained further in Section 11 below);
- (g) To improve your user experience; for example, change the location of certain buttons in the screens; and
- (h) To provide you with customer support services.

### 2.2 Providing Services to you

- (a) To provide relevant services to you or your organization (including: to administer the Account; and provide the support services that you or your organization has requested);

- (b) To deal with any enquiries or issues you have about our services, including any questions you may have about how we collect, store and use your personal information, or any requests made by you for a copy of the personal information that we hold about you;
  - (c) To send you certain communications (including by email or post) about our services such as service announcements and administrative messages and call you in relation thereto; and
- 2.3 If it is in our legitimate interests, for business development and marketing purposes or to contact you (including by email or post) with information about our products and services which either you request, or which we feel will be of interest to you.
- 2.4 For internal corporate reporting, business administration, ensuring adequate insurance coverage for our business, ensuring the security of company facilities, research and development, and to identify and implement business efficiencies.
- 2.5 To comply with any procedures, laws and regulations which apply to us – this may include where we reasonably consider it is in our legitimate interests or the legitimate interests of others to comply, as well as where we are legally required to do so.
- 2.6 To establish, exercise or defend our legal rights – this may include where we reasonably consider it is in our legitimate interests or the legitimate interests of others, as well as where we are legally required to do so.

### 3. **What is our legal justification for using your personal information?**

We will only use your personal information for the purposes set out in this privacy policy where we have a "legal basis" for handling it. This means that at least one of the following conditions applies in each situation where your personal information is used by us:

- (a) Our use of your personal information is necessary to perform our obligations under any contract with you (for example, comply with the terms of use of the Services which you accept by clicking on the "accept" button in the Cyberbit Cloud Range or by accessing and/or using the Services or to provide you with the Services); or
- (b) Our use of your personal information is necessary for complying with our legal obligations: for example, if we are requested to disclose your personal information to regulatory bodies or law enforcement authorities; or
- (c) Where neither (a) nor (b) apply, use of your personal information is necessary for our legitimate interests or the legitimate interests of others (for example, to ensure the security of the Cyberbit Cloud Range). Our legitimate interests are to:
  - (i) run, grow and develop our business;
  - (ii) detect and prevent fraud;
  - (iii) operate the Cyberbit Cloud Range and keep the Cyberbit Cloud Range, Services and IT systems secure;
  - (iv) conduct marketing, market research and business development; and
  - (v) conduct internal group administrative activities, as described in section 4 below.

4. **With whom do we share your personal information?**

4.1 We share your personal information as described below:

- (a) With our trusted service providers and sub-contractors including technical, IT, hosting, logistical or administrative services providers, our communication vendors, payment processors and insurers.
- (b) To the extent required or authorized by law, if we think it is necessary to comply with the law or if we need to do so to protect or defend our legal rights, or the rights of others (including to investigate and protect our users from fraudulent or unlawful use of the Cyberbit Cloud Range or Services), we will share your personal information with third parties requiring information for legal reasons or third party investigators, authorities, regulators or law enforcement bodies.
- (c) Your personal information will be shared with any member of the Cyberbit Group where we consider that it is in our legitimate interests to do so for internal administrative purposes (for example, ensuring consistent and coherent delivery of services to our customers, corporate strategy, compliance, auditing and monitoring, research and development and quality assurance).
- (d) Companies that assist us in our marketing, advertising and promotional activities; and
- (e) Analytics providers that assist us in the improvement and optimization of the Cyberbit Cloud Range and process personal information in the context of provision of analytical services to us.
- (f) User's personal information, as detailed in Sections 1.1.a, 1.1.c, 1.2, 1.3.d above, will be shared with the respective Account which User is associated with, including without limitation, with the administrators and representatives of the Account.

4.2 We will also disclose your personal information to third parties:

- (a) where it is in our legitimate interests to do so to run, grow and develop our business:
  - (i) if we sell or buy any business or assets, we will disclose your personal information to the prospective seller or buyer of such business or assets;
  - (ii) if Cyberbit or substantially all of its assets are acquired by a third party, in which case personal information held by Cyberbit will be one of the transferred assets;
- (b) to establish, protect, or exercise our legal rights, as required to enforce our terms of service or other contracts; to defend against legal claims or demands; to detect, investigate, prevent, or take action against illegal activities, fraud, or situations involving potential threats to the rights;
- (c) to protect the rights, property or safety of the Cyberbit Group, our employees, customers, suppliers or other persons; and
- (d) if we are under a duty to disclose or share your personal information in order to comply with any legal obligation, any lawful request from government or law enforcement officials and as may be required to meet national security or law enforcement requirements or prevent illegal activity.

4.3 In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose: (i) we have disclosed your personal information detailed in 1.1.c above to Zoho, and the information detailed in 1.1.a and 1.1.b above to third parties that

help us administer the Services, such as our support vendor, technical, IT, hosting, logistical or administrative services providers; (ii) we have disclosed your personal identifiers and internet or other electronic network activity information to our IT support and data analytics providers to detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, and to identify and repair Cyberbit Cloud Range and Services errors; and (iii) we have disclosed your internet or other electronic network activity information to our IT support and data analytics providers to maintain the quality of the Cyberbit Cloud Range and to improve and enhance the Cyberbit Cloud Range and Services.

4.4 In the preceding twelve (12) months, we have shared your internet or other electronic network activity information collected via cookies and other tracking technologies with our data analytics provider, support services provider and authentication provider. Such sharing may be deemed a sale under the California Consumer Privacy Act. To opt-out of this sharing, see the instructions in **Section 1.3 above**.

5. **How is your personal information transferred outside of the EEA?**

5.1 The personal information will be used, stored and/or accessed by staff operating outside the EEA working for us, other members of the Cyberbit Group or third-party suppliers. These non-EEA countries include the State of Israel, where our parent company is based, the USA, India. This will be for the purposes listed in section 2 above, the provision of our Services to you or to your organization, the processing of transactions and/or the provision of support services. Further details about who we share personal information with are set out in section 4 above.

5.2 When transferring personal information outside the EEA, we will usually:

- (a) in accordance with Article 46.2 of the General Data Protection Regulation (GDPR), include the standard contractual clauses approved by the European Commission for transferring personal information outside the EEA into our contracts with those third parties (you can find further information about standard contractual clauses [here](#)); or
- (b) in accordance with Article 45 of the GDPR, ensure that the country in which your personal information will be handled (such as the State of Israel, where our ultimate parent company is based) has been deemed "adequate" by the European Commission (you can find further information about adequacy decisions [here](#)).

5.3 In any case, our transfer, storage and handling of your personal information will continue to be governed by this privacy policy.

5.4 Further details on the steps we take to protect your personal information, in these cases, is available from us on request by contacting us by email at **privacy@cyberbit.com** at any time.

6. **How long do we keep your personal information for?**

Subject to your right to have your personal information corrected, not further processed or deleted in accordance with section 8 below, and in accordance with our Data Retention and Records Management Policy (which can be provided upon contacting [privacy@cyberbit.com](mailto:privacy@cyberbit.com)), the length of time we retain your personal information depends on the purposes for which we collect and use it and/or as required to comply with applicable laws and to establish, exercise or defend our legal rights.

7. **How do we keep your personal information secure?**

7.1 We use appropriate technical and organizational measures to protect personal information against accidental or unlawful destruction or accidental loss, alteration unauthorized disclosure or access. All information that is collected through the Cyberbit Cloud Range and Services is processed on secure data servers located in the EU, Israel and the US. In order to keep

personal information secure, we use 2 factor authentications for our administrators, run 3<sup>rd</sup> party penetration tests, use a web application firewall, update latest patches, limit administrators' access only to Cyberbit's IP address.

- 7.2 In the course of provision of your personal information to us, your personal information is likely to be transferred over the internet and/or stored on a cloud-based server. Although we make every effort to protect the personal information which you provide to us, the transmission of information over the internet and storage in a cloud-based server is not completely secure. As such, you acknowledge and accept that we cannot guarantee the security of your personal information transmitted to or automatically created by the Cyberbit Cloud Range and that any such transmission is at your own risk.

## 8. **What choices and rights do you have regarding your personal information?**

- 8.1. **Access or correct your personal information.** If you wish to access the personal information, we process about you, or exercise your rights in relation to such personal information under applicable law, you may contact us at [privacy@cyberbit.com](mailto:privacy@cyberbit.com).

### 8.2. **Rights of individuals in the European Union:**

If our processing of your personal information is subject to the General Data Protection Regulation (GDPR), you are entitled to request us to:

- (a) confirm whether or not personal information about you is being processed;
- (b) provide you with further details about how we process your personal information;
- (c) provide you with a copy of any data which we hold about you;
- (d) update/correct any of your personal information;
- (e) delete any personal information which we hold about you;
- (f) restrict the way that we process your personal information;
- (g) consider any valid request to transfer your personal information to a third-party provider of services (data portability);
- (h) consider any valid objections which you have to our use of your personal information.

We will consider all such requests and provide our response within a reasonable period (and in any event within any time period required by applicable law). Please note that those rights do not always apply and there are certain exceptions to them. We will also need to confirm your identity before acting on certain requests.

If you have a complaint about how we use your personal information, we would always prefer you to contact us first. However, you may also make a complaint to your local data protection authority in the EU country where we are based or where we monitor your behavior. If you are unsure which data protection authority to contact, please contact us at [privacy@cyberbit.com](mailto:privacy@cyberbit.com).

### 8.3. **Rights of California Residents:**

If our processing of your personal information is subject to the California Consumer Privacy Act (CCPA) you are entitled to the following rights:

- (a) **Right to Access.** You have the right to request what personal information we have collected, used, disclosed, and sold about you within the preceding twelve (12) months.



- (b) Right to Deletion. You have the right to request the deletion of your personal information that we collect or maintain, subject to certain exceptions.
- (c) Right to Opt-Out. You have the right to opt-out of the sale of your personal information to third parties. Cyberbit Group does not have actual knowledge that it sells personal information of minors under the age of sixteen (16) years.
- (d) Right to Non-Discrimination. You have the right to not receive discriminatory treatment if and when you exercise your rights to access, delete, or opt-out under the CCPA.

To exercise your right to access or delete your personal information, you may submit a request via telephone at 001 (800) 314-1912 or by email to: [privacy@cyberbit.com](mailto:privacy@cyberbit.com). You may only make a request for access twice within a 12-month period. To opt-out of the sale of your information via cookies, please follow the instructions in **Section 1.3**.

For requests submitted via telephone or email, you must provide us with sufficient information that allows us to reasonably verify you are the person about whom we collected the personal information and describe your request with sufficient detail to allow us to properly evaluate and respond to it. If we are not able to verify your identity for access and deletion requests with the information provided, we may ask you for additional pieces of information. Any information that is sent to you in response to your request, will be encrypted.

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a request related to your personal information. If you are an authorized agent making a request on behalf of another individual, you must provide us with signed documentation that you are authorized to act on behalf of that individual.

9. **Does this privacy policy apply to third party links?**

You may, during your use of the Services, access links to or other websites operated by third parties outside of the Cyberbit Group. Please note that this privacy policy only applies to the personal information that we (or third parties on our behalf or any other member of the Cyberbit Group) collect from or about you and we cannot be responsible for personal information collected and stored by third parties. Third party websites have their own terms and conditions and privacy policies, and you should read these carefully before you submit any personal information to these websites. We do not endorse or otherwise accept any responsibility or liability for the content of such third-party websites or third-party terms and conditions or policies.

10. **How do we approach changes to this privacy policy?**

We will change this privacy policy from time to time. Any changes we make to our privacy policy in the future will be posted on this page and, if we have your e-mail address, we may also, notify you by email. If we make changes that materially affect your privacy rights, we will notify you by email or posting on the Cyberbit Cloud Range main page.

11. **Do we respond to Do Not Track?**

We do not support Do Not Track (DNT). Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable Do Not Track by visiting the Preferences or Settings page of your web browser.

12. **Contact us**

If you have any comments or questions regarding this Privacy Policy or the information practices in connection with the Services, please contact us at [privacy@cyberbit.com](mailto:privacy@cyberbit.com).

***The practices described in this privacy policy statement are current personal information protection policies, as of January 3, 2021***

***Last updated as of January 3, 2021***