

DataByte Ltd Privacy Policy

DataByte Ltd. and its affiliated companies and subsidiaries (the “Company,” “we,” or “us”) respect your privacy. This Privacy Policy Statement (“Privacy Policy”) describes the ways we collect information from and about you, and what we do with the information, so that you may decide whether or not to provide information to us. By accessing our website or purchasing our products or services you agree to this Privacy Policy in addition to any other agreements we might have with you. In the event that such agreements contain terms that conflict with this Privacy Policy, the terms of those agreements will prevail. This Privacy Policy does not govern the practices of entities that our Company does not own or control, or entities that do not own or control our company or people that our Company does not employ or manage.

This Privacy Policy includes the Company’s Privacy Policy Statement and the Privacy Shield Statement.

Company’s Privacy Policy Statement

1. Our Collection of your Personal Information

The information we collect may include your personal information, such as your name, contact information, IP addresses, product and service selections and other things that identify you. We collect personal information from you at several different points, including but not limited to the following:

- when we correspond with you as a customer or prospective customer;
- when you visit our website;
- when you register as an end-user of our services and an account is created for you;
- when you contact us for help;
- when you attend our customer conferences or webinars; and
- when the site sends us error reports or application analytics data.

2. Our Use of your Personal Information

Our Company may use information that we collect about you to:

- deliver the products and services that you have requested;
- manage your customer relationship and provide you with customer support;
- perform research and analysis about your use of, or interest in, our products, services, or content, or products, services or content offered by others;
- communicate with you by e-mail, postal mail, telephone and/or mobile devices about products or services that may be of interest to you either from us, or other third parties;
- develop and display content and advertising tailored to your interests on our site and other websites;

- verify your eligibility and deliver prizes in connection with promotions, contests and sweepstakes;
- enforce our terms and conditions;
- manage our business;
- perform functions as otherwise described to you at the time of collection; and
- sell or transfer personal information to third parties for any legally permissible purpose in our sole discretion.

3. Our Disclosure of your Personal Information to Third Parties

We may share your personal information with third parties only in the ways that are described in this Privacy Policy:

- we may provide your information to our agents, vendors or service providers who perform functions on our behalf;
- third party contractors may have access to our databases. Usually these contractors sign a standard confidentiality agreement;
- we may share your data with any parent company, subsidiaries, joint ventures, other entities under a common control or third-party acquirers. We expect these other entities will honour this Privacy Policy;
- we may allow a potential acquirer or merger partner to review our databases, although we would restrict their use and disclosure of this data during the diligence phase;
- as required by law enforcement, government officials, or other third parties pursuant to a court order, or other legal process or requirement applicable to our Company; or when we believe, in our sole discretion, that the disclosure of personal information is necessary to prevent physical harm or financial loss, to report suspected illegal activity or to investigate violations of our agreements or Company policies; and
- other third parties with your consent or direction to do so.

Please note that these third parties may be in other countries where the laws on processing personal information may be less stringent than in your country.

4. Our Security Measures to Protect your Personal Information

Our Company uses industry-standard technologies when transferring and receiving data exchanged between our Company and other companies to help ensure its security. This site has security measures in place to help protect information under our control from the risk of accidental or unlawful destruction or accidental loss, alteration or unauthorized disclosure or access. However, “perfect security” does not exist on the Internet. Also, if this website contains links to other sites, our Company is not responsible for the security practices or the content of such sites.

5. Our Use of Cookies, Web Beacons, Web Analytics Services, and Links

- **Cookies.** Many of our web pages use “cookies.” Cookies are text files we place in your computer’s browser to store your preferences. Cookies, by themselves, do not tell us your e-mail address or other personally identifiable information unless you choose to provide this information to us by, for example, registering at one of our sites. However, once you choose to furnish the site with personal information, this information may be linked to the data stored in the cookie. We use cookies to understand site usage and to improve the content and offerings on our sites. We also may use cookies to offer you products, programs, or services. You have many choices with regards to the management of cookies on your computer. All major browsers allow you to block or delete cookies from your system. To learn more about your ability to manage cookies, please consult the privacy features in your browser.
- **Web Beacons.** Our Company and third parties may also use small pieces of code called “web beacons” or “clear gifs” to collect anonymous and aggregate advertising metrics, such as counting page views, promotion views, or advertising responses. These “web beacons” may be used to deliver cookies that conform to our Company’s cookie requirements.
- **Web Analytics Services.** We use Google Analytics, a service for the marketing analysis of the site provided by Google, Inc. Google Analytics uses cookies to allow us to see how you use our site so we can improve your experience. Google’s ability to use and share information collected by Google Analytics about your visits to the site is restricted by the Google Analytics Terms of Use available at <http://www.google.com/analytics/terms/us.html> and the Google Privacy Policy available at <http://www.google.com/policies/privacy/>. You can prevent Google Analytics from recognizing you on return visits to the site by disabling cookies in your browser. If you prefer to not have data reported by Google Analytics, you can install the Google Analytics Opt-out Browser Add-on available at <https://tools.google.com/dlpage/gaoptout>.
- **Links.** We may create links to other web sites. We will make a reasonable effort to link only to sites that meet similar standards for maintaining each individual’s right to privacy. However, many other sites that are not associated with or authorized by our Company may have links leading to our site. Our Company cannot control these links and we are not responsible for any content appearing on these sites. Since this website does not control the privacy policies of third parties, you are subject to the privacy practices of that third party. We encourage you to ask questions before you disclose any personal information to others.
- **Other.** Our Company websites may use third parties to present or serve the advertisements that you may see at its web pages and to conduct research about the advertisements and web usage. This Privacy Policy does not cover any use of information that such third parties may have collected from you or the methods used by the third parties to collect that information.

6. Legal Basis for Processing your Personal data (EEA and Switzerland only)

With respect to personal data collected from individuals from the European Economic Area or Switzerland, our legal basis for collecting and using the personal data will

depend on the personal data concerned and the specific context in which we collect it. Our Company will normally collect personal data from you only where: (a) we have your consent to do so, (b) where we need the personal data to perform a contract with you (e.g. to deliver the services you have requested), or (c) where the processing is in our or a third party's legitimate interests (and not overridden by your data protection interests or fundamental rights and freedoms).

7. Limiting Use, Disclosure, Retention

Our Company identifies the purposes for which the information is being collected before or at the time of collection. The collection of your personal data will be limited to that which is needed for the purposes identified by our Company. Unless you consent or we are required by law, we will only use the personal data for the purposes for which it was collected. If our Company will be processing your personal data for another purpose later on, our Company will seek your further legal permission or consent; except where the other purpose is compatible with the original purpose. We will keep your personal data only as long as required to serve those purposes. We will also retain and use your personal data for as long as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

8. International Transfers of your Personal data

We are a global company. Information collected from you may be stored and processed in the European Economic Area, the United States or any other country in which our Company or agents or contractors maintain facilities, and by accessing our sites and using our services, you consent to any such transfer of information outside of your country. Such countries may have laws which are different, and potentially not as protective, as the laws of your own country.

Whenever we share personal data originating in the European Economic Area or Switzerland we will rely on lawful measures to transfer that data, such as the Privacy Shield or the EU standard contractual clauses. If you reside in the EEA or other regions with laws governing data collection and use, please note that you are agreeing to the transfer of your personal data to the United States and other jurisdictions in which we operate. By providing your personal data, you consent to any transfer and processing in accordance with this Policy.

9. Accuracy of Personal data

We do our best to ensure that the personal data we hold and use is accurate. We rely on the customers we do business with to disclose to us all relevant information and to inform us of any changes.

10. Your Access to and Updating of your Personal data

Reasonable access to your personal data may be provided upon request made to our Company at the contact information provided below. If access cannot be provided within that time frame, our Company will provide the requesting party a date when

the information will be provided. If for some reason access is denied, we will provide an explanation as to why access has been denied. We may charge a reasonable fee in advance for copying and sending the information requested.

If you would like us to delete any persona Data held about you, we will do so on request unless we need to hold the information as part of the provision of products and services to you.

11. Marketing Communications

We offer those who provide personal contact information a means to choose how we use the information provided. You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of our marketing emails.

12. Additional Rights (EEA and Switzerland only)

If you reside in the European Economic Area or Switzerland, you may have the right to exercise additional rights available to you under applicable laws, including:

- **Right of erasure.** You may have a broader right to erasure of personal data that we hold about you. For example, if it is no longer necessary in relation to the purposes for which it was originally collected. Please note, however, that we may need to retain certain information for record keeping purposes, to complete transactions or to comply with our legal obligations, among other things.
- **Right to object to processing.** You may have the right to request that we stop processing your personal data and/or to stop sending you marketing communications.
- **Right to restrict processing.** You may have the right to request that we restrict processing of your personal data in certain circumstances. For example, where you believe that the personal data we hold about you is inaccurate or unlawfully held.
- **Right to data portability:** In certain circumstances, you may have the right to be provided with your personal data in a structured, machine readable and commonly used format and to request that we transfer the personal data to another data controller without hindrance.

If you would like to exercise any of the above rights, please contact our support team or contact our Data Protection Officer (see our contact details in Section 16 below). We will consider your request in accordance with applicable laws. To protect your privacy and security, we may take steps to verify your identity before complying with the request.

You also have the right to complain to a data protection authority about our collection and use of your personal data. For more information, please contact your local data protection authority.

13. Children's Privacy

Because of the nature of our business, our services are not designed to appeal to minors. We do not knowingly attempt to solicit or receive any information from anyone under the age of 13. If you are a parent or guardian and you are aware that your child has provided us with personal data, please contact us immediately.

14. Changes to our Privacy Policy

Our Company may amend this Privacy Policy at any time by posting a new version. It is your responsibility to review this Privacy Policy periodically as your continued use of this website and our products and services represents your agreement with the then-current Privacy Policy.

15. Contacting Us

We have designated a Data Protection Officer who is responsible for monitoring our Company's ongoing compliance of this Privacy Policy. If you have any questions about this Privacy Policy, the practices or concerns of this site, please contact our Data Protection Officer at: info@databyte.com.mt.

Last Updated: 11th September, 2019.