



Last updated August 2022

## Privacy Policy

### 1. INTRODUCTION

At Datarails Ltd. and Datarails Inc. (“we”, “us”, “our” or “Datarails”) we are committed to protect any data that we collect when you use our website located at [www.datarails.com](http://www.datarails.com) (the “Website”) or by using our online product which you can log in through our Website and through a downloadable desktop application (the “Software”). Please note that this Privacy Policy applies to the information that we collect through the Website and the Software.

By using our Website or the Software you agree to the use of the data that we collect in accordance with this Privacy Policy, as may be amended from time to time. If you accept this Privacy Policy on behalf of your employees, colleagues, or any other person, you hereby represent and warrant that you have obtained their consent to do so in accordance with the terms of this Privacy Policy.

### 2. COLLECTION OF PERSONAL INFORMATION

#### *(a) Types of Data and Data Subjects*

Datarails takes data privacy very seriously and is committed to protecting your privacy and your Personal Information. The term “**Personal Information**” mean any information relating to an identified or identifiable natural person.

Our primary goals in collecting Personal Information are to provide you with the information, services and products made available through the Website and/or the Software, including but not limited to, communication with you and manage your registered user account, if you have one.

We may receive your Personal Information from various sources as follows:

- **Customer Data** – Personal Information that we collect, process and manage to communicate with our clients via email, create accounts, or send marketing materials from time to time. We also collect data on behalf of our customers and data provided to us through the Website in connection with prospects.

With respect to our contractual relations in connection with data privacy, including controller-processor relations, please see our [Data Processing Agreement](#).

- **User Data** - Contact details of users using our Software, provided upon registration and with respect to their usage and analytics.

When you register to or use the Software, we ask for information such as your name, company name or affiliation, password, email address and telephone number. In order to complete the process of creating an account, we will send you an email requesting you to confirm your account registration. This information is used by Datarails to identify you as a user and provide you with access to purchase our services, use support, for billing purposes or to meet any other contractual obligations.

- **Visitor Data** - Personal Information that we collect, process and manage to communicate with visitors of the Website that shared their personal contact information at the “Careers” page or “Contact Us” page on the Website.

In general, you may visit our Website as a visitor without disclosing to us who you are and without revealing any Personal Information about yourself, however without providing Personal Information you may not be able to purchase our products or services, using our Software or contacting us.

#### *(b) Registration by Others*

We collect Information under the direction of our customers and often have no direct relationship with the individuals whose Personal Information we process.



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In some cases another user (such as a system administrator) may create an account on your behalf and may provide your information, including Personal Information (most commonly when your employer requests to use our products). If you are providing information, including Personal Information, about someone else, you must have the authority to act for them and to consent to the collection and use of their Personal Information as described in this Privacy Policy and under applicable data protection law.

The Software enables you to invite your colleagues or individuals outside your organization to use the Software by sending them an invitation email through the Software. If you send an invitation message, we may collect Personal Information about the recipient such as their full name and email address. Please be aware that inviting external users to use the Software you expose your data and information, including Personal Information, to a third party and Datarails will not have any responsibility for any damage or consequences you may suffer as a result of such exposure.

*(c) Paying customers*

If you decide to become a paying customer with respect to the Software, Datarails may collect additional information from you, including but not limited to billing and account information for credit cards, payment cards or other payment systems and share this information with Datarails' billing and payment processor(s).

Datarails may also receive information about you from our business partners with which you have an account, service relationship or transaction history.

Datarails does not store credit card or payment card numbers after they have been forwarded to its billing and payment processor(s). We may also update such data should you grant us permission to bill you or your credit card for recurring charges, such as monthly or other types of periodic payments. We may use the tools, software or services of third-party service providers to process transactions on our behalf, in which case you acknowledge and agree to review and be bound by the terms of use and privacy policy of said third-party service provider.

*(d) No sensitive information*

We do not collect sensitive information such as medical, health, racial, ethnic, political, religious, philosophic, union membership or sexual orientation. If we are made aware that we have received such information, we will promptly proceed to its deletion.

*(e) No legal obligation*

You are not legally required to provide us with any of your Personal Information and may do so (or avoid doing so) at your own free will. If you do not wish to provide us with your Personal Information, or to have it processed by us or any of our services providers, please simply do not visit or interact with our Website, nor use our services.

### 3. LEGAL BASES FOR USING THE PERSONAL INFORMATION

The legal basis for using Personal Information:

- (a) **Contractual obligations** - the processing is necessary for us to provide our customers with the service we are obligated to provide according to the commercial agreement signed between us;
- (b) **Legitimate interests** - such as (a) maintaining and improving our Software, e.g. in understanding how our Software is used and how our campaigns are performing; (b) marketing, advertising and selling our services to you and others; providing customer services, technical support and career opportunities; and (c) protecting and securing our users, customers, ourselves and our services.
- (c) **Consent** - by entering and using our Website or our Software, you accept our Terms of Service and this Privacy Policy, and it will be deemed as your consent to the processing of your Personal Information for all purposes detailed herein, unless applicable law requires a different form of consent.



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If you reside or are using our services in a territory governed by privacy laws under which “consent” is the only or most appropriate legal basis for processing Personal Information as described in this Privacy Policy, all processing pursuant to this policy will be deemed to be under your consent, and if you wish to revoke such consent, please contact us at [compliance@datarails.com](mailto:compliance@datarails.com).

#### **4. HOW WE USE THE PERSONAL INFORMATION**

Datarails uses the information it collects from you to deliver Datarails services to you and continuously enhance your user experience, to communicate with you, fulfill your requests, customize the content, improve our products and services, protect our and your rights, and comply with laws and regulations, and as follows:

- (a) Provision of service - for the provision and improvement of our services, including for support and to respond to your queries.
- (b) Service announcements - we will use your Personal Information to communicate with you and to keep you informed of our latest updates to our services and offer you service offers.
- (c) Marketing purposes - we may use your Personal Information (such as your email address or phone number). For example, by subscribing to our newsletter you will receive tips and announcements straight to your email account. We may also send you promotional material concerning our services or our partners' services (which we believe may interest you), including but not limited to, by building an automated profile based on your Personal Information, for marketing purposes.
  - o Withdrawing your consent of receiving marketing materials - You may choose not to receive our promotional or marketing emails (all or any part thereof) by clicking on the "unsubscribe" link in the emails that you receive from us or by sending us an email to [compliance@datarails.com](mailto:compliance@datarails.com). Please note that even if you unsubscribe from our newsletter, we may still use and share data with third parties for non-marketing purposes (for example to fulfill your requests, communicate with you and respond to your inquiries, feedback, etc.).
- (d) Analytics, surveys and research - from time to time, we may conduct surveys or test features, and analyze the data we have, so that we can develop, evaluate and eventually improve our service and features for our users.
- (e) Protecting our interests - we may use your Personal Information when we believe it's necessary in order to take precautions against liabilities, investigate and defend ourselves against any third-party claims or allegations, investigate and protect ourselves from fraud, protect the security or integrity of our services and protect the rights and property of Datarails, its users and/or partners.
- (f) Enforcing of policies - we may use your Personal Information in order to enforce our policies, including but not limited to our Terms of Service.
- (g) Compliance with legal and regulatory requirements - we may use your Personal Information to investigate violations, and as required by law, regulation or other governmental authority, or to comply with a subpoena or similar legal process.

In addition we may contact you, via any email address you provide to us, with transactional or relationship messages such as account status, security updates or notifications of changes in the terms of your account or the Datarails services. These types of transactional or relationship email messages are not optional.

#### **5. WITH WHOM INFORMATION IS SHARED**

Datarails does not share Personal Information collected from your use of the Website or Software with others, except as described in this Privacy Policy.

We will never sell your Personal Information.



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Datarails may share Personal Information with service providers and third parties for our operational purposes to enable the provisions of our services and with other service providers who provide crucial functions such as: customer support platforms, hosting service providers, payment processors, analytics partners, third party account providers, security and/or social media service and in particular on the following circumstances:

- (a) In the course of operating our business, it may be necessary or appropriate for us to provide access to your Personal Information to others such as our service providers, contractors and selected vendors so that we can operate the Datarails service and our business.
- (b) To respond to subpoenas, court orders or legal process, to establish or exercise our legal rights, to defend against legal claims or in such circumstances where, in our judgment, disclosure is required or appropriate in accordance with applicable laws and regulations.
- (c) If we believe it is necessary in order to investigate, prevent or act regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our various terms of service or as otherwise required by law.
- (d) As part of a business transaction- Datarails may sell all or part of its business, and Personal Information collected from users is generally one of the business assets that will be transferred. The transferred Personal Information will remain subject to this Privacy Policy or subsequent policies to which you have consented.
- (e) To bill our customers for subscription fees- Datarails uses the services of a credit card processing companies. These third parties do not retain, share or store the personally identifiable information other than for the purpose of providing its payment processing services and are bound by strict agreements limiting their use of such information. We use commercially reasonable efforts to only engage or interact with third party service providers and partners that post a privacy policy governing their processing of Personal Information.

#### Non-Personally Identifiable Information

Datarails may share non-personally identifiable information (such as anonymous usage data, referring/exit pages and URLs, platform types, number of clicks, etc.) with third party service providers to help us understand the usage patterns for our service. Such data consist solely of non-personally identifiable information. Non-personally identifiable information may be stored indefinitely.

#### Public Information

Datarails may share as it sees fit information that you voluntarily make public, including information that you post on any blogs, message boards, chat rooms or other similar forums, whether or not such forums are owned by Datarails. Since such public information can be accessed by the public and used by any member of the public, such use by third parties is beyond the control of Datarails.

### **6. DATA RETENTION**

We may retain communications with you in order to process your inquiries, respond to your requests and improve our Website and Software and/or the services we provide. Unless instructed otherwise by a customer or user, by default we do not retain identified usage data. We also periodically review and delete or de-identify inactive data and related Personal Information that have been inactive for five years.

### **7. HOW INFORMATION IS PROTECTED**

Wherever your Personal Information may be held by Datarails or by a third party on Datarails' behalf, reasonable and appropriate precautions, such as encryption, firewalls and like technologies, are and will be implemented to protect such Personal Information from loss, misuse, or unauthorized access.

Your Datarails accounts may be secured by user-created passwords, in which case reasonable precautions are taken to ensure that your account information is kept private. You are responsible for keeping your passwords confidential. We ask you not to share your password with anyone.



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Datarails uses third party vendors and hosting partners to provide the necessary hardware, software, networking, storage, and related technology required to run the Datarails service.

No data transmission over the Internet can be guaranteed to be 100% secure. Consequently, we cannot ensure or warrant the security of any information you transmit to us, and you do so at your own risk.

In the event that Personal Information is compromised as a breach of security, Datarails will promptly notify its customers in compliance with applicable law.

## **8. INTERNATIONAL TRANSFER OF INFORMATION**

Please be aware that information you provide to us, or we obtain as a result of your use of the Website or the Software, may be processed and transferred to other countries. We and our affiliates generally process and access the Personal Information from Israel and the U.S. This information may also be processed by staff working for us or for one of our suppliers. The privacy and data protection laws in such countries may not be equivalent to such laws in your country of residence. By using our website or any of the Software, or by providing us with your information, you consent to this collection, transfer, storage, and processing of information to and in countries.

Datarails strives to comply with all applicable laws around the globe that are designed to protect your privacy. Although legal requirements may vary from country to country, Datarails intends to adhere to the principles set forth in this Privacy Policy. See our [Data Transfer Policy](#) for further information.

## **9. DATA SUBJECT RIGHTS**

Users of the Software can at any time access and edit, update or delete their contact details by logging in to their account with their username and password. Datarails will not retain User Data longer than it is necessary to fulfil the purposes for which it was collected or as required by applicable laws or regulations.

To the extent that you do provide us with Personal Information, Datarails wishes to maintain it accurate and up to date. Where we collect Personal Information from you, our goal is to provide a means of contacting Datarails should you need to access, update or correct that Information.

You can contact us any time to: (i) request access to information that Datarails has about you; (ii) correct any information that Datarails has about you; and (iii) delete information that Datarails has about you.

Contact us at [compliance@datarails.com](mailto:compliance@datarails.com) and we will make reasonable efforts to promptly provide you with the information or assistance you need free of charge.

Further, if you notify us that such information is incorrect, or you wish to have such information removed, we will correct, amend, or delete your Personal Information as soon as practicable. Your Personal Information will be removed without the requirement to state a reason for discontinuing your account with us.

## **10. MINORS**

Datarails, its websites and services, are not designed nor structured to attract children. We do not knowingly collect or solicit Personal Information from children under the age of 13 or knowingly allow children under the age of 13 to register for the Datarails service. If you are under 13, do not register or attempt to register for any of the Datarails service or send any information about yourself to us. No one under the age of 13 may provide any Personal Information to, on or through the Datarails service. If we learn that we have collected or have been sent Personal Information from a child under the age of 13, we will delete that Personal Information as soon as reasonably practical. If you believe that we might have collected or been sent Personal Information from a child under the age of 13, please contact our Support team at [compliance@datarails.com](mailto:compliance@datarails.com) as soon as possible.

## **11. TRACKING TOOLS**

### *Cookies and other tracking technologies.*

Cookies are small files that a website or its service provider transfers to your computer's hard drive through your web browser (if you allow) that enables the websites or service providers systems to recognize your



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browser and capture and remember certain information. We use cookies to understand and save your preferences for future visits. You may refuse to accept cookies by activating the setting on your browser which allows you to refuse the setting of cookies. However, if you select this setting you may be unable to access certain parts of the Site. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you log on to our website.

While Datarails uses cookies to track your visits, and our web servers automatically log the IP/Internet address of your computer, this information does not identify you personally and you remain anonymous unless you have otherwise provided Datarails with Personal Information. We collect information when you use our Websites to help us improve our products and services.

Some cookies are associated with your account and Personal Information in order to remember that you are logged in. Other cookies are not tied to your account but are unique and allow us to carry out analytics and customization, among other similar things. Cookies can be used to recognize you when you visit this Website or use our services, remember your preferences, and give you a personalized experience that's consistent with your settings. Cookies also make your interactions faster and more secure.

A list of our main services that uses cookies is detailed in the table below. Note this is not an exhaustive list of cookies and it generally details the cookies that may or may not be stored on your machine.

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|--------------------------------|--|
| <b><u>Google Analytics</u></b> | <p>The Software may use a tool called “Google Analytics” to collect information about use of the Website and/or Software. Google Analytics collects information such as how often users visit this Website, what pages they visit when they do so, and what other websites they used prior to coming to the Website. We use the information we get from Google Analytics to maintain and improve the Website and our products. We do not combine the information collected through the use of Google Analytics with personally identifiable information. Google’s ability to use and share information collected by Google Analytics about your visits to the Website is restricted by the Google Analytics Terms of Service, available at <a href="http://www.google.com/analytics/terms/us.html">http://www.google.com/analytics/terms/us.html</a>, and the Google Privacy Policy, available at <a href="http://www.google.com/policies/privacy/">http://www.google.com/policies/privacy/</a>.</p> <p>You may learn more about how Google collects and processes data specifically in connection with Google Analytics at <a href="http://www.google.com/policies/privacy/partners/">http://www.google.com/policies/privacy/partners/</a>.</p> <p>You may prevent your data from being used by Google Analytics by downloading and installing the Google Analytics Opt-out Browser Add-on, available at <a href="https://tools.google.com/dlpage/gaoptout/">https://tools.google.com/dlpage/gaoptout/</a>.</p> |
| <b><u>Location Data</u></b>    | <p>If you choose to access the Website and/or Software from your mobile device, we may also collect your location data. You should be able to use the settings on your mobile device to turn off location-sharing features.</p>  |
| <b><u>Log Data</u></b>         | <p>When you use our Website, our servers automatically record information that your browser sends whenever you visit a website (“<b>Log Data</b>”). Such information may include IP addresses, computer name, time/date of use, username, browser type and version, referral URL’s, language information, operating system type and version, technical computer details (such as processor, graphic card type, memory, disc size etc.), the domain from which you are visiting and additional information in respect to your</p>   |



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|  | usage and browsing of the Website and the Software. Except as set forth herein we do not use this information to personally identify you, but rather use it to monitor the use of the Website and the Software for (i) technical administration for the Website; (ii) determining which users have access privilege to certain content, services or recourses that Datarails offer. Estimate and report total audience size and traffic, help combat fraud and abuse and provide analytics and reporting with respect to the Software. |
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## **12. THIRD PARTY LINKS**

Occasionally, at our discretion, we may include or offer third-party products or services on our Website. These third-party services have separate and independent privacy policies on their websites. We therefore have no responsibility or liability for the content and activities of these linked websites. Nonetheless, we seek to protect the integrity of our Website and welcome feedback about these third-party websites.

## **13. CHANGES TO THIS PRIVACY POLICY**

Datarails reserves the right to update and change this Privacy Policy from time to time without notice or acceptance by you, so please check this page frequently for updates and changes. Your continued use signifies your acceptance to any change in this policy.

## **14. QUESTIONS**

You may contact us at [compliance@datarails.com](mailto:compliance@datarails.com) for any questions or comments about this Privacy Policy.