



# Privacy Policy

BETTER INSIGHTS, EXPERIENCE & MARKETING  
FOR ALL YOUR EVENTS

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## Scope of this Policy

RainFocus, LLC (the “Company” or “We”) understands that you care how information about you is collected and used. RainFocus is committed to protecting the privacy of individuals who interact with us. This RainFocus Privacy Policy (“Privacy Policy”) describes privacy practices for our websites, services, and apps that link to this policy. This policy also details our privacy practices related to RainFocus marketing, advertising, and company events.

RainFocus is an online event management platform with built-in predictive analytics and comparison data management capabilities. We provide the RainFocus platform and related support and other services to our customers. In this Privacy Policy, we will refer to the RainFocus platform, RainFocus website(s), mobile and desktop applications provided by the Company that you use at a physical event or that scan your badge onsite at a physical event, and related services collectively as our “Services.” We will refer to our emails, newsletters, and other marketing and advertising practices collectively as our “Communications.” For the purpose of this Privacy Policy, “Personal Information” means any information relating to an identified or identifiable natural person.

This policy does not apply to information collected by any third party, including through any application or content (including advertising) that may link to, or be accessible from or on our website or mobile and desktop applications.

We provide Services to our clients. As part of the Services, client data may be stored on our computer systems. As our client, when you use our Services to process data you have collected, you control the data you collect, what data is uploaded to the Services, and how that data is used. The collection, use, transfer, and retention of client data in our Services are governed by our clients’ privacy policy, not this Privacy Policy. As a data processor, we will cooperate with you in your efforts to control your data.

For individuals residing in the European Economic Area, Switzerland, the United Kingdom or the US State of California, if there are any conflicts between the terms of this general privacy policy and the policies outlined in your specific sections, the policies in those specific sections shall govern.

# Information We Collect About You & How We Collect It

## How We Use Your Information

We use information that we collect about you or that you provide to us, including any Personal Information:

- To present our websites, applications and their contents to you
- To provide you with information, products, or services that you request from us
- To fulfill any other purpose for which you provide it
- To provide you with notices about your account, including expiration and renewal notices
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection
- To notify you about changes to our websites or any products or services we offer or provide through those platforms
- To allow you to participate in interactive features on our websites
- For marketing and advertising purposes
- To send you email, news and newsletters, promotions, and/or invitations to visit our websites
- To combine information we collect about you with other public or private information sources in order to provide you with communications that may be relevant to you and to enhance the Services we provide to you
- To contact you via telephone to discuss our Services and related offers with you
- To better understand how users access and use our websites and our services, both on an aggregated and individualized basis, and for other research purposes
- In any other way we may describe when you provide the information
- For any other purpose with your consent

## Information You Give Us and That We Acquire About You

### As a Data Processor

To enable our Clients to successfully host events, We collect data on their behalf in the capacity of a data processor.

**This means that we collect data about you:**

- That you give us and
- As directed by our clients

**The data collected about you typically includes, at a minimum, your:**

- Name
- Email address
- Job title
- Other data requested on forms, either as you are requested to fill out by our Clients (which varies from Client to Client and event to event)

### As a Data Controller

To enable people to learn more about or purchase our Services, We collect data in the capacity of a data controller.

**This means that we collect data about you that:**

- You give us
- We have acquired from third-parties

**The data collected or acquired about you typically includes your:**

- Name
- Email address
- Employer

- Job title
- Info related to events that you want to run

## RainFocus Websites and Use of Cookies

We receive and store certain information about how you use our websites and Services when you visit a RainFocus website or use our Services. For example, we receive information that your browser or device sends to our servers whenever you visit a RainFocus website.

When you visit a RainFocus website, browser or device may tell information about you, such as:

- Your:
  - Internet protocol (IP) address used to connect your computer to the Internet
  - Computer and connection information, such as:
    - Browser type,
    - Version,
    - Language and Time zone settings
    - Browser plug-in types
    - Operating system, and
    - Type of device you are using
- The:
  - Actions you take on our website,
  - Page that led you to our website and
  - If applicable, the search terms you typed into a search engine that led you to our website

We may receive information about how you use our websites and Services through the use of first-party and third-party cookies and also web beacons and other similar technologies, such as CAPTCHA's, to improve our Services performance and to enhance your browsing experience. Certain areas of our websites also use cookies to understand more about you, so we can offer you a more personalized browsing experience.



### *What is a cookie?*

A “cookie” is technology that allows our websites to store tokens of information (an “identifier”) in your browser used only by our websites while you are on those websites. Cookies are not used to determine the personal identity of anyone who is merely visiting our websites. Cookies have other uses as well. For example, they are used to provide entry for subscribers who have chosen the automatic log-on feature during registration. Cookies are also used to prevent online poll participants from voting more than once. On certain pages of our websites, cookies are used to help us track your interests while you browse the internet, so we can tailor more relevant advertising to you and to understand what is important to you.

### *How do I disable cookies?*

If you do not want to receive a cookie from our websites, you have the option of setting your browser to notify you when you receive a cookie, so that you may determine whether to accept it or not. However, please be aware that if you do turn off “cookies” in your browser, you will not be able to fully experience some of our websites. For example, you will not be able to benefit from automatic log-on and other personalization features. Further details on how to disable cookies for the most popular browsers are set out below:

#### **For Microsoft Internet Explorer:**

1. Choose the **Tools menu**, then **Internet Options**
2. Click on the **Privacy tab**
3. Select the appropriate setting

#### **For Google Chrome:**

1. Click the **Chrome menu** in your browser toolbar
2. Choose **Preferences**
3. Choose the **Settings** menu and then choose **Advanced**
4. Under **Privacy and Security**, click **Content settings**
5. Choose **Cookies** and adjust your cookie settings

#### **For Safari:**

1. Click the **Safari menu** in your browser toolbar
2. Choose **Preferences**
3. Choose the **Privacy** option
4. Click on **Manage Website Data** and choose the cookies you want to remove

#### For Mozilla Firefox:

1. Click the **Firefox menu** in your browser toolbar
2. Choose **Preferences**
3. Choose **Privacy & Security**
4. In the **Cookies and Site Data** section, adjust your cookie settings

#### For Opera 6.0 and later:

1. Click the **Opera menu** in your browser toolbar
2. Choose **Preferences** and then choose **Privacy & Security**
3. In the **Cookies** section, adjust your cookie settings

Where you have not set your permissions, we may also separately prompt you regarding our use of cookies on our Site. Except for essential cookies, all cookies used on our Site will expire after two years.

### *What cookies do we use?*

The cookies used by our websites perform four functions, as classified below:

<b>Essential/Strictly Necessary Cookies</b>	Some cookies we use are essential to the functioning of our websites. For example, remembering your log-in details to certain parts of our websites.
<b>Performance Cookies</b>	Some cookies help us with the performance and design of our websites. This allows us to measure how many times a page has been visited, whether a page has been visited on our websites through an advertisement or by other means.

<b>Functionality Cookies</b>	<p>Some cookies help us to remember your settings which you may have selected or assist with other functionality when you browse and use our websites. This helps us to remember what you have selected, so on your return visit we remember your preferences.</p>
<b>Targeting and Tracking Cookies</b>	<p>On certain pages of our websites, we use cookies to help us understand your interests as you browse the internet, so we can tailor and deliver to you a more personalized service in the future. This assists us in delivering relevant advertising to you during various advertising campaigns we may run from time to time through participating third-party sites.</p> <p>These cookies collect information relating to the origin of your visit, where you were exposed to RainFocus advertising, what advertising feature you saw, whether you arrived directly or indirectly to our websites, the device you used to visit our websites and which downloads you performed. This information is collected on an anonymous basis via third party suppliers.</p>

In addition, we also utilize cookies on certain pages of our websites to communicate with third party data suppliers in order to extrapolate your digital behavior. This helps us to understand and target more relevant advertising in the future. The information we receive is all aggregate and anonymous, but will include statistics such as demographics, online behavior, product interests and lifestyle. Targeting and tracking cookies are provided via trusted third-party suppliers. Should you require more information regarding our suppliers and how these

cookies operate please contact us (methods for contacting us are listed in the **Contact Information** section).

### **What are Web Beacons?**

Pages of our websites (and our e-mails) may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or (opened an email) and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

**We do not use this technology to access your personal information and it is only used to compile aggregated statistics about visitors who come to our websites to gauge the effectiveness of our ads.**

By navigating on our websites, you agree that we can place cookie and web beacons on your computer or device. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our websites. **If you prefer not to receive cookies or web beacons, then you should stop using our websites or consult your browsing settings.**

## **RainFocus Registration and Customer Support Services**

You may provide us with information about you when you complete a RainFocus web form, register to use a RainFocus website (such as [www.RainFocus.com](http://www.RainFocus.com)) or Service, request a Services demonstration, respond to an advertisement, contact RainFocus for support or other offerings, or attend an event or forum in which RainFocus is hosting or participating. This includes information provided at the time of registering to use our websites, checking in onsite at a physical event, or having your badge scanned at a physical event. During such processes, we collect Personal Information about you. For example, we may collect your name, company name, address, email, phone number, billing and payment information, position, or title. We may also collect other public and third-party information about you to

supplement your profile, such as public information about the company where you work. We may also ask you for information when you report a problem with our websites and we may collect your search queries within our websites.

## Buttons, Tools, and Content from Other Companies

RainFocus websites and Services may include buttons, tools, or content that link to other companies' services (for example, a Facebook "Like" button). We may collect information about your use of these features. In addition, when you see or interact with these buttons, tools, or content, or view a RainFocus web page containing them, some information from your browser may automatically be sent to the other company. Please read that company's privacy policy for more information regarding its use of that information.

## RainFocus Social Networking Pages

We maintain pages on many social networking sites. We may collect information when you interact with our social networking pages.

## RainFocus Online Advertising

We advertise online, including displaying RainFocus ads across the Internet on websites and in apps. When we advertise online to you, we may collect information about which ads are displayed to you, which ads you click on, and the web page where the ad was displayed to you.

## Public Chat, Message Boards and User Postings

You might provide Personal Information through your public participation in chat sessions, message boards, user communities associated with our Services, blogs, email exchanges, or newsgroups on our websites ("User Contributions"). Your User Contributions are posted on and transmitted to others at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of our websites with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons. This Privacy Policy does not apply to information that you make generally available through such websites.

## Third-Party Use of Cookies and Other Tracking Technologies

Some content or applications, including advertisements, on our websites are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our websites. The information they collect may be associated with your Personal Information or they may collect information, including Personal Information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see the ***Choices About How We Use and Disclose Your Information*** section.

## Newsletter Subscription Information

From time to time, we may provide information to our clients and potential clients in the form of electronic or print newsletters. When you subscribe to our newsletter you may be added to our mailing list and will receive announcements and information about RainFocus. It will be emailed or mailed to the address that you provide when you subscribe.

## RainFocus Text Messages

Our Services may allow us and other Services users to periodically communicate with you through text messaging. We may contact you regarding the Services we provide to you, such as providing system alerts. You may manage your contact information and notification preferences in your Services account settings.

## Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual without restriction. We may disclose Personal Information that either we collect or you provide as described in this privacy policy:

- When you have consented to disclosing
- To our subsidiaries and affiliates
- To contractors, service providers, and other third parties we use to support our business
- To enforce or apply our terms of use or terms of sale and other agreements, including for billing and collection purposes
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of RainFocus, LLC's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by RainFocus, LLC about our websites users is among the assets transferred
- When we are required or believe we are required to provide information in response to a subpoena, court order, applicable law, government statute, regulation, or other legal process
- When we have a good faith belief that the disclosure is necessary to prevent or respond to fraud, defend our websites or Services against attacks, or protect the property and security of RainFocus, or the property and security of our clients and users
- To the extent necessary to meet lawful requests by public authorities, including to meet national security or law enforcement requirements
- When we aggregate and share de-identified information collected by our Services in order to provide statistical information or market research to third parties
- To fulfill the purpose for which you provide it
- For any other purpose disclosed by us when you provide the information
- With your consent



# Choices About How We Use and Disclose Your Information

We strive to provide you with choices regarding the Personal Information you provide to us.

## Your principal rights

Your principle rights are the:

- Right to access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to object to processing
- Right to data portability
- Right to complain to a supervisory authority
- Right to withdraw consent

## We have created mechanisms to provide you with the following control over your information:

### 1. By Contacting Us

You may submit a request to us to review, edit, or delete your Personal Information by contacting us (see the **Contact Information** section).

Once we verify your identify, we will assist you with your request. We will retain your Personal Information for as long as necessary to provide you with the websites and Services you use, as needed to comply with our legal obligations, or enforce our agreements. For example, we may retain certain records for legal or internal business reasons, such as fraud prevention. Some of your information may also remain on backup systems after your use of our websites and Services ends. If

you delete your User Contributions from our websites, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users. You can choose not to provide us with your Personal Information, but if you do not provide us with your Personal Information when we request it, we may not be able to provide you with the websites and Services you use, or tailor them to you.

## **2. Tracking Technologies and Advertising**

You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of our websites may then be inaccessible or not function properly

## RainFocus' Contracted Third-parties

RainFocus does **not** sell your personal data to any entity.

RainFocus does engage third-parties in order to offer some of our services. These third-parties:

- Have their security & privacy programs assessed prior to engagement and annually
- Enable us to provide some of our Services
- Do *not* own any data we send them
- Are required to comply with your requests to exercise your privacy rights when you contact us and are verified as a real person

### The areas in which we use third-parties are:

- Analytics
- Background Checks
- Badging
- BI
- Email
- Files/Documents
- Financials
- Hiring
- Hosting/Database
- Hotel Booking
- HR
- Logging
- Managed Risk-as-a-Service
- Online Spreadsheets
- Payment Processing
- Project Management
- Sales CRM
- Task Management

## The primary third-parties we engage are:

- **Amazon Web Services**
  - Amazon Web Services (AWS) is an Infrastructure-as-a-Service (IaaS) company and is used to host Our platform. We allow our Clients to host their events through a different IaaS company. Please contact us (see the **Complaints** section) if you have any questions about this.
- **Arctic Wolf**
  - Arctic Wolf is a Managed Risk-as-a-Service provider and is used to monitor for and alert on security incidents.
- **MeetingMax**
  - MeetingMax enables persons attending events to book their hotel room.
- **SendGrid**
  - SendGrid enables us to send out emails on behalf of our Clients

## Contacting Third Parties

We do not control third parties' collection or use of your information to serve interest-based advertising; however, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

## Children Under the Age of 13

Our websites and Services are not intended for children under 13 years of age. No one under age 13 may provide any information to or on this Website. We do not knowingly collect Personal Information from children under 13. If you are under 13, do not use or provide any information on our websites or on or through any of its features on our websites, make any purchases through our websites, use any of the interactive or public comment features of our websites or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received Personal Information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us (methods for contacting us are listed in the **Contact Information** section)

## Data Security and Storage

We understand that the security of your Personal Information is important. We implement reasonable administrative, technical, and physical security controls designed to protect your Personal Information from loss, misuse, unauthorized access, disclosure, alteration, or destruction. Your Personal Information and data files are stored on our servers and the servers of our affiliated companies and companies we hire to provide services to us.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of this Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of this Website. The information you share in public areas may be viewed by any user of this Website. Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to this Website. Any transmission of Personal Information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on our websites, applications or platform

## Complaints

If you are concerned about an alleged breach of privacy law or any other regulation by RainFocus, you can contact your usual local RainFocus representative or RainFocus' Security & Privacy team at [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com).

We will investigate your complaint, both for employment and non-employment data, and give you information about how it will be handled. If you are not satisfied with the way in which RainFocus has resolved your complaint, you have the right to complain to the data protection authority in your country. You may also refer the matter to a court of competent jurisdiction.

## Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' Personal Information, we will notify you by email to the primary email address specified in your account and/or through a notice on our websites' home page. The date the privacy policy was last revised is specified on this page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you and for periodically visiting this website and this privacy policy to check for any changes.

## Contact Information

For any questions or comments about this privacy policy and our privacy practices, we can be contacted at:

- **Email**
  - [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com)
- **Telephone**
  - [+1 \(877\) 544-4445](tel:+18775444445)
  - *Our business hours for phone calls are 9:00am – 5:00pm MDT*
- **Physical mail**
  - RainFocus, LLC, 1633 West Innovation Way, Suite 100, Lehi, UT 84043, USA

# California Residents

## California Residents' Privacy Rights

Civil Code Section § 1798.83 grants the following privacy rights to California residents:

- The right to know:
  - What personal information is being collected about them (and from where)
  - Whether their personal information is sold or disclosed and to whom
- The right to opt-out of the sale of personal information
- The right to access their personal information
- The right to have any or all of their personal information deleted
- The right to the same service and prices when they exercise their privacy rights compared to when they don't exercise their privacy rights

To exercise your rights beyond opt-in/opt-out options on our website, please contact us (methods for contacting us are listed in the **Contact Information** section).

## RainFocus' Security Program

RainFocus respects peoples' right to privacy and has implemented (and continues to maintain) reasonable security procedures & practices that are appropriate to the nature of the personal information We process.

## Types of Information We Process

See the "Information We Collect About You & How We Collect It" section.

## RainFocus' Contracted Third-parties

See the "RainFocus' Contracted Third-parties" section.

# Individuals in the European Economic Area, Switzerland & the United Kingdom (UK)

## Purpose

The purpose of this section of our privacy policy is to define RainFocus' data protections with regards to the European Union's General Data Protection Regulation (GDPR), which has relevance to the European Economic Area (EEA). We have chosen to apply this policy to individuals in Switzerland and the United Kingdom (UK).

## Scope

This policy applies to the processing of personal data of individuals (data subjects) in the EEA, Switzerland and the United Kingdom by RainFocus workforce members, contractors, and information systems. Compliance with the GDPR is defined by this policy and other relevant policies, such as the Information Security Policy and all connected policies and procedures. The GDPR and this policy applies to all of RainFocus' personal data processing functions for residents of the EEA, including functions performed on customers', clients', employees', suppliers' and partners' personal data.

RainFocus is both a data controller and data processor under the GDPR.

Where other portions of this Privacy Policy overlap with this portion, this portion takes precedence.

## General Data Protection Regulation Policy

### Data Controller

**RainFocus considers itself a data controller for any EEA-based workforce members (if and when applicable) and for its marketing and sales-related activities.** Personal data in the employment scope includes work history, salary



information, and job performance; demographic information, tax identifiers, and home address; dependent gender and tax identifiers; security badge and authentication logs; other data relevant to employment and benefits. Employee personal data is stored in the workforce member's office location, RainFocus HQ in Lehi, UT, and with RainFocus' benefits and salary partners. Employment-related personal data are required for employment. Personal data collected and used for marketing and sales purposes is described in the applicable marketing and sales data inventory, as it may be modified from time to time, but generally includes name, email address, employer and job title.

## Data Processor

**RainFocus is a data processor for all personal data related to its Services.** As a data processor, data subjects provide consent to the data controller, who are RainFocus' clients. Personal data in this instance are stored in RainFocus' data centers in the US. RainFocus' Data Classification and Handling policy does not permit personal data to reside outside of RainFocus' data center. As a data processor, any requests for updates or deletion will be forwarded to the data controller, who can manage and control these activities.

## Key Responsibilities

Each team at RainFocus that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles. Some key areas of responsibility are:

- The executive management team is ultimately accountable for ensuring that RainFocus meets its legal obligations
- The Data Protection Officer (DPO) is responsible for reviewing all data protection procedures and policies, arranging data protection training, handling data protection related questions from staff members, communicating with the data controllers, data subjects, and supervisory authorities, managing third party contracts that handle sensitive data, etc.
- IT and Security Managers are responsible for ensuring all systems, services and equipment used for storing data meet acceptable standards, performing regular reviews and evaluating third party systems or technologies used for storing data meet the acceptable standards, eg. Cloud computing services.

## Data Protection Principles

Personal data must be processed lawfully, fairly, and transparently. The following principles apply with regards to the Personal data:

- Personal data can only be collected for specific, explicit, and legitimate purposes.
- Personal data must be relevant and limited to what is necessary for processing.
- The DPO will ensure that collected data continues to be adequate, relevant, and not excessive.
- Personal data must be accurate and kept up to date with every effort to erase or correct without delay.
- Personal data must be reviewed and updated as necessary.
- No data should be kept unless it is reasonable to assume that it is accurate.
- The DPO is responsible for ensuring appropriate GDPR training is provided to workforce members.
- Data will be maintained according to RainFocus' Data Retention and Destruction policy.
- Requests from data subjects must be responded to within one month
- Personal data must be kept in a form such that the data subject can be identified only as long as is necessary for processing.
- Personal data must be processed in a manner that ensures appropriate security.

## Consent

RainFocus understands "consent" to mean that it has been explicitly and freely given, and the data subject agrees to the processing of personal data relating to him or her. Consent may be withdrawn at any time using the Consent Withdrawal Form. RainFocus' obligation to obtain consent from the data subject differs, depending on whether RainFocus is the data controller or data processor.

As a data processor (maintaining RainFocus' product offering), RainFocus is not obligated to obtain consent, as consent is obtained and maintained by the data controller (RainFocus's clients).

As a data controller (as an employer and for sales/marketing purposes), RainFocus is obligated to obtain consent. For EEA-based employees, RainFocus will obtain consent through current new hire procedures, managed by Human Resources (HR).

When requesting consent, RainFocus will ensure the specific purposes of processing personal data are disclosed. RainFocus will also ensure that data subjects are informed of their right to withdraw consent before giving consent.

## Privacy Notices and Privacy Procedures

The Data Protection Officer (DPO) is responsible to ensure that the privacy notice is correct and that it is available on RainFocus' website. Before processing operations are to occur, RainFocus must identify the legal basis for processing by clearly establishing, defining, and documenting the specific purpose of processing the personal data and the legal basis to process the data under, including: consent obtained from the data subject; performance of a contract where the data subject is a party; legal obligation of RainFocus; official authority of RainFocus; necessary for the legitimate interests of the data controller; and national law.

When personal data is collected from a data subject with consent, or from a source other than the data subject, RainFocus will provide the data subject with the following:

- RainFocus' identity and DPO contact information;
- The purpose for the intended processing of personal data;
- RainFocus' interests that provide legal basis for the processing;
- Categories of personal data;
- Potential recipients of personal data;
- Information regarding intention to disclose personal data to third parties and whether it is transferred outside the EEA;
- Contact details of a data protection representative in the EEA;

- Information on website technologies used to collect personal information on the data subject; and,
- Any other information required to demonstrate that the processing is fair and transparent.

All information provided to the data subject will be in an easily accessible format, using clear and plain language. RainFocus will provide this information within one month of obtaining the personal data.

## Data Subjects' Rights

**Data subjects have the following rights regarding data processing and the data recorded about them:**

- To request the nature of the information held and to whom it has been disclosed;
- To prevent processing that is likely to cause damage or distress;
- To prevent processing for purposes of direct marketing;
- To be informed about the mechanics of automated processes that will significantly affect them;
- To ensure that significant decisions that affect them are not performed solely by automated processes;
- To sue for compensation if damage is suffered by any breach of the GDPR;
- To correct, block, erase, or destroy inaccurate data;
- To request that the supervisory authority determine if any provision of the GDPR has been violated;
- To have personal data provided in a structured, commonly used, machine-readable format and have the right to transfer that data to another controller; and

- To object to any automated profiling that is occurring without consent.

All data provided to the data subject will be provided in electronic format, unless otherwise specified. Before the data is provided to the data subject, the DPO reviews all data to identify whether any third parties are present. The third-party information is either removed or can be provided if the DPO receives written consent for the third party's identity to be revealed.

**In the event that the data subject requests what personal data is being processed, then the following will be provided:**

- Purpose of the processing;
- Categories of personal data;
- Recipients(s) of the information;
- How long the personal data will be stored; and
- The data subject's right to request an update or erasure.

**In the event that the data subject requests erasure, then the following steps will be performed without undue delay:**

- RainFocus will remove personal data from systems as soon as a request has been submitted by the data subject.
- RainFocus will contact all entities that are processing personal data of the data subject to delete any relevant data and cease processing operations.
- Data subjects have the right to lodge a complaint related to the processing or handling of their personal information. Complaints are handled as described below.

## Data Portability Procedure

RainFocus will inform data subjects of the right to portability at the time personal data is obtained. Data portability requests will be executed within one month of the

request date. Where the data requested concerns a third party, the Data Protection Officer (DPO) determines whether transferring data to another data controller would cause harm to the rights and freedoms of other data subjects. The data subject identifies the personal data that is to be transmitted or provided for their own use. RainFocus has set safeguards to ensure the personal data transmitted are only those that the data subject has requested to be transmitted. The requested information is provided in a structured, commonly used, and machine-readable format. The requested information is encrypted using AES-256. This encryption may be performed in WinZip, WinRAR, or 7-Zip.

## Complaints

All workforce members are responsible to report any complaints regarding RainFocus' GDPR implementation to the Data Protection Officer (DPO). RainFocus has published the contact details of the DPO on its website, under the Privacy Policy. RainFocus allows data subjects to lodge a complaint by contacting the Privacy team at [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com). Data subjects are entitled to complain about:

- How their personal data has been processed
- How their request for access to data has been handled
- How their complaint has been handled
- An appeal against any decision made following a complaint

Complaints and appeals of complaints are to be resolved within one (1) month.

Under certain conditions, data subjects have the possibility of invoking binding arbitration.

## Security of Data

All workforce members are responsible for ensuring that all personal data is kept secure and is not disclosed to any unauthorized party or individual. Access to personal data may only be granted on a need-to-know basis. Computer media that has stored personal information must be destroyed in accordance with RainFocus'

Data Retention and Destruction policy. All workforce members with access to personal information must protect workspaces by abiding by workstation security and clean desk policies. When personal data is deleted this should be done safely such that the data is irrecoverable. Appropriate back-up and disaster recovery solutions shall be in place.

## RainFocus' Processors

*See the "RainFocus' Contracted Third-parties" section in the general privacy policy above.*

Additionally, under GDPR, RainFocus is liable in cases of onward transfers to third parties.

## Training

The DPO ensures that workforce members with access to personal data or personal data processing systems demonstrate compliance with the GDPR. The DPO ensures workforce members are kept up to date and informed of any issues related to personal data or the GDPR. The DPO is responsible for GDPR training and awareness programs. RainFocus is responsible for retaining training records related to GDPR.

The DPO maintains a list of relevant external bodies, the most important of which is Ireland's [Data Protection Commission](#) (DPC). The DPC may be consulted when it is determined via Data Protection Impact Assessment (DPIA) that the data processing may result in high risk to the data subject.

## Breach Notification

### To Data Controller

Data Privacy breaches are to be reported to the Data Protection Officer (DPO). The DPO reports the breach to the data controller without delay. Contact details and other information is recorded in the Breach Register.

### To Supervisory Authority

The appropriate Supervisory Authority will be notified within seventy-two (72) hours of the breach when RainFocus determines that the breach is likely to result in a risk to the rights and freedoms of the affected data subjects. If notification cannot be provided within seventy-two (72) hours, the DPO will submit the notice electronically with justification for the delay. The following information must be provided to the supervisory authority:

- A description of the nature of the breach
- The categories of personal data affected
- Approximate number of data subjects affected
- Approximate number of personal data records affected
- DPO contact information
- Consequences of the breach
- Any measures taken to address the breach
- Any additional information relating to the breach

## To Data Subject

If the data breach is likely to result in high risk to the rights and freedoms of the data subject, RainFocus will notify affected individuals within five (5) business days. The notification to the data subject will describe the breach in clear and plain language, in addition to the information provided to the Supervisory Authority. RainFocus will provide clear information around data protection mechanisms in place, including encryption. If the breach affects a high volume of data subjects and records, RainFocus may opt to provide a public communication (or similar) to inform those affected.



## Transfer Outside the EEA Procedure

When transferring personal data outside of the EEA, RainFocus will ensure that there is an adequate level of protection established. RainFocus will ensure that any transfer of personal data outside of the EEA to a RainFocus processing facility is compliant with the GDPR through contracts or other mechanisms such Binding Corporate Rules. RainFocus will ensure that any transfer of personal data outside of the EEA to a non-RainFocus processing facility will not result in a negative impact to the security of personal data.