

GetResponse Privacy Policy

We realize that you care how your information is processed and shared, and we appreciate your trust in us to do that carefully and sensibly. We believe it is important for you to know how we treat the information about you which we receive during your visits to www.getresponse.com and the use of our Service. We encourage you to take the time to read this Privacy Policy as well as those of any other sites you visit, whether through a link on the Website or otherwise. By using our Service and visiting our Website you are agreeing to the terms and conditions as set out in this Privacy Policy, which we may periodically change, modify, add or rectify or otherwise update at our discretion.

For the purpose of this Privacy Notice ("Privacy Policy"):

"Website" means www.getresponse.com;

"GetResponse", **"we"**, **"us"** or **"our"** means GetResponse Malaysia Sdn. Bhd. (Company Number: 1187327-A) incorporated under the laws of Malaysia, with its registered address: Unit No. 17-2, Level 17, Wisma UOA II, No. 21, Jalan Pinang, 50450 Kuala Lumpur, Wilayah Persekutuan, business and correspondence address: Level 8, Vertical Corporate Tower B, Avenue 10, The Vertical Bangsar South City, 8 Jalan Kerinchi, 50400 Kuala Lumpur, Malaysia;

"You", " your" means collectively the Customers, Contacts, Website's users, persons who have subscribed to GetResponse's newsletter;

"Personal Data" means any personal data relating to you, that have been provided to or made available to us;

Capitalized terms that are not expressly defined in this document shall have the meanings ascribed to them in the GetResponse Terms of Service ("Terms of Service").

GetResponse undertakes all commercially reasonable endeavors to keep all disclosed Personal Data secure. Data collected through tracking and registration will not be shared or sold to third parties for any purpose without your express consent, except as provided in this Privacy Policy, or in a contract between GetResponse and you.

When you visit the Website and/or use our Service, we receive and may collect two types of information: (1) Website use information and cookies, and (2) Personal Data you knowingly choose to disclose, which is collected on an individual basis.

The Website may contain links to other websites belonging to or operated by third parties. We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements carefully.

SPECIAL NOTE ABOUT CHILDREN

This Website is not intended for children, especially kids under 13. Children may use this Website only with the direct supervision of their parent.

Data Processing

GetResponse collects Personal Data from you when you visit the Website and/or register for our Service. When you register for our Service, we require: (i) username, (ii) password, (iii) email address, (iv) phone number, (v) first and last name, (vi) zip code, (vii) country, (viii) billing information such as billing address and credit card number and (ix) tax identification number. We may also ask you to provide additional Personal Data such as (i) company name, (ii) title, (iii) educational background or institution, and (iv) personal details that you may opt out of by not entering data when asked.

We use your registration information for verification purposes and provide you access to our Service. We also use the email addresses used in the registration information to communicate with you. From time to time, we may contact you via email to notify you of changes to our Service, scheduled maintenance, information about GetResponse and promotional material from GetResponse. You can access your Personal Data through your Account and are obliged to update the data provided in the registration form as soon as any change in these data has occurred.

We will retain your Personal Data for as long as needed to provide the Service. We will retain and use your Personal Data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. The provision of Personal Data in connection with your use of the Service is voluntary. Note, however, that the refusal to provide certain data may make it impossible for you to use all or part of the Service functionalities.

With respect to Personal Data which you provide us with, you confirm that processing such data is in accordance with any applicable data protection legislation and Privacy Policy and will not cause GetResponse to breach any applicable data protection legislation. You agree that we may process and transfer these Personal Data to our affiliates and/or relevant subcontractors (who may be located in other territories) for the purposes provided herein.

Where we provide you with the personal data of our employees, officers, servants, agents and advisors, you agree to keep it confidential and in accordance with any applicable data protection legislation.

Outsourcing of Contacts Personal Data Processing

GetResponse recognizes the importance of respecting the privacy of Contacts' Personal Data. We make every effort to safeguard their security and privacy. GetResponse will never use the Contacts' Personal Data other than for our Service nor to send any information other than expressly provided by you, nor will we share it with or sell it to anyone else for such use.

Contacts' Personal Data processing may be outsourced by the Customer to GetResponse only where the Customer is the data controller or where the latter processes such personal data on the basis of applicable data protection legislation.

Contacts' Personal Data processing may be outsourced as regards email address and other Contact-related information considered by the Customer necessary to ensure proper provision of the Service.

Further passing of the job of data processing may take place only within the limits, and for the purpose of proper provision of the Service.

GetResponse declares that it provides security measures protecting the databases and meets the technical and organizational requirements specified in applicable data protection legislation.

GetResponse also ensures the implementation of legal notices in accordance with the relevant regulations.

Erasure of Processed Personal Data

After cancellation of your Account, GetResponse shall store Personal Data related to you, as well as any statistical data concerning the Account for a period of no less than 30 days for a possible reactivation of your Account. The processing of Personal Data by GetResponse after the cancellation of your Account may only involve holding of the same, unless performance of other operations on the data has been imposed on GetResponse by applicable regulations or competent authorities. After the expiry of this term, Personal Data shall be deleted from the main base without possibility of recovery. In the period of next 15 days Personal Data shall be subject to encryption and stored in backup copies only. The said 15-day period is required to delete the Personal Data completely due to specifics of the backup copies operations.

Sharing Information

GetResponse will not share, sell, rent or trade your Personal Data other than as disclosed within this Privacy Policy.

We reserve the right to disclose your Personal Data as required by law and when we believe that disclosure is necessary to protect our rights and/or comply with a judicial proceeding, court order, or legal process served on GetResponse.

In certain situations, GetResponse may be required to disclose Personal Data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

We use other third parties in a scope necessary to provide the Service, such as credit card processing companies to bill you for goods and services. When you sign up for the Service we will share your Personal Data as necessary for the third party to provide the services. These third parties are prohibited from using your Personal Data for promotional purposes.

If GetResponse is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on the Website of any change in ownership or uses of your Personal Data, as well as any choices you may have regarding your Personal Data.

You expressly agree that we, our subsidiaries, affiliated or associated companies, or related entities controlled directly or indirectly by us and any of their respective branches and offices are permitted to collect, use, store and share the Personal Data.

You understand and agree that the Personal Data may be transferred to, used and stored in other jurisdictions, the laws of which may not offer the same level of protection as the laws of the jurisdiction which the Personal Data originates from. The Personal Data may also become subject to the legal disclosure requirements of other jurisdictions.

You understand and agree that GetResponse is permitted to disclose the Personal Data, for confidential use, to:

- (a) and among GetResponse group of companies;
- (b) comply with any law, regulation, or request by any government, court, administrative, regulatory or other authorities;
- (c) any agents and persons to whom GetResponse outsources the performance of its operational functions (including, without limitation, any third party service provider)

- and/or who provides any services, whether within or outside the country which Personal Data originates from;
- (d) any novatee, assignee, participant, sub-participant or transferee, or proposed novatee, assignee, participant, sub-participant or transferee of any of our rights or obligations;
 - (e) any parties engaged by GetResponse to enable or assist GetResponse to exercise its rights and perform its obligations;

We do not guarantee the security of any information transmitted by or to us through any means of communication or correspondence (including mail, courier service, e-mail or other electronic means (including short message service (SMS))).

You accept the risk that such information may be accessed by unauthorized third parties and/or disclosed by GetResponse and by its officers, employees or agents to third parties purporting to be the intended recipient.

Regardless of the above, you agree that GetResponse will transmit such information to the address or other relevant particulars specified by you, and that such information may not be protected with encryption, password protection or any other form of security from disclosure to unauthorized third parties. You accept the risk that such transmission of information may be received, accessed or disclosed to third parties other than the intended recipient(s).

To the fullest extent permitted by law, GetResponse is not liable to you for any losses, costs, damages, expenses, claims and demands arising directly or indirectly in connection with any disclosure of information to third parties by GetResponse in the course of us carrying out the Service, including where such disclosure arose out of GetResponse's negligence or through physical or electronic interference by a third party.

You will not hold GetResponse responsible or liable, in contract, tort (including negligence or breach of statutory duty), equity or otherwise, for any such access or disclosure or for any losses, costs, damages, expenses, claims and demands suffered or incurred by you or any third party as a result of any such access or disclosure, except for any losses which result directly and solely from GetResponse's fraud or willful default.

You represent and warrant that you have obtained the agreement and consent of all relevant persons to any disclosure of information relating to them, which you provide GetResponse with, pursuant to this Privacy Policy. You shall indemnify and hold GetResponse harmless from and against any consequences, losses, damages, costs and/or expenses (including all legal costs on an indemnity basis) whatsoever and howsoever resulting from any failure to obtain such consents.

Passwords

Your GetResponse Account information, username, password and profile are password-protected so that you have secure access to entering and editing Personal Data. It is your responsibility to protect the security of your passwords. Access to the Service is protected by a unique username and password that is known to you only. GetResponse has designed internal security processes that encrypt your password to protect it from being divulged or accessed by anyone other than you. Neither GetResponse employees nor any of its contractors can obtain or access your password. Neither GetResponse employees nor any of its contractors will ask you for your password via mail, email, telephone or in any other unsolicited manner.

Website Use Information

Our servers automatically collect site use information, each time you visit the Website. The Website use information includes, but is not limited to the following: the domain names, operating system in use (e.g. Macintosh, Windows), browser (e.g. Mozilla Firefox, Internet Explorer) and version, the website which referred you to us, and other similar information. This information may be aggregated to measure the number of visits, average time spent on the Website, pages viewed, time and date of visits, and other similar information. We may use and disclose site use information, for example, to measure the use of the Website, improve the content, explain the utility of the Website and Service we provide, and to extend their functionality.

As is true of most websites, we gather certain information automatically and store it in log files. This information includes browser type, referring/exit pages, operating system, date/time stamp, and clickstream data.

We use this information, which does not identify individual users, to analyze trends, to administer the Website, to track users' movements around the Website and to gather demographic information about our user base as a whole. Information we collect may be used to enhance your use of the Website, and to provide you with the Service, arrange the Website in the most user friendly way, communicate special offers and featured items, and/or respond to your questions and suggestions. We do not link this automatically-collected data to Personal Data.

Similar to other commercial websites, the technology called "cookies" may be used to provide you with tailored information. A cookie is a small piece of data that a website can send to your browser, which may then be stored on your hard drive, so we can recognize you when you return. You may be able to set your browser to notify you when you receive a cookie. Our cookies collect general information that enhances our ability to serve you and measure the utility of the Website. We do not link the information we store in cookies to any Personal Data you submit while on the Website. We partner with a third party to either display advertising on our Website or to manage our advertising on other sites. Our third party partner may use technologies such as cookies to

gather information about your activities on this site and other sites in order to provide you advertising based upon your browsing activities and interests. If you wish to not have this information used for the purpose of serving you interest-based ads, you may opt-out by clicking [here](#). Please note this does not opt you out of being served ads. You will continue to receive generic ads.

The use of cookies by third party web analytics partner is not covered by our Privacy Policy. We do not have access or control over these cookies. These third parties use session ID and persistent cookies to make it easier for you to navigate the Website.

Mailing Policy

When you send us an email, we use your email address to thank you for your comment and/or reply to your question, and we will store your communication and our reply for any future correspondence.

When you accept to receive information about our Service, promotions, newsletters, press releases, and/or new offers, we use your email address and any other information you give us to provide you with the information or other services, until you ask us to stop (using the 'unsubscribe' instructions provided with each email communication).

When you request information or other services from us, we use your email address and any other information you give us to provide you with the information or other services that you requested, until you ask us to stop (using the 'unsubscribe' instructions provided with each email, and/or on the site where you signed up, and/or as we otherwise provide), or until the information or service is no longer available.

We will never use your email address or other information to provide you with any unsolicited messages or information (unless that is part of the service you are requesting), nor will we share it with or sell, rent or lease it to any third party for such use.

Information Security

We believe that keeping Personal Data secure is one of our most significant responsibilities.

We restrict access to Personal Data to those employees and others who need to know that information to assist us in our business, or to provide products or Service to you. All our employees having access to your Personal Data, are obliged to respect the confidentiality of your Personal Data. We protect Personal Data from unauthorised access, improper use or disclosure, unauthorised modification, unlawful destruction or accidental loss, according to the established

security standards and procedures, by maintaining physical, electronic, and procedural safeguards to the Personal Data.

When we request for sensitive information, such as credit card number, it is encrypted and protected with the best encryption software in the industry SSL and processed through a reputable payment processor. While on the secure page, such as our order form, the lock icon at the bottom of web browsers, e.g. Mozilla Firefox or Microsoft Internet Explorer, becomes locked, as opposed to unlocked or open, when you are just 'surfing'.

Security

GetResponse stores its servers in a highly secure server environment, with surveillance and support to prevent unauthorized access and data security.

We cannot guarantee the security of your Personal Data while it is being transmitted over the Internet and through servers that are out of our control. We strive to protect your Personal Data but GetResponse cannot ensure or warrant the security of any information you transmit to the Website or Service. Any data transmissions you make over the Internet are done so at your own risk. Once we receive the data transmission, we make our best efforts to ensure its security and privacy on our systems.

Our blog is managed by a third party application that may require you to register to post a comment. We do not have access or control of the information posted to the blog. You will need to contact or login into the third party application if you want your Personal Data that was posted to the comments section removed. To learn how the third party application uses your information, please review their privacy statement.

Facebook Connect or other OpenID provider

You can log in to the Website using sign-in services such as Facebook Connect or an Open ID provider. These services will authenticate your identity and provide you the option to share certain Personal Data with us such as your name and email address to pre-populate our sign up form. Services like Facebook Connect give you the option to post information about your activities on the Website to your profile page to share with others within your network.

Social Media Widgets

The Website includes Social Media Features, such as the Facebook Like button and Widgets, such as the Share this button or interactive mini-programs that run on the Website. These Features may collect your IP address, which page you are visiting on the Website, and may set a cookie to enable the Feature to function properly. Social Media Features and Widgets are either hosted by

a third party or hosted directly on the Website. Your interactions with these Features are governed by the privacy policy of the company providing it.

Contests

From time-to-time we may provide you the opportunity to participate in contests on the Website. If you participate, we will request certain Personal Data from you. Participation in these contests is completely voluntary and you therefore have a choice whether or not to disclose this information. The requested information typically includes contact information (such as name and shipping address), and demographic information (such as zip code). We use this information to be able to send the prize to the winner of the contest.

Testimonials/Reviews

We may post your testimonials/reviews on the Website which may contain Personal Data. We will obtain your consent via email prior to posting the testimonial/review to post your name along with your testimonial/review. If you wish to update or delete your testimonial, you can contact us using our [feedback form](#).

View, Change or Remove Information

Upon request GetResponse will provide you with information about whether we hold any of your Personal Data. You may correct or delete your profile information at any time by going to your profile page and clicking '[My Account](#)' option from the menu, then the information will be updated. Please contact us using our [feedback form](#) if you need assistance in updating or reviewing your information. GetResponse will respond to you to review the information within 20 days.

Other Terms

We may change this Privacy Policy at any time. Unless stated otherwise, our current Privacy Policy applies to all information that we have about you and your Account. If we make changes to this Privacy Policy we will notify you via e-mail and by publication on the Website prior to the changes taking effect.

If, however, we make material changes or GetResponse is going to use your Personal Data in a manner different from that stated at the time of collection we will notify you via e-mail and on the Website prior to the change becoming effective. You will have a choice as to whether or not we use your Personal Data in this different manner. However, if you have opted out of all communication with the Website, or deleted your Account, then you will not be contacted, nor will your Personal Data be used in this new manner.

Information posted by you in online blog updates, public forums, online bulletin boards may be displayed on the Website.

Contacting GetResponse

If you have any questions or concerns about our Privacy Policy you can reach us at:

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Vertical Corporate Tower B
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8 Jalan Kierinchi
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