

1. General

We realize that you care how your information is processed and shared. We also believe it is important to you to know how we treat that information, and we appreciate your trust in us to do that carefully and sensibly.

This document (the "Privacy Policy") is provided by GetResponse Inc. (a Delaware corporation located at 71 Summer Street, 5th Floor, Boston Massachusetts 02110 ("GetResponse", "we", "us", or "our") and is designed to help you understand how we collect, disclose, and safeguard the information we receive about you. It applies to each of the websites and related web pages that we own, use or control (collectively, the "Website"), and to the use of the Websites, online marketing and related services that we provide (collectively, the "Service"). We encourage you to take the time to read this Privacy Policy.

By visiting the Website or using the Service, each Website user, Service customer ("Customer"), Customer's subscriber ("Contact"), or GetResponse newsletter recipient (each referred to herein as a "User" or "you") thereby accepts and consents to the terms of this Privacy Policy. Capitalized terms that not expressly defined in this document are defined in the GetResponse Terms of Service (["Terms of Service"](#)).

GetResponse undertakes to process your personal information in accordance with all applicable privacy and data protection laws, regulations, frameworks and requirements (collectively, "Applicable Privacy Laws"). To the extent your Contacts are located outside of the United States, these may include (without limitation) provisions of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC ("General Data Protection Regulation", "GDPR"), and Applicable Privacy Laws of the United States or other countries. For purposes of General Data Protection Regulation and similar EU member state frameworks, GetResponse is the "data controller" with respect to Customer personal data, and the "data processor" with respect to personal data of Contacts.

For purposes of each agreement between you and GetResponse, personal data and information include data that identify you as a specific individual: i.e. your name, email address, phone number, geographical address, and/or company name and company address. This information is used to complete the Account details, process Customer information requests, verify the validity of such requests, and/or process payments solely for the Service that you have ordered.

GetResponse only collects personal data and information that you choose to provide voluntarily in connection with your subscribing to or otherwise using the Service. GetResponse will advise you regarding which information is required, and which information is not required. We undertake to make reasonable efforts to keep all such personal data and information secure. Without your express consent, we will not share with or sell to any third party any information about you collected through tracking and registration, except as provided in this Privacy Policy, or expressly authorized by you.

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

If you click on a link on the Website, it may redirect you to a third-party website, causing you to leave our Website. We are not responsible for the privacy practices of third-party sites, and we encourage you to read their privacy statements.

If you have any questions or concerns about our Privacy Policy, please contact us through your dedicated Account Manager or this link: <https://www.getresponse.com/feedback.html>. You may also contact us by mail at the address noted above.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

2. Special note about children

This Website is not intended for children, especially children under age of 13. Children may use this Website only with the direct supervision of their parent or other legal guardian. GetResponse does not knowingly collect information about, or target children under age of 13 to use the Website.

3. Customer Data Processing

GetResponse collects personal information from Users who visit the Website or subscribe to the Service. When a Customer subscribes to our Service, we require: (i) password, (ii) email address, (iii) first and last name, (iv) company or organization, (v) address, (vi) phone number, (vii) billing information. We may also ask Customers to provide additional personal information, such as (i) tax id number, (ii) industry, (iii) other company details, and (iv) personal details that the Customer may opt out of by not entering data when asked. We use the email addresses provided to us in the subscription process to communicate with our Customers. From time to time, GetResponse may contact you via email to notify you of changes to its Service, scheduled maintenance, information about GetResponse and promotional material from GetResponse. The Customer is obliged to update the data provided to us as soon as any change in that data occurs. We will retain and use your information for as long as needed to provide you the Service, comply with our legal obligations, resolve disputes, and enforce our agreements.

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 features of the Service.

Because our servers and operations are in the United States, the personal information and data that you provide to us (regarding you, your Contacts or otherwise) may be transferred to, collected, stored, or processed in the United States. We may also transfer that information or data to our affiliates, contractors or others, in the United States or elsewhere. In each case, we will do so only to the extent necessary to provide you the Service, comply with our legal obligations, resolve disputes, and enforce our agreements.

Additionally, your own transfer or processing of Contacts personal information or data may be subject to protection under Applicable Privacy Laws. Without limiting the foregoing, it is important to note that if you or your Contacts are located in the European Economic Area

("EEA"), or you use the Service to send emails to anyone in the EEA, then your processing of their personal data or information may be subject to protection under General Data Protection Regulation. By using the Website or the Service, you expressly acknowledge, consent to and agree to the foregoing and that (i) we may transfer personal information and data that we receive from you (regarding you, your Contacts, or otherwise) to third parties as described in this Privacy Policy, (ii) you are authorized to transfer such information and data to us under all Applicable Privacy Laws, (iii) you are familiar with and solely responsible for satisfying your own obligations under such Applicable Privacy Laws, (iv) you will clearly and transparently inform the data subjects how you intend to use their collected data, including any use in connection with the Service, (v) you have all necessary consents to allow GetResponse to receive and process personal data and information, and to send electronic communications to those data subjects on your behalf, and (vi) you will not send communications using or through the Service to Contacts located in the EEA unless you have first signed our Data Processing Agreement [link].

You expressly agree to indemnify, defend and hold harmless GetResponse from any and all losses, damages or liabilities, including but not limited to attorneys' fees and related costs, that we incur as a result of or in connection with any breach of your commitments, obligations or representations hereunder.

Personal Data of Contacts

GetResponse recognizes the importance of respecting the privacy of Contacts who decide to entrust their information to our Customers, and we strive to safeguard the security of the information we receive about Contacts. GetResponse will never use that information to send any information other than as expressly provided by you, nor will we share it with or sell it to anyone else for such use.

Personal Data of EEA Contacts

Processing of personal data of Contacts located in the EEA may be outsourced by the Customer to GetResponse only where the Customer is the data controller (within the meaning of Article 4 item 7 of the GDPR) or where Customer processes personal data of Contacts on the basis of Article 28 of the GDPR.

GetResponse may process personal data of Contacts on instructions from the Customer within its capacity of data processor within the meaning of Article 4 item 8 of the GDPR. Processing of personal data of Contacts may be outsourced only to the extent necessary to ensure proper provision of the Service, and GetResponse will only delegate its responsibilities for processing personal data to entities from countries or sectors that ensure an adequate level of personal data protection.

4. Erasure of Processed Data

If you are our Customer, we store your Personal Data for the time during which you have an Account with our Service. When you deactivate your Account, we'll store your Data for 30 days for the sole purpose of enabling you to reactivate the Account. During that time, we'll only store your data without any other processing activities subject to our other obligations or rights arising from applicable laws or public authority orders. After that time, we'll delete your Personal Data from the main database, without the possibility to recover it. In the next 15 days, your Personal Data will 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 the specifics of the backup copy operations.

We'll store the Personal Data of the Users who are not our Customers for the time corresponding to the lifecycles of the cookie files saved on their devices. You will find the details of how we use cookies in our [Cookie Policy](#).

We'll store the Personal Data of our newsletter subscribers or persons who have agreed to receive marketing content from us until they resign.

After expiration of the periods described above, your Data will be erased, excluding the following data:

- name,
- surname,
- email address,
- Service usage history,
- and information about expressed consents.

We'll store this data only for as long as we need to handle complaints and manage claims related to the use of the Service, and for as long as is required by tax and accounting regulations.

5. Sharing Information Regarding the Customers and Contacts

GetResponse will not share, sell, rent or trade Customer or Contact personal information other than as disclosed within this Privacy Policy.

We reserve the right to disclose such personal information 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 valid subpoenas or lawful requests by public authorities, including to meet national security or law enforcement requirements. For information regarding our Subpoena Policy, please see below.

Subpoena Policy

The GetResponse Privacy Policy prohibits the release of Customer or Account information without express permission from the Customer, except in limited circumstances, including when required by law, to conform to legal requirements, or to comply with valid legal process properly served on GetResponse.

Subpoenas

In order to obtain the identity or Account information of a GetResponse Customer from GetResponse in connection with a civil or criminal legal matter, you must serve GetResponse with a valid subpoena, court order or other valid legal process. GetResponse reserves the right to request a copy of the complaint and any supporting documentation that demonstrates how the GetResponse Customer identity, Account or e-mail address is related to the request.

Submission of Subpoenas

GetResponse is headquartered in the Commonwealth of Massachusetts, and will only accept validly issued subpoenas, court orders or other valid legal process to which we are subject in Massachusetts ("Requests"). All Requests should be served or mailed to GetResponse at:

GetResponse, Inc.
71 Summer Street, 5th floor
Boston, MA 02110
Attn: Legal Department

All Requests should specify the Customer's name or Account, the information sought, including the specific dates for which information is requested, and the contact name, phone number and secure email address of the requesting party.

In connection with criminal matters, we will only respond to Requests from members of the law enforcement community.

Customer Notification

Unless legally prohibited, upon receipt of a valid Request regarding Customer information, GetResponse may attempt to quash, and/or notify the Customer to provide the Customer an opportunity to quash the Request. Our response times will not be immediate and will depend on the circumstances, including the type of Request and information sought.

Requests for E-mail

GetResponse will not produce electronic communications, including stored emails, except in accordance with Electronic Communications Privacy Act, 18 U.S.C. §2701 et seq. ("ECPA"), which prohibits electronic communications service providers from such production, even pursuant to valid subpoena or court order, except in limited circumstances.

Fees for Compliance

GetResponse reserves the right to charge the applicable Customer for any and all costs, expenses, fees and other amounts incurred by GetResponse in connection with responding to or complying with any Request regarding that Customer or its Accounts ("Subpoena Costs"). Without limiting the foregoing, Subpoena Costs may include reimbursement for time expended by GetResponse employees in connection with related research, testimony, depositions, and other activities, and fees, costs and expenses for professional advisors, contractors, couriers, travel and lodging. Where applicable, Subpoena Costs will be calculated at the following rates:

GetResponse employees - \$100.00/hour

Third parties – at cost on a pass through basis

Copies - \$0.25/page

GetResponse reserves the right to recover Subpoena Costs either by invoicing the Customer or charging the Customer's payment method on file with GetResponse (e.g. credit card). Each such invoice must be paid within in thirty (30) days of receipt.

We use third parties as necessary to provide the Service, such as a credit card processing company to bill the Customer for goods and services. When you sign up for the Service we will share your information with third parties as necessary to provide the Service.

These third parties are prohibited from using your personal information for promotional purposes.

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

6. Passwords

Customer's Account information, username, password and profile are password-protected so that Customers have secure access to enter and edit personal data. It is the Customers' responsibility to protect the security of their passwords. Access to the Service is protected by a unique username and password that is known to the Customer only. GetResponse has designed internal security processes that encrypt the Customer's password to protect it from being divulged or accessed by anyone other than the Customer. Neither GetResponse

employees nor any of its contractors is permitted to 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.

7. Website Use Information

Our servers automatically collect Website Use Information, each time you visit the Website. "Website Use Information" means and includes information ascertained or ascertainable by GetResponse regarding your usage of the Website, including (but not limited to) accessing domain names, operating systems in use (e.g. Macintosh, Windows), browsers (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 Website Use Information, for example, to measure the use of the Website, improve the content, explain the utility of the Website and services 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, in a form that does not identify individual Users, to analyse trends, to administer the Website, to track Users' movements around the Website and to gather demographic information about our User base as a whole. We do not link this automatically-collected data to personal information.

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 information you submit while on the Website.

The use of cookies by third party web analytics partners 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.

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 customer friendly way, communicate special offers and featured items, and/or respond to your questions and suggestions.

We and our partners use cookies or similar technologies to analyse trends, administer the website, track Users' movements around the website, and to gather demographic information about our User base as a whole. Users can control the use of cookies at the individual browser level.

We partner with a third party to either display advertising on our Website or to manage our advertising on other sites. Our third-party partners may use technologies such as cookies to gather information about your activities on this Website and other sites in order to provide you advertising based upon your browsing activities and interests. If you do not want information about your activities on the Website to be used to serve you interest-based ads on the Website, 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.

8. 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. Beyond our initial reply, we will not use your email address to send you any unsolicited message or information, unless otherwise provided for in this Privacy Policy, nor will we share it with or sell it to anyone else for such use.

When you accept to receive information about our services, 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, or unless otherwise provided for in this Privacy Policy), nor will we share it with or sell, rent or lease it to any third party for such use.

9. Information Security

We believe that keeping personal information secure is one of our most significant responsibilities.

We restrict access to personal information about you to those employees and others who need to know that information to assist us in our business, or to provide products or services to you. We safeguard personal information, according to established security standards and procedures, by maintaining physical, electronic, and procedural safeguards for such personal data.

When we request Customers to enter sensitive information, such as credit card number, it is encrypted and protected using SSL technology and processed through a reputable payment processor. While on the secure page, 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' to indicate that the information being entered during that session is encrypted.

All of our Customers' information, not just the sensitive information mentioned above, is restricted in our offices. Only employees who need the information to perform a specific job (e.g. our billing clerk or a Customer service representative) are personally granted access to sensitive information.

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 data while it is being transmitted over the Internet and through servers that are out of our control. We strive to protect your personal information but GetResponse cannot ensure or warrant the security of any information you transmit to the Website or Services. 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 information that was posted to the comments section removed. To learn how the third blog party application uses your information, please review their privacy statement.

Facebook Connect or another 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 information 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 information 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 and protect this information in accordance with this Privacy Policy.

Customer Testimonials/Reviews

We post Customers' testimonials/reviews on the Website which may contain personal information. We do obtain the Customer's consent via email prior to posting the testimonial/review to post their name along with their testimonial/review. If you wish to update or delete your testimonial, you can contact us by your dedicated Account Manager or using our [feedback form](#).

10. View, Change or Remove Information

Upon request GetResponse will provide you with information about whether we hold any of your personal information. You may change or delete your profile information at any time by going to your profile page and clicking "My Account" or "Manage Account" option from the menu, and then updating the existing information. Please contact us by your dedicated Account Manager or using our [feedback form](#) if you need assistance in updating or reviewing your information.

11. Other Terms

We may change this Privacy Policy at any time. Unless stated otherwise, as of a given time, our then current Privacy Policy shall apply to all information that we have about you and your

Account as of that time. If we make changes to this Privacy Policy, we will notify you by publication here prior to the changes taking effect.

If, however, we make material changes or GetResponse is going to use Users' personal information in a manner different from that stated at the time of collection we will notify Users via the Website prior to the change becoming effective. Users will have a choice as to whether or not we use their information in this different manner. However, if Users have opted out of all communication with the Website, or deleted their Account, then they will not be contacted, nor will their personal information be used in this new manner.

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

"Effective Date": 12/12/2018