

Ongage

Privacy Notice

Recently Revised: September 2020

This Privacy Policy (“**Privacy Policy**”), is an integral part of our [Terms of Service](#) (“**Terms**”), and governs the processing and transfer of personal data collected or processed by Ongage in connection with its Site and Services.

Any capitalized terms not defined herein shall have the meaning ascribed to them in the Terms.

Please note, that the Site and/or Services may contain links to other websites, products or services offered by third parties, which are not governed by this Privacy Policy. This Privacy Policy does not apply to the practices of entities which are not controlled by Ongage.

This Privacy Policy explains what data we may collect from you, how such data may be used or shared with others, how we safeguard it and how you may exercise your rights related to your Personal Data (as defined below), among others, and where applicable, as required according to the EU General Data Protection Regulation (“**GDPR**”) and the California Consumer Privacy Act (“**CCPA**”).

In the event you are a California resident and the CCPA applies to you – please also review our [CCPA Privacy Notice](#).

If you do not agree to this Privacy Policy and to the data collection practices we describe here, we may not be able to properly provide you with the Services, so please make sure you read it carefully, understand it and consent to its terms. If you have any question to us regarding this Privacy Policy or our data practices, you are welcome to contact us at: info@ongage.com.

APPLICATION OF THIS PRIVACY POLICY

This Privacy Policy explains Ongage’s data collection practices that are applicable toward: (i) our Customers and their users (i.e., their employees); (ii) Recipients (as defined below); and (iii) visitors of the Site (“**Visitors**”). Customers, Recipients and Visitors will be jointly be referred to as “**Users**”.

If you do not agree to this Privacy Policy and to the data collection practices we describe here, we may not be able to properly provide you with the Services, so please make sure you read it carefully, understand it and consent to its terms. If you have any question to us regarding this Privacy Policy or our data practices, you are welcome to contact us at: info@ongage.com or to our DPO’s email: dpo@ongage.com.

THE HIGHLIGHTS:

- **You are not required by law to provide us with any Personal Data. Sharing Personal Data with us is entirely voluntary.**
- **You may not share Personal Data about other people with us which you are not authorized to share or use.**
- **In general we use Personal Data (1) where we have a legitimate interest to do so (for example for Site and Services security purposes); (2) in order to perform a contract (for example, to provide our Customers with the support they have requested or response to their inquiry); (3) where there is a legal obligation imposed on us or to protect our legal rights; and (4) otherwise with your consent to do so.**

- Our Services are intended for Users and Recipients (as defined below) over the age of 16. Children under such age are not permitted to use the Services. If you are under such age you should cease to use the Services immediately. You may not use the Services to send emails to Recipients under the age of 16.
- You may be entitled under applicable law to request to review, amend, erase or restrict the processing of your Personal Data.
- We do not sell, trade, or rent Users' or Recipients' Personal Data to third parties. We only share Personal Data with third parties in connection with the provision of the Services to our Users, or other limited circumstances as specified herein.
- If you have any questions or requests regarding the processing of your Personal Data, or would otherwise like to contact us in connection with this Privacy Policy, please send us an email to: info@ongage.com

1. What are Personal Data, and what data is collected by Ongage?

We may collect two types of data and information from you, depending on your interaction with us. The first type of information is non-identifiable and anonymous information (“**Non-Personal Data**”). We are not aware of the identity of the individual from which we have collected the Non-Personal Data. Non-Personal Data which is being gathered consists of technical information, and may contain, among other things, the type of operating system and type of browser, type of device, Users’ action in the Site or Services, or approximate geo-location.

The second type of information is individually identifiable information, namely information that identifies an individual or may with reasonable effort identify an individual (“**Personal Data**”).

For avoidance of doubt, any Non-Personal Data connected or linked to any Personal Data shall be deemed as Personal Data as long as such connection or linkage exists.

We are considered as the Data Controller of the Personal Data we collect from our Visitors and Customers. As with respect to Personal Data we collect regarding Customer’s end users (“**Recipients**”) we act as a Data Processor.

Special Categories of Personal Data

We do not knowingly collect or process any Personal Data constituting or revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning a person's health or data concerning a person’s sex life or sexual orientation. Moreover, in connection with Customers’ use of the Services, we do not monitor the data Users upload to our Services, therefore it is the Customer’s responsibility to ensure that sensitive data is not transmitted or uploaded to the Services. In the event you become aware that such data has been posted to the Services or collected by us unintentionally, please inform us immediately.

Personal Data is only used for limited purposes, as specified below.

Type of Data	Purposes of Processing	For EU persons - Legal Basis under the GDPR
--------------	------------------------	---

<p><u>Personal Data regarding Customer's Employees:</u></p> <p>We collect information related to Customer's employees, such as name, work email address, and access authorizations to the Services (user name and password).</p>	<p>To provide the Services to the Customers; to process transactions made on the Services, to identify employees authorized by the Customer to access the Services.</p> <p>To resolve any disputes, communicate with you regarding customer service and support issues, and to respond to questions or comments and help resolve any problems.</p>	<p>- Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p>
<p><u>Personal Data regarding Customers:</u></p> <p>Name, email address, access authorizations to the Services, customer support issues.</p> <p>Any payments made by Customers will be processed by a third party payment processor, therefore we do not collect nor process payment details. Our current payment processor is Bluesnap, for more information about their processing activities please refer to: https://home.bluesnap.com/privacy-policy/.</p>	<p>To provide the Services to the Customer.</p> <p>To resolve any disputes, communicate with you regarding customer service and support issues, and to respond to questions or comments.</p>	<p>Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.</p>
<p><u>Personal Data regarding Recipients:</u></p> <p>Name, email address, and other information uploaded by the Customer or from third parties.</p>	<p>To provide the Services to our Users.</p>	<p><i>We process such data on behalf of our Customers (i.e. the Data Controllers of this information) therefore they are responsible to determine the lawful basis of such processing.</i></p>
<p><u>Commercial materials and newsletters</u></p> <p>In the event a you sign up to receive our newsletter or other marketing</p>	<p>To send you our newsletter and other marketing materials.</p>	<p>Your consent or our legitimate interest.</p>

materials, you will be requested to provide your email address.		
Career In the event you apply for a job via our Site, we will collect your CVs and additional information such as your contact details.	To process your job application and for recruitment purposes.	Your consent; Performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

In addition, we may use certain Personal Data to prevent potentially prohibited or illegal activities, fraud, misappropriation, infringements, identity thefts and any other misuse of the Services and to enforce the Terms, as well as to protect the security or integrity of our databases and the Services, and to take precautions against legal liability. Such processing is based on our legitimate interests.

2. **Cookies**

Yes, we use cookies and similar technologies in connection with our Site. The way in which we, and third parties placing cookies in connection with the Services, use cookies and collect data, is explained in our [Cookie Policy](#).

3. **HOW WE COLLECT INFORMATION**

Depending on the nature of your interaction with the Site and Services, we may collect information as follows:

- 3.1. **Automatically** – we may use cookies (as elaborated in the section below) or similar tracking technologies to gather some information automatically when Users interact with our Site.
- 3.2. **Provided by you voluntarily** – we will collect information if and when you choose to provide us with the information, such as through a physical agreement, contact us communications, etc. all as detailed in this Privacy Policy.

4. **Will Ongoage Share Personal Data With Others?**

WE DO NOT SELL ANY PERSONAL DATA TO THIRD PARTIES FOR THEIR MARKETING PURPOSES.

Non-Personal Data

Non-Personal Data, aggregate and statistical or otherwise anonymized data may be shared without limitation with third parties at our discretion. This information does not contain Personal Data and is used to develop content and services for our Users.

Personal Data

We may share Personal Data only under the following limited circumstances:

- With trusted partners and third parties who assist us in operating the Services and conducting our business, such as: cloud hosting services, fraud prevention, bill collection, marketing, account maintenance and technology services.
- With Customers.

- With our affiliates and connected companies, such as subsidiaries, sister-companies and parent companies.
- With third parties if necessary to comply with a legal requirement, for the administration of justice, to protect your vital interests or the vital interests of others, to protect the security or integrity of our databases or the Services, to take precautions against legal liability, or in the event of a corporate sale, merger, reorganization, dissolution or similar event.
- Other third parties with your consent to do so.

5. *Will Ongage transfer Personal Data internationally?*

Our databases are currently located in the state of Ireland and certain processing activities are conducted in Israel.

If you are an EU resident, we will take appropriate measures to ensure that your Personal Data receives an adequate level of data protection when it is being transferred out of the EU. If you are a resident of a jurisdiction where the transferring of your Personal Data requires your consent, then your consent to this Privacy Policy includes your express consent for such transfer of your data.

6. *International Transfer of Personal Data under the GDPR*

Any transfer of Personal Data related to our engagement with Customers, we will ensure that the transfer of Personal Data internationally shall be made pursuant to the our [Data Processing Agreement](#) , in accordance with Article 46(2)(c) of the GDPR, on via another mechanism permitted under the GDPR (such as an adequacy decision).

7. *Marketing Materials*

If you are an EU resident, we will not send you promotional materials unless you have explicitly consented to receive such materials from us.

In the event you provided such consent, but wish to rescind it, you may at any time choose not receive such communications, by contacting us at info@ongage.com, or clicking the appropriate link in the communication itself.

8. *Data Retention*

We retain the information we collect as long as it remains necessary for the purposes set forth above, all in accordance with applicable laws, or until an individual expresses a preference to opt-out. We may at our sole discretion, delete or amend information from our systems, without notice to you, once we deem it is no longer necessary for such purposes.

9. *User Rights*

We acknowledge that different people have different privacy concerns and preferences. Our goal is to be clear about what information we collect, so that you can make meaningful choices about how it is used. We provide you with the ability to exercise certain choices, rights and controls in connection with your information.

Depending on your relationship with Ongage (e.g., if you are a visitor of our Site, Customer or Recipient), data protection and privacy laws provide you with some of the following principal rights regarding your Personal Data, including (and depending on your jurisdiction):

- The right to access your Personal Data that we process;
- The right to ensure your Personal Data is accurate, complete and up to date;
- The right to have your Personal Data amended (by correcting, deleting or adding information);
- The right to object to the processing of your Personal Data, to the extent applicable;
- The right to send or “port” your Personal Data;
- The right to file a complaint with a supervisory authority in your jurisdiction;
- The right to withdraw consent, subject to legal or contractual restrictions and reasonable notice;
- Right to Non-Discrimination; and
- Rights to submit a “Do not sell” request, where applicable.

Please review our [Privacy Rights Policy](#) regarding your rights under applicable law.

You may exercise any or all of your above rights in relation to your Personal Data by filling out the Data Subject Request (“**DSR**”) form available here, and send it to our DPO at: dpo@ongage.com.

Where we are not able to provide you with the information for which you have asked, we will endeavor to explain the reasoning for this and inform you of your rights, including the right to complain to the supervisor authority (in the event you are EEA resident). We reserve the right to ask for reasonable evidence to verify your identity before we provide you with any such information in accordance with applicable law.

10. Will I receive promotional materials from Ongage?

We may send you promotional materials to the email provided by you to Ongage. You may at any time choose to opt-out and to not receive such communications, by contacting us at info@ongage.com, or clicking the appropriate link in the communication itself.

11. SECURITY

We take great care in implementing and maintaining the security of our Site, our Services and Users’ information. We employ industry standard procedures and policies to ensure the safety of individuals’ information and prevent unauthorized use of any such. We have implemented technical, physical and administrative security measures to protect the Personal Information. In addition, we limit access to your information on our servers. The data collected by us is stored in the AWS data servers, for more information regarding the data security provided by AWS, please see: <https://aws.amazon.com/security/>.

Although we take reasonable steps to safeguard information, we cannot be responsible for the acts of those who gain unauthorized access or abuse our Site and Services, and we make no warranty, express, implied or otherwise, that we will prevent such access.

12. Persons under 16

Our Site and Services are intended for the general audience, which is not directed to persons under 16 years old. If a parent or guardian becomes aware that his/her child has provided us with Personal Data without their consent, he/she should contact us immediately.

We do not knowingly collect or solicit Personal Data from people under 16 years old. If we become aware that a person under 16 years old has provided us with Personal Data, we will delete such data from our databases.

If you are a User, please be aware that you may not upload to the Services any data concerning persons under the age of 16, and you may not send emails to Recipients who are under 16 years old. Doing any of the above constitutes an infringement of our Terms and may result in the suspension or Termination of the User's Account.

13. Changes and Updates

The terms of this Privacy Policy will govern the use of the Site, the Services and any information collected therein. Ongage reserves the right to change this Privacy Policy at any time, so please re-visit this page frequently. In the event of any substantial change of this policy, we will make reasonable efforts to post a clear notice on the Site. Such substantial changes will take effect seven (7) days after such notice was provided on the Ongage Services or sent by email. Otherwise, all other changes to this Privacy Policy are effective as of the stated "Last Revised" date and your continued use of the Services after the Last Updated date will constitute acceptance of, and agreement to be bound by, those changes.

14. DATA PROTECTION OFFICER

If you have any requests regarding the data collected under this Privacy Policy, including without limitation, requests to remove, delete, amend, modify or transfer the data, please contact our Data Protection Officer at: dpo@ongage.com. Please include your name, address, email address and applicable DSR form, in any correspondence so that we can respond to your inquiry or request.

15. CONTACT US

If you have any questions or concerns regarding privacy issues, or if you wish to be provided with any other information related to our privacy practices, please contact us at:

Ongage Ltd.

info@ongage.com

HaNechoshet St. 6, Tel Aviv-Yafo, 6971070, Israel