

# **MIGHTYREP PRIVACY NOTICE – For Clients, Clients prospects, STAFF, WEBSITE VISITORS**

Last Updated: 10<sup>th</sup> April 2023

Welcome to the MightyRep LLC privacy notice.

## **Introduction**

This privacy notice is intended for:

1. users of MightyRep's services;
2. users of MightyRep's systems and applications;
3. visitors to MightyRep's website;
4. members of the general public who are interested in contacting or are being contacted by MightyRep; and
5. any individual who has received this notice.

MightyRep understands that privacy is important to you. We are committed to treating your personal data with care and integrity.

Our privacy notice tells you what personal data we collect and how we collect it, including any data you may provide through this website when you visit the site or inquire about a product or service or take part in an event. It explains what we use your personal data for and how we protect your personal data and keep it safe. This privacy notice explains our general practices. However, where local laws or regulations require that we process information differently, or refrain from such processing, we will always comply with the applicable local law. This website is not intended for children and we do not knowingly collect data relating to children.

MightyRep values your privacy. This privacy notice is issued on behalf of the MightyRep LLC so when we mention "MightyRep", "we", "us" or "our", this is who we are referring to MightyRep LLC (incorporated in State of Oregon, USA under number 1880456-95, whose registered office is at 140 NW 17<sup>th</sup> St Bend, OR 97703 is the controller and responsible for this website.

It is important that you read this privacy notice together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy notice supplements other notices and privacy policies and is not intended to override them.

We have a data protection officer (DPO) who is responsible for overseeing questions in relation to this privacy notice. If you have any questions about this privacy notice, including any requests to exercise your legal rights, please contact the DPO using the details set out below.

## **Contact details (privacy@MightyRep.com)**

If you have any questions about this privacy notice or our privacy practices, please contact our DPO in the following ways:

Full name of legal entity: MightyRep LLC

Email address: privacy@MightyRep.com

You have the right to make a complaint at any time to the data protection regulator in the country where you usually live or work, or where the alleged data protection infringement has taken place. We would, however, appreciate the chance to deal with your concerns before you approach the applicable data protection regulator so please contact us in the first instance.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

Personal data means any information or piece of information which could identify you either directly (e.g. your name) or indirectly (e.g. a unique ID number).

In this privacy notice, we explain:

- Who is the controller of your personal data?
- Contact information and your privacy point of contact
- What personal data do we collect about you?
- How do we collect your personal data?
- How do we use your personal data?
- Why are we allowed to collect and use your personal data?
- How do we protect your personal data?
- What are your rights regarding your personal data?
- How long do we keep your personal data?
- With whom do we share your personal data?
- In what instances do we transfer your personal data outside of your home country?
- Additional information if you are in the European Economic Area (EEA)
- Information about children
- Cookies, Website and Application Data; Use for Analytics and Marketing
- Third Party Marketing
- Opting out
- Change of Purpose
- How we update this Privacy Notice?
- Our responsibility regarding websites that we do not own or control

### **Who is the controller of your personal data?**

MightyRep LLC (incorporated in State of Oregon, USA under number 1880456-95, whose registered office is at 140 NW 17<sup>th</sup> St Bend, OR 97703 (“**MightyRep**”) together with the local MightyRep company which has a relationship with you, are the controllers of your personal data.

### **Contact information and your privacy point of contact**

If you want to exercise your rights, have any questions about this privacy notice, need more information or would like to raise a concern, each local privacy point of contact’s details can be found by contacting [privacy@MightyRep.com](mailto:privacy@MightyRep.com).

### **What personal data do we collect about you?**

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data). The personal data we collect, and process, may include:

1. **Identity data** – your name, surname (including prefix or title), email address.
2. **Contact data** – information that enables us to contact you, e.g. your personal or business email, mailing address, etc;
3. **Technical data and network activity information** – information about your device and your usage of our websites, apps and systems, including your IP address, device ID, hardware model and version, mobile network information, operating system, platform and other online identifiers, type of browser, browser plug-in types and versions, browsing history, search history, access time, pages viewed, URLs clicked on, forms submitted, time zone setting/physical location and other technology on the devices that you use to access our website;
4. **Usage data** – data related to your use of our services offered (including feedback), your subscriptions, services, history and preferences, your interactions with us, your preferred method of communications with us.

We also collect, use and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy notice.

You can choose not to give us personal data when we ask you for it. If you decide not to give us your personal data, it may restrict our relationship with you. For example, we may not be able to provide you with the services that you have requested.

### **How do we collect your personal data?**

Directly from you when you:

1. Create an account and profile on our App website services (<https://app.mightyrep.com>), As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies.
2. Use our websites, apps and systems to inquire about our services;
3. Share or use your social media profile to contact MightyRep;
4. Sign up with us to receive promotional material;
5. Get in touch for support or to provide feedback;
6. Attend future online events that MightyRep may organise, such as a webcast;
7. Respond to any self-assessment surveys that you may choose to participate in; and
8. Share adverse events or medical information enquiries with us.

### **From other sources:**

1. When you talk about us online, like when you mention MightyRep product in a Tweet or other social media. If you connect your social media account to our websites, or apps, you will share certain personal data from your social media account with us. This may include your name, email address, photo, list of social media contacts, and any other information you make accessible to us when you connect your social media account to our websites, or apps; and
2. We will receive personal data about you from various third parties, for example, analytics providers such as Google based outside the UK.

### **How do we use your personal data?**

When the law allows us to, we use your personal data for the purposes we have described below in this privacy notice, or for purposes which are reasonably compatible to the ones described:

1. **Purposes**
  - a. To manage our relationship with you (whether you are a client or an employee or staff member of MightyRep) via performance of a contract (see below);
  - b. To perform the contract (for services to you if are a client, or the employment contract if you are an employee of MightyRep) that we are about to enter into or have entered into with you, or where it is necessary for our legitimate interests (see below), or those of a third party and your interests and fundamental rights do not override those interests.;
  - c. Where we need to comply with a legal obligation (see below); or
  - d. To manage and improve MightyRep's processes and our business operations.
2. **Practically** - this means that we will use your personal data to:
  - a. Provide our products and services to you;
  - b. Provide online services to you if you are a client

- c. Provide employment opportunities if you are not a client, but you are interested in applying to be an employee of MightyRep;
- d. Manage your account on our website and web app;
- e. Identify you and authenticate your access rights to our websites, systems and apps;
- f. To respond to your queries and provide you with information when you request it or when we believe our services may be of interest to you. If we intend to share electronic marketing with you, we will ask for your consent where required and you can opt out at any time;
- g. Invite you to provide feedback, participate in research, surveys or attend events;
- h. Personalise your experience when interacting with MightyRep;
- i. Respond to you if you report incidents, reach out for support, to us; and
- j. Perform analytics, market research and segmentation to understand your preferences, improve our products and services and our communications to you.
- k. Manage our network and information systems security;
- l. Manage our workforce effectively;
- m. Perform data analyses, auditing and research to help us deliver and improve our MightyRep digital platforms, content and services;
- n. Monitor and analyse trends, usage and activities in connection with our services to understand which parts of our services are of the most interest and to improve them accordingly; and
- o. Prepare and perform management reporting and analysis, including analytics and metrics.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before:

- 1. anonymising your personal data with a view to performing analytics on anonymised/aggregated data from which you will not be identifiable; and
- 2. sending you direct marketing communications to you via email. Please note that MightyRep's contact with our clients prospective client's personal is governed by our client's terms and conditions and privacy policies. Even after any termination of a contract between MightyRep and a client, MightyRep may retain client contact details. MightyRep may continue appropriate specific marketing activities towards such clients in respect of that clients' previous contact with MightyRep, pursuant to the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be updated from time to time).

You have the right to withdraw consent to these activities at any time by contacting us at [privacy@MightyRep.com](mailto:privacy@MightyRep.com)

"Legitimate interest" means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

"Performance of a contract" means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

"Comply with a legal obligation" means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

To achieve other purposes.

We will use your personal data:

- 1. To follow applicable laws and regulations;
- 2. To respond to requests from competent public authorities;
- 3. To tell you about changes to our terms, conditions and policies;

4. To exercise or defend MightyRep against potential, threatened or actual litigation;
5. To investigate and take action against illegal or harmful behaviour of users.
6. To protect MightyRep, your vital interests, or those of another person;
7. To deliver services to you via your smart device and our mobile apps;
8. When we sell, assign or transfer all or part of our business.

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate. Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

<b>Purpose/Activity</b>	<b>Type of data</b>	<b>Lawful basis for processing including basis of legitimate interest</b>
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation  (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or restructuring exercise)  (b) Necessary to comply with a legal obligation
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)

To make suggestions and recommendations to you about services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business) and/or Your consent to receiving direct Marketing and Communications
--	---	---

### Why are we allowed to collect and use your personal data?

We can collect and use your personal data when one of the following applies:

1. To take steps before entering into a contract or perform a contract;
2. To follow the law, for example:
  - a. Record-keeping regulatory monitoring and reporting obligations, including those related to adverse events, product complaints and product safety; and
  - b. Complying with anti-corruption and transparency obligations;
  - c. You have specifically given us your permission when such permission is obligatory (the law calls it “consent”). You can withdraw your consent at any time. We will normally need your consent in the following circumstances:
    - i. Placing cookies on your device to find out how you use our websites so we can personalise what you see by tailoring content and notifications to the things you are interested in;
    - ii. Before we send you certain electronic marketing communications; and
    - iii. In any other situation where personal data processing relies upon your consent.
3. We need to use your personal data for legitimate business purposes, for example, to enable us to run our business successfully. These include:
  - a. Sending direct marketing materials to you where you have already contacted us about your interest in our services (you will always have the right to opt out of marketing and promotional communications);
  - b. Conducting audits and internal investigations and complying with internal policies on anti-bribery and conflict of interest;
  - c. Managing our IT and communications systems and networks;
  - d. Planning and improving our business activities;
  - e. Conducting training and gathering feedback for ensuring quality control;
  - f. Protecting our rights, privacy, safety or property, and/or that of our affiliates, you or others;
  - g. To provide the functionality of the services we provide you, which includes arranging access to your registered account, and providing you with related customer service;
  - h. Analysing or predicting your preferences to identify aggregated trends to develop, improve or modify our services and business activities;
  - i. Responding to and handling your queries or requests;
  - j. Sending administrative information to you, such as changes to our terms, conditions and policies;
  - k. Completing your transactions and providing you with related customer service; and
  - l. Reaching out to you to provide information about our services or request input on surveys relating to our services;
  - m. For the establishment, exercise or defence of legal claims or proceedings;
  - n. To protect your vital interests or those of others; and
  - o. Because it is necessary for reasons of substantial public interest, on the basis of applicable laws.

## How do we protect your personal data?

We want to make sure your personal data is not shared with or used by those not allowed to see it. We use a variety of security measures and technologies to help protect your personal data.

We carefully choose service providers to work with, and check they have security measures and technologies in place to protect your personal data. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

However, there are no guarantees that a data transmission or storage system is 100% secure. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us using the details at the 'Contact information and your privacy point of contact' section.

## What are your rights regarding your personal data?

You have rights we need to make you aware of. The rights available to you depend on our reason for processing your personal data and the local law in your jurisdiction, and there are exceptions to some rights. Depending on this you may have the right to:

1. Withdraw your consent to us processing your personal data at any time for direct marketing purposes or where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent, please contact [privacy@MightyRep.com](mailto:privacy@MightyRep.com) for further details. This withdrawal request will need to be handled by the MightyRep data protection officer, to assess what personal data (if any) can be deleted, and if so, for what specific use. Please note that personal data that forms a part of medical records cannot be deleted as a matter of public policy;
2. Ask MightyRep about the processing of your personal data including to be provided with copies of your personal data (through a "data subject access request").;
3. Ask us to correct information you think is inaccurate or incomplete, although we may need to verify the accuracy of the new data you provide to us;
4. Ask us to delete your personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request;
5. Ask us to restrict the processing of your information. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
  - a. If you want us to establish the data's accuracy;
  - b. Where our use of the data is unlawful but you do not want us to erase it;
  - c. Where you need us to hold the data even if we no longer require it as you need it to
  - d. establish, exercise or defend legal claims; or
  - e. You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
6. Object to our processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms;

7. Ask that we transfer information you have given us from one organisation to another, or to give it to you. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you; and
8. Complain to your local data protection authority.

You can find out how to get in touch with us to ask us to do any of the above by looking at the 'Contact information and your privacy point of contact' section.

For your protection, and to protect the privacy of others, we may need to verify your identity before completing what you have asked us to do and to ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

Where we have relied upon your permission to use your personal data, and you later withdraw that permission, we may not be able to complete some of the activities described in 'How do we use your personal data'.

#### **Data security**

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

#### **Data retention: How long do we keep your personal data?**

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you. Insofar as the processing of personal data is based on your consent, we will delete this data if you withdraw your consent.

In some jurisdictions, we are legally required to keep your personal data for certain periods. How long depends on the specific legal requirements of the jurisdiction you are in when you share your information with us.

We will always keep your personal data for the period required by law and where we need to do so in connection with legal action or an investigation involving MightyRep. Otherwise, we will keep your personal data for as long as we have a relationship with you, in order to respond or process a question or request from you. Even after any termination of a contract between MightyRep and a Client, MightyRep may retain client contact details and MightyRep may continue appropriate specific marketing activities towards such clients in respect of that client's previous contact with MightyRep, pursuant to the Privacy and Electronic Communications (EC Directive) Regulations 2003 (as may be updated from time to time).; and

We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.



Insofar as the processing of personal data is based on your consent, we will delete this data if you withdraw your consent, subject to the technical ability to do so and so far as such a deletion would not require disproportionate effort on our part. This deletion request will need to be handled by the MightyRep data protection officer, to assess what personal data (if any) can be deleted, and if so, for what specific use. Please note that personal data that forms a part of medical records cannot be deleted as a matter of public policy

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

### **With whom do we share your personal data?**

We share your personal data on a need to know basis, and to the extent necessary to follow laws and regulations, and in the context of managing our relationship with you.

We share your personal data only with teams in our MightyRep companies and affiliates who need to see it to do their jobs. We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

We will also share your personal data with other entities, for example:

1. Marketing agencies working with MightyRep to improve its offering;
2. Technology suppliers and system administration services providers who work with us to develop and improve our websites, digital forums and apps;
3. Media services providers who work with us;
4. Any entity who may acquire us or part of our business or brands. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy notice;
5. Local or foreign regulators, courts, governments, tax authorities and law enforcement authorities who require reporting of processing activities in certain circumstances; and
6. Professional advisors, such as insurers, bankers, auditors, accountants and lawyers.

### **In what instances do we transfer your personal data outside of your home country?**

We implement appropriate measures to protect your personal data when we transfer your personal data outside of your home country such as data transfer agreements that incorporate standard data protection clauses. The data privacy laws in the countries we transfer it to may not be the same as the laws in your home country. Law enforcement agencies, regulatory agencies, security authorities or courts in the countries we transfer your personal data to may have the right to see your personal data. If applicable law does not allow transfer of specific personal data outside a country, we will comply with that applicable law.

### **How Do We Transfer Data We Collect Internationally?**

This Privacy Policy will apply even if we transfer Personal Data to other countries. We have taken appropriate safeguards to require that your Personal Data will remain protected wherever it is transferred. When we share Personal Data of individuals in the European Economic Area ("EEA"), Switzerland or the United Kingdom ("UK") within MightyRep and its clients, we make use of the Standard Contractual Clauses (which have been approved by the European Commission) and the UK Addendum (as defined within our Customer Data Processing Agreement) as well as additional safeguards where appropriate (such as commercial industry standard secure encryption methods to protect customer data at rest and in transit, TLS for MightyRep's services, web application firewall protection, and other appropriate contractual and organizational measures), for more information please see our technical and organisational measures document.

### **International transfers to third parties**

When we share Personal Data of individuals in the EEA, Switzerland or UK with third parties, we make use of a variety of legal mechanisms to safeguard the transfer including the European Commission-approved standard contractual clauses, as well as additional safeguards where appropriate. For transfers to or from the United Kingdom, we make use of the UK Addendum. For transfers to or from Canada, we make use of the standard contractual clauses. With respect to personal data received from or transferred to Canada, MightyRep is subject to the regulatory enforcement powers of the Office of the Privacy Commissioner of Canada. Please contact us if you need more information about the legal mechanisms we rely on to transfer personal data outside the EEA, Switzerland, Canada, and UK.

#### **Additional information if you are based in the European Economic Area (EEA)**

The European Commission recognises that some countries outside the EEA have similar data protection standards. If we transfer your personal data to a country outside the EEA that does not have similar data protection standards, we do so based on standard contract clauses adopted by the European Commission, to ensure the respective recipient protects your Personal Data adequately in accordance with this privacy notice. These enable us to make international transfers of personal data and meet the data protection laws of the European Union and the General Data Protection Regulation (GDPR).

#### **Information about Children**

Whilst our services are not ordinarily directed to children and we don't normally process children's data. Please see 'What personal data we collect about you' for more information.

#### **Cookies, Website and Application Data; Use for Analytics and Marketing**

Our websites may use cookies and similar technologies. You can choose to accept or decline cookies. If you choose to decline cookies, not all elements of our websites, apps and services may function as intended, so your experience may be affected.

To the extent that your local laws consider the information collected by cookies and other technologies as personal data, we will treat that information to the standards set out in this privacy notice.

We strive to provide you with choices regarding certain personal data uses, particularly around marketing communications from us in MightyRep. You will receive marketing communications from us if you have requested information from us and you have not opted out of receiving that marketing.

We collect information about your computer browser type and operating system, websites you visited before and after visiting our websites, standard server log information, Internet Protocol (IP) addresses, location data, mobile phone service provider, and mobile phone operating system. We use this information to understand how our visitors use our websites and mobile applications so that we can improve them, the services we offer, and our advertising.

We also use remarketing services offered by our advertising partners to personalise advertisements for visitors to sites of their advertising networks (i.e. websites other than MightyRep's). On these pages, you may be shown advertisements that refer to your interactions with MightyRep previously. To turn off personalisation for advertisements served by Google click [here](#). To turn off personalisation for advertisements served by Facebook click [here](#). Many companies that display interest-based advertising are members of the Network Advertising Initiative ("NAI"), the Digital Advertising Alliance ("DAA") or the European Interactive Digital Advertising Alliance ("EDAA"). To opt-out of interest-based advertising by members of these initiatives, you can visit their websites at <https://optout.networkadvertising.org>, <https://optout.aboutads.info> and <https://www.youronlinechoices.com>.

We may use the data you share with us to make decisions about your interests and preferences so we can make the marketing materials we send you more relevant. We may also combine the information we hold about you with data about your interests or demographics that third parties have collected from you online and offline, to make your experience more personalised and further tailor our marketing materials. You have certain rights in relation to this – please see 'What are your rights regarding your personal data?' above for further information.

## Third Party Marketing

MightyRep does not share your personal data with any third party for marketing purposes. In the event, we wish to do so, we will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

## Opting out

You can ask us to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time at [privacy@MightyRep.com](mailto:privacy@MightyRep.com).

You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this website may become inaccessible or not function properly. For more information about the cookies we use, please see our Cookie Notice.

## Change of Purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

## How do we update this Privacy Notice

From time to time, we will update this Privacy Notice. Any changes become effective when we post the revised Privacy Notice on the MightyRep website. This Privacy Notice was last updated as of the “Last Updated” date shown above. If updating changes are significant, we will provide a more prominent notice to let you know what the changes are.

**Our responsibility regarding websites that we do not own or control.** Our websites and applications may contain links to third party websites, we do not own or control. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. Our Privacy Notice does not cover them. Please read the privacy notices on those websites and mobile applications if you would like to find out how they collect, use and share your personal data.

## Your legal rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data.

- [Request access to your personal data.](#)
- [Request correction of your personal data.](#)
- [Request erasure of your personal data.](#)
- [Object to processing of your personal data.](#)
- [Request restriction of processing your personal data.](#)
- [Request transfer of your personal data.](#)
- [Right to withdraw consent.](#)

If you wish to exercise any of the rights set out above, please contact us at [privacy@mightyrep.com](mailto:privacy@mightyrep.com)

### **No fee usually required**

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

### **What we may need from you**

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Time limit to respond**

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

**Legitimate Interest** means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

**Performance of Contract** means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

**Comply with a legal obligation** means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

## **THIRD PARTIES**

### **External Third Parties**

- Service providers who provide IT and system administration services, for instance AWS.
- Professional advisers
- Regulators and other applicable authorities who require reporting of processing

activities in certain circumstances.

## **YOUR LEGAL RIGHTS**

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.

**Request correction** of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.

**Request erasure** of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

**Request restriction of processing** of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:

- If you want us to establish the data's accuracy.
- Where our use of the data is unlawful but you do not want us to erase it.
- Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

## **California Privacy Rights**

### **a. Applicability**

This section applies only to California consumers. For purposes of this section "Personal Information" has the meaning given in the California Consumer Privacy Act ("CCPA"). It describes how we collect, use, and share California consumers' Personal Information in our role as a business, and the rights applicable to such residents. The California Consumer Privacy Act ("CCPA") requires businesses to disclose whether they sell Personal Information. MightyRep is a business, and does sell Personal Information. We may share Personal Information with third parties if those third parties are authorized service providers or business partners who have agreed to our contractual limitations as to their retention, use, and disclosure of such Personal Information.

If you are unable to access this Privacy Policy due to a disability or any physical or mental impairment, please contact us and we will arrange to supply you with the information you need in an alternative format that you can access.

### **b. How We Collect, Use, and Share your Personal Information**

We have collected the following statutory categories of Personal Information in the past twelve (12) months:

- - Identifiers, such as name, e-mail address, mailing address, and phone number. We collect this information directly from you or from third party sources.
- - Commercial information, such as subscription records. We collect this information directly from you.
- - Internet or network information, such as browsing and search history. We collect this information directly from your device.
- - Geolocation data, such as IP address. We collect this information from your device.
- - Inferences.
- - Other Personal Information, in instances when you interact with us online, by phone or mail in the context of receiving help through our help desks or other support channels; participation in customer surveys or contests; or in providing the Subscription Service.

The business and commercial purposes for which we collect this information are described in this Privacy Policy. The categories of third parties to whom we "disclose" this information for a business purpose are described in this Privacy Policy.

### **c. Your California Rights**

You have certain rights regarding the Personal Information we collect or maintain about you. Please note these rights are not absolute, and there may be cases when we decline your request as permitted by law.

The right of access means that you have the right to request that we disclose what Personal

Information we have collected, used and disclosed about you in the past 12 months.

The right of deletion means that you have the right to request that we delete Personal Information collected or maintained by us, subject to certain exceptions.

The right to non-discrimination means that you will not receive any discriminatory treatment when you exercise one of your privacy rights.

MightyRep does sell Personal Information to third parties (pursuant to California Civil Code §§ 1798.100–1798.199, also known as the California Consumer Privacy Act of 2018).

#### **d. How to Exercise your California Rights**

You can exercise your rights yourself or you can alternatively designate an authorized agent to exercise these rights on your behalf. Please note that to protect your Personal Information, we will verify your identity by a method appropriate to the type of request you are making. We may also request that your authorized agent have written permission from you to make requests on your behalf, and we may also need to verify your authorized agent's identity to protect your Personal Information.

Please use the contact details below if you would like to:

- Access this policy in an alternative format;
- Exercise your rights;
- Learn more about your rights or our privacy practices; or
- Designate an authorized agent to make a request on your behalf.