

Mursion Privacy Notice

February 19, 2020



Thank you for visiting www.mursion.com, and its subdomains (“the Sites”). We are strongly committed to protecting your privacy. The purpose of this privacy policy is to inform users of the Sites as to what information we collect and how and why we use such information. The Sites are websites published and maintained by Mursion, Inc. (“Mursion”). The terms “we”, “our” and “us” refer to Mursion.

1. Disclosure Regarding Collection and Use of Personal Data.

Through the Sites, users may choose to enter personal data and information about themselves. If you decide to share personal data with us, we will ask for your consent to use that data as described in this privacy policy. This policy explains our online information collection and use practices and the choices you can make about the way we use and share such information. Please take the time to read and understand this policy so that you can understand how we use your personal data. Please note that our online data collection and use practices may differ from our practices regarding data obtained offline.

Remember: if you make use of the site, register with the site, request information that we may offer or submit data in any way to or through the site you agree to these terms. As we update and expand our services, this policy might change, so please review it from time to time.

2. The Personal Data We Collect.

We may collect personal data and information about you through a variety of methods, such as your request to be added to our mailing lists, documents that you submit to us, transactions in which you may engage with us or through visits that you may make to the Sites. This policy applies to all personal data that we collect and maintain about our users, including any contact information (e.g., name and address), or identifying information that we may obtain in connection with providing services. You may view or change your information at any time by contacting us. In addition, you may withdraw your consent to our use of your personal data. If you do so, you may also request that we remove that data from our records and databases. For information on the types of data we collect, please visit <https://mursion.com/privacydatainfo>.

3. Other Collected Information

We also may collect certain non-personal data (i.e. generic information that does not identify you personally) when you visit any of our web pages such as the type of browser you are using (e.g., Chrome, Internet Edge), the type of operating system you are using (e.g., Windows 10 or macOS), the domain name of your Internet service provider and geo-location. We also use Google analytics to track site usage.

4. How We Use Your Personal Data.

We use your personal data to provide you with products or services that you have requested, to respond to questions or communications and to get in touch with you when necessary. For example, we may use your personal data to communicate with you or to send you information that you have requested. We may send you an email offering products or services which we think you may be interested in or to ask you to participate in a survey. In addition, we may make and store video and sound recordings if you participate in our simulation services and give us your consent to do so. We will tell you how we use and store such recordings at the time we request your consent.

5. How We Share Your Personal Data.

We will not share with third parties the personal data you provide except (a) if it is for the purpose(s) you provided it; (b) with your consent; (c) as may be required by law or as we think necessary to protect our company or others from injury (e.g. in response to a court order or subpoena, in response to a law enforcement agency request or when we believe that someone is causing (or about to cause) injury to or interference with the rights or property of another); (d) with other persons, service providers or companies with whom we contract to carry out internal site operations or our business activities (for example, sending out a product or a promotional item that you have requested on the Sites); and/or (e) notifying you when we make material changes to one of our subscriber agreements or this policy. We will seek to obtain your consent at the place where the information is collected either by an “opt-in” or “opt-out” method, or by other means (such as sending to you an email).

6. Personal Data Gathered Under Previous Versions of This Privacy Policy.

Personal data collected via the Sites will generally be governed by the version of the Privacy Policy in effect at the time the information was gathered. We will not retroactively make material changes to the way we use personal data collected under previous versions of this Privacy Policy without obtaining your consent.

7. Use and Disclosure of Anonymous Information.

We sometimes use the non-personal data that we collect to improve the design and content of the Sites, to enable us to personalize your Internet experience, or otherwise to improve our services and offerings. We also may use this information in the aggregate to analyze how the Sites are used, as well as to offer you products, programs or services.

8. Receipt of Communications; Withdrawal of Consent.

If you decide not to receive marketing or promotional e-mails from us that may relate, for example, to new services or offerings, you may withdraw your consent to receive these communications by emailing us at security.requests@mursion.com to (i) remove your information from our lists; or (ii) change or edit your preferences. You may also use the consent withdrawal mechanism that is contained in an email.

If you would like to withdraw your consent to receive marketing or promotional postal mail from us, please email us at security.requests@mursion.com or let us know in writing via letter addressed to:

Attn: Data Protection Officer, Mursion, Inc., 2443 Fillmore St., Suite 515, San Francisco, CA 94115. For all postal mail requests, please include your name, street address, city, state, and zip code. We cannot accept postal mail requests via telephone or facsimile, nor will we be responsible for notices that are not labeled or sent properly or lack complete information. Please note that we may require up to sixty (60) days to fully remove your postal mail information from our mailings.

9. Collection of Information by Others.

The Sites may contain links to other websites, including links that are placed there by us, such as third-party products or services or text hyperlinks. Please be aware that we are not responsible for the privacy practices of any other website. We encourage all users of the Sites to be aware of when they leave the Sites, and to read the privacy policies of each and every website that collects personal data. This privacy policy applies solely to information collected by the Sites, through the Sites.

10. Cookies.

To enhance your online experience with us, many of our web pages use “cookies.” Cookies are text files placed on your hard disk by our web server. Cookies, by themselves, do not tell us your e-mail address or other personal data unless you choose to provide this information to us. However, once you choose to provide the personal data, this information may be linked to the data stored in the cookie. Cookies cannot be used to run programs or deliver viruses to your computer. Mursion only uses essential cookies that are required for our website to operate. We do not use cookies to collect any Personal Data or other information, such as IP addresses or website usage. We also use Google analytics to enhance the user experience and improve the Sites and our Services.

11. Clickstream Data.

As you use the Internet, a trail of electronic information is left at each web site you visit. This information, which is sometimes referred to as “Clickstream Data,” can be collected and stored by a web site’s server. Clickstream Data can tell us the type of computer and browsing software you use and the address of the web site from which you linked to the Sites. We may use Clickstream Data as a form of non-personal data to anonymously determine how much time visitors spend on each page of the Sites, how visitors navigate throughout the Sites and how we may tailor our web pages to better meet the needs of visitors. This information will only be used to improve the Sites. Any collection or use of Clickstream Data will be anonymous and aggregate.

12. Our Commitment to Security.

We believe we have in place the appropriate physical, electronic, and managerial procedures to safeguard and help prevent unauthorized access, maintain data security and correctly use the information we collect online.

13. International Users.

If you are visiting the Sites from a location outside of the United States, your connection will be through and to servers located in the United States and all information you provide will be processed and securely maintained in our web servers and internal systems located within the United States.

IN ADDITION, IF YOU ARE LOCATED OUTSIDE THE UNITED STATES, YOU SHOULD NOTE THAT YOUR INFORMATION WILL BE TRANSFERRED TO THE UNITED STATES, THE LAWS OF WHICH MAY BE DEEMED BY OTHER COUNTRIES TO HAVE INADEQUATE DATA PROTECTION (see, for example, EU General Data Protection Regulation, a copy of which can be found at: https://ec.europa.eu/info/law/law-topic/data-protection_en). Users of the Sites located in countries outside of the United States of America who submit personal data do thereby consent to the general use of such data as provided in this privacy policy and to the transfer of that information to and/or storage of the information in the United States of America. To the maximum extent allowable, this policy and our legal obligations are subject to the laws of the State of New York and the United States of America, regardless of the location of any user.

14. Data Subject Rights

If you are a resident of the EU, EEA, or Switzerland, you have certain rights with respect to your Personal Data as set forth below. It is also our policy to honor these principles with respect to Personal Data of individuals residing outside of those jurisdictions..

- *Access:* You can request more information about the Personal Data we hold about you. You can also request a copy of your Personal Data.
- *Rectification:* If you believe that any of your Personal Data is incorrect or incomplete, you can request that we correct or change the data. You can also correct some of this information directly by logging into your portal account.
- *Objection:* You can contact us to object to the collection or use of your Personal Data.
- *Erasure:* You can request that we erase some or all of your Personal Data from our systems.
- *Restriction of Processing:* You can ask us to restrict further processing of your Personal Data.
- *Portability:* You have the right to ask for a copy of your Personal Data in a machine-readable format. You can request we transmit the data to another entity where technically feasible.
- *Withdrawal of Consent:* If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time.
- *Right to File Complaint:* You have the right to lodge a complaint about Mursion's practices with respect to your Personal Data with the supervisory authority of your country or EU Member State.

If you would like to exercise any of these rights please contact our security team at security.requests@mursion.com

To protect your privacy and security, we will take reasonable steps to help verify your identity before granting access or making corrections.

15. Parents.

We will not knowingly accept personal data from anyone under 16 years old in violation of applicable laws. If you believe that your child under 16 has gained access to the Sites without your permission, please contact us. We have taken commercially reasonable steps to restrict use of the Sites to those who are at least 16 years old. We do not market products or services for purchase by children and all products or services we market are for purchase by individuals over 16 years old only, or with adult permission.

16. Changes to this Policy.

Because our business needs may change over time, we reserve the right, at our discretion, to change, modify, add, or remove portions from this policy at any time. We will not reduce, rescind or otherwise take away any of the privacy rights granted to users under this policy unless required by law. However, we may modify this policy in ways that either do not materially affect your privacy rights or are more protective of such rights. In such cases, we will provide at least 30 days advance notice of such changes. This policy will be effective as of Feb 13th, 2020.

17. How to Contact Us.

If you have any questions or concerns about this privacy policy or believe that we are not properly using or storing your personal data you may email Tomer Ben-Evi, Data Protection Officer at security.requests@mursion.com or write to the following address:

Mursion Inc.

Attn: Data Protection Officer

2443 Fillmore Street, Suite 515

San Francisco, CA 94115

Telephone: +1 (855)-999-5818

18. EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield.

This Privacy Shield Policy (this “Policy”) applies to Personal Data transferred to Mursion, Inc. (“Mursion”) in the United States from organizations subject to data protection law in the European Economic Area (EEA) (which includes the member states of the European Union (EU) plus Iceland, Liechtenstein and Norway) and from Switzerland. This Policy sets out our practices for collecting, using, maintaining, protecting and disclosing that Personal Data and is included as part of Mursion’s Privacy Policy.

a. Definitions.

For purposes of this Policy, the following definitions shall apply:

“Agent” means any third party that collects or uses Personal Data under the instructions of, and solely for, Mursion or to which Mursion discloses Personal Data for use on Mursion’s behalf.

“Personal Data” means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person. Personal Data does not include information that is anonymized or aggregated.

“Sensitive personal information” means any personal information that reveals race, ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, information that concerns health or sex life, and information about criminal or administrative proceeding and sanctions.

b. EU-U.S. and Swiss-U.S. Privacy Shield Principles.

Mursion participates in and complies with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of Personal Data transferred from organizations subject to data protection law in the EEA and Switzerland to the United States, respectively. Mursion has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms of Mursion’s privacy policy or these privacy shield provisions, and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view Mursion’s certification, visit <https://www.privacyshield.gov/>.

c. Notice.

Mursion receives data from clients and individual users. Some of this data includes Personal Data about individuals in the EEA and Switzerland, which may include information like name and email address, and Mursion uses this information for the provision of the services to its clients and client support for such services. Mursion may receive information from third parties about users of websites.

Mursion is subject to the investigative and enforcement authority of the Federal Trade Commission (FTC). Mursion may be required to disclose Personal Data in response to lawful requests by public authorities. Mursion has liability for onward transfers to third parties unless we can prove we were not a party to the events giving rise to the damages. Additionally, an individual may be allowed to invoke binding arbitration to resolve disputes under certain limited conditions.

d. Choice.

If you are not a resident of the EEA or Switzerland or we have received your information from you through our websites and provision of services, please see the general provisions of our Privacy Policy for information about your choices.

Mursion will offer EEA and Swiss individuals whose Personal Data has been provided to us the opportunity to choose whether the Personal Data it has received is to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. An individual may opt-out of such uses of their Personal Data by contacting us at the address given below.

Mursion will not use Sensitive Personal Information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual unless Mursion has received the individual's affirmative and explicit consent (opt-in).

e. Data Integrity and Purpose Limitation.

Mursion will use Personal Data only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. Mursion will take reasonable steps to ensure that Personal Data is relevant to its intended use, accurate, complete and current.

f. Transfers to Agents.

Mursion may disclose Personal Data to Agents, including but not limited to, providers of analytical, hosting, and other support services. Agents may have access to Personal Data if needed to perform their functions for Mursion. Mursion does not transfer Personal Data to non-Agent third parties, unless an individual expressly consents to such transfer.

Mursion will require its Agents to safeguard Personal Data consistent with this Policy by contract obligating the agent to provide at least the same level of protection as is required by the EU-U.S. and Swiss-U.S. Privacy Shield Principles., Mursion is liable for onward transfers of Personal Data from the EEA where its Agent processes Personal Data inconsistent with the EU-U.S. and Swiss-U.S. Privacy Shield Principles, unless Mursion proves that it is not responsible for the event giving rise to the damages.

g. Access and Correction.

Mursion acknowledges the right of EU and Swiss individuals to access their personal data pursuant to the Privacy Shield and will grant individuals reasonable access to Personal Data it received subject to the Privacy Shield Principles. In addition, Mursion will take reasonable steps to permit individuals to correct, amend, or delete such Personal Data that is demonstrated to be inaccurate or incomplete. An individual may request to access his or her Personal Data, or otherwise correct, amend, or delete his or her Personal Data pursuant to the EU-U.S. and Swiss-U.S. Privacy Shield Principles by contacting us at the address given below.

h. Security.

Mursion will take reasonable and appropriate precautions to protect Personal Data in its possession from loss, misuse and unauthorized access, disclosure, alteration and destruction.

i. Enforcement.

Mursion will conduct compliance audits of its relevant privacy practices to verify adherence to this Policy. Any employee that Mursion determines is in violation of this policy will be subject to disciplinary action.

j. Dispute Resolution – Privacy Shield.

In compliance with the EU-U.S. and Swiss-U.S. Privacy Shield Principles, Mursion commits to resolve complaints about your privacy and our collection or use of your Personal Data. EEA or Swiss individuals with inquiries or complaints regarding this Policy should first contact Mursion at the address given below. Mursion will investigate and attempt to resolve complaints regarding use and disclosure of Personal Data by reference to the principles contained in this Policy.

Mursion has further committed to refer unresolved privacy complaints under the EU-U.S. and Swiss-U.S. Privacy Shield Principles to an independent dispute resolution mechanism, and has designated JAMS (www.jamsadr.com) as its dispute resolution provider for this purpose. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit JAMS Privacy Shield at <https://jamsadr.com/eu-us-privacy-shield> for more information and to file a complaint. Where applicable to the employment relationship, Mursion agrees to cooperate and comply with the EEA and Swiss data protection authorities (DPAs and Swiss FDPIC) regarding the unresolved complaints of employees of European-affiliated companies who are located in the EEA and Switzerland. Such employees may direct complaints about their personal information to their respective authority. For the contact information for the appropriate authority, please contact us at the address given below. Alternatively, EU individuals may go to https://ec.europa.eu/justice/article-29/structure/data-protection-authorities/index_en.htm to ascertain a comprehensive list of EU DPA's. Swiss individuals can go to <https://www.edoeb.admin.ch/edoeb/en/home/the-fdpic/links/data-protection--switzerland.html> for the list of Federal Data Protection and Information Commissioners by canton.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

k. Contact Information.

Questions regarding this Policy should be submitted to Mursion:

security.requests@mursion.com

ATTN: Data Protection Officer, Tomer Ben-Evi

2443 Fillmore St., Suite 515

San Francisco, CA 94115

l. Limitations & Changes.

Adherence by Mursion to the EU-U.S. and Swiss-U.S. Privacy Shield Principles may be limited (a) by the exception for Personal Data that is gathered for publication, broadcast, or other forms of public communication of journalistic material as well as information found in previously published material disseminated from media archives; (b) to the extent required to respond to a legal obligation; (c) to the extent necessary to respond to requests by authorities; and (d) to the extent expressly permitted by an applicable law, rule or regulation.