

Privacy Policy

Effective Date: September 20, 2020



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Summary

This General FDC Solutions Privacy Policy (also referred to as the 'Privacy Policy') provides information on the collection, use, and sharing (collectively referred to 'processing' or 'process') of personal information by FDC Solutions, Inc. and its affiliates ("FDC Solutions", "FDC", "we", "our" or "us"). This Privacy Policy also explains the privacy rights you have in relation to these processing activities.

This Privacy Policy was last updated on September 20, 2020. However, the Privacy Policy can change over time, for example to comply with legal requirements or to meet changing business needs. The most up-to-date version will be published on www.fdc-solutions.net or obtained by emailing privacy@fdcsolutions.net. In case there is an important change that we want to highlight to you, we will also inform you in another appropriate way (for example via a pop-up notice or statement of changes on our website).

As used in this Privacy Policy, 'personal information' or 'personal data' means information that relates to an identified individual or to an identifiable individual. For example, this could include among other things your name, address, email address, business contact details, or information gathered through your interactions with us via our websites, applications or in-person meetings. Personal information is also referred to as 'information about you.' For more detail about the types of information about you that we may process, refer to the section titled **Categories and Pieces of Personal Information We Process**.

Scope of the Privacy Policy

This Privacy Policy applies to our processing of personal information where FDC is the "Controller" of the processing and where the Company is the "Processor". FDC is acting as the Controller when the Company determines the purposes and means of processing personal data, and FDC is acting as the Processor when the Company processes personal data on behalf of a Data Controller.

FDC processes personal information as the Controller when it gathers, processes and stores personal information that it uses for the Company's "Commercial" purposes. Commercial purposes cover a range of marketing, sales and operational activities including responding to inquiries, distributing marketing materials, processing newsletter subscriptions and managing contracts and commercial relationships with customers. This personal information can be gathered electronically via FDC's websites, email or telephone or it can be gathered offline at meetings, industry events and other venues.

FDC processes personal information as the Processor when it gathers, processes and stores personal information as part of the "Services" that it provides to its customers. These Services include Custom Development and Consulting, Software Application Development and Application Support. This personal information is provided to FDC by the Company's customers, who serve as the Controller of this information.

Who is responsible for processing your personal information?

FDC Solutions and its affiliated entities are responsible for the processing of your personal information as described in this Privacy Policy.

Which categories of personal information do we process?

FDC Solutions processes both offline and online personal information. Information about you may directly or only indirectly identify you.

Where do we source your personal information?

FDC Solutions obtains information from our online and offline interactions with you, from email or telephone correspondence, from customers that use the Services of FDC Solutions, and from your use of our websites.

Why and how do we use your personal information?

We use your personal information to respond to your requests; to deliver functionality in our Services; to administer our subscriptions; to market and tailor Services to your or your company's interests; to engage in transactions with and process orders from you or your company; to develop, improve the performance of, and secure our Services; and to comply with applicable laws.

How can we share your personal information?

Your personal information is shared throughout our organization and with third parties such as distributors or resellers, service providers, and public, government, judicial and law enforcement entities.

What are your privacy rights?

You have privacy rights for the information we process about you. You can choose to opt-out of third-party sharing, object to, or restrict our use of your personal information, delete, change or correct your personal information or access your personal information.

How can we share your personal information?

Your personal information is shared throughout our organization and with third parties such as distributors or resellers, service providers, and public, government, judicial and law enforcement entities.

How can you contact us if you have questions, comments or complaints?

If you believe your personal information has been used in a way that is not consistent with the Privacy Policy, please contact the Global Data Protection Officer via email at privacy@fdcsolutions.net.

Contact Us

FDC Solutions, Inc.
Global Data Protection Officer
456 Fulton Street, Suite 298A
Peoria IL 61602 USA

Phone: (309) 676-7795

Email: privacy@fdcsolutions.net

Scope

This Privacy Policy applies to the processing of personal information by FDC Solutions of:

- Visitors and users of the various FDC Solutions websites, including our websites on FDC
- Solutions.net, computer or mobile software applications and our social media pages that
- link to this Privacy Policy (collectively referred to as the “websites”);
- Subscribers to FDC’s newsletters;
- Suppliers and business partners and their representatives; and
- Individuals whose personal information is provided to us by our customers as part of the services we provide to them.

When interacting with our websites, you also have the ability to link or connect with non-FDC Solutions websites, services, social networks, applications or other features. Enabling these features will lead to other parties than FDC Solutions processing information about you. FDC Solutions does not have any control over these features of other parties. We encourage you to review the privacy policies of these parties before using these features.

Responsibility for Processing Your Personal Information

Where FDC Solutions is acting as the Controller (as defined above), FDC and its affiliated entities are responsible for processing your personal information described in this Privacy Policy.

Where FDC Solutions is acting as the Processor (as defined above), FDC’s customers are responsible for processing your personal information described in this Privacy Policy.

Categories and Pieces of Personal Information We Process

FDC Solutions can process information about you collected both offline and online.

- Offline information about you originates from our interactions with you during in-person meetings or at industry events, conferences, workshops or gatherings;
- Online information about you originates from your use of our websites and Services, for example, in relation to your FDC accounts, pre-sales inquiries or subscription to our newsletters, or from your interactions with FDC Solutions via electronic communication tools such as email or telephone. Information about you may also be provided by third party sources, such as data aggregators who may not have a relationship with you.
- Online information about you may also originate from the use of cookies and similar technologies (for example, pixel tags and device identifiers) on our websites or the websites of third parties. For more information on cookies and similar technologies, please see the section titled **Cookies and Similar Technologies Used On Our Websites**.

Specific pieces of information about you that FDC Solutions may be collect and process includes:

- Name and physical address, email addresses, and telephone numbers;
- Demographic attributes, when tied to personal information that identifies you;
- Photographs and testimonials;
- Transnational data, including products and services ordered, financial details and payment methods;
- Company data such as the name, size and location of the company you work for and your role within the company;
- Data from surveys and publicly available information, such as social media posts;
- Call recording and chat transcript data from Sales and customer support calls and live chat sessions;
- Unique IDs such as your mobile device identifier or cookie ID on your browser;
- IP address and information that may be derived from IP address, such as geographic location;
- Information about a device you use, such as browser, device type, operating system, the presence or use of “apps”, screen resolution, and the preferred language;
- Behavioral data of the internet connected computer or device you use when interacting with the sites, such as advertisements clicked or viewed, sites and content areas, date and time of activities or the web search used to locate and navigate to a site; and
- CEO name linked to the CEO’s company information and activities (for certain FDC Solutions services relating to public company information and activity).

Use of Your Personal Information

We may use personal information for the business purposes described below.

COMMUNICATE AND RESPOND TO YOUR REQUESTS AND INQUIRIES

If you get in touch with us (such as by submitting contact forms on our sites, attending an industry event, sending an email or by meeting in person), we process information about you to communicate with you and to respond to your requests or other inquiries. We can also process personal information to interact with you on third party social networks.

MARKET OUR PRODUCTS AND SERVICES OR RELATED PRODUCTS AND SERVICES AND TAILOR OUR MARKETING AND SALES ACTIVITIES

FDC Solutions may use information about you to notify you about new product releases and service developments, events, alerts, updates, prices, terms, special offers and associated campaigns and promotions (including via newsletters). FDC Solutions may also use personal information to advertise FDC’s products and services or related products and services, and also to have our distributors, resellers or partners notify you about our products or services or their related products or services (such as via joint sales or product promotions). We do our best to tailor your website visit, marketing experience and our communications to your expressed interests.

We may also process your personal information to post testimonials on our sites but will first obtain your consent to use your name and testimonial.

ADMINISTER SUBSCRIPTIONS TO ELECTRONIC NEWSLETTERS

If you subscribe to our newsletters, we process information about you to administer your subscription to those newsletters (including the cancellation/unsubscribe process).

MANAGE CONTRACTS AND COMMERCIAL TRANSACTIONS WITH CUSTOMERS, SUPPLIERS, & PARTNERS

If you purchase our Services, or if you provide services to FDC Solutions, our employees, customers or partners as a supplier or business partner, FDC Solutions processes information about you to engage in and administer the relevant transactions (such as by executing contracts, sending invoices and making payments), administer your account, and help you to use our Services effectively.

COMPLY WITH APPLICABLE LAWS AND REGULATIONS AND OPERATE OUR BUSINESS

In some cases, we have to process personal information to comply with applicable laws and regulations. For example, to respond to a request from a regulator or to defend a legal claim. We may also process personal information in the performance and operation of our business, such as to conduct internal audits and investigations or for finance and accounting and archiving and insurance purposes.

PROVIDE SERVICES TO OUR CUSTOMERS

As noted above, FDC provides applications, software development, consulting and support services to its customers (the Services). As part of providing these Services, the customers may provide personal information about the customers' employees, suppliers, business partners and other individuals. FDC processes that information on behalf of the customers and only in such a manner as directed by the customer. FDC does not make use of the personal information beyond that specified by the customers and it does not share that information with any third parties.

Legal Basis for Processing Information About You

For personal information collected about you in the EU, our basis for processing is the following:

- In order to communicate adequately with you and to respond to your requests, we need to process information about you and therefore have a legitimate interest in processing this information.
- In order to engage in transactions with customers, suppliers and business partners, and to process purchases and downloads of our products and services, we need to process information about you as necessary to enter into or perform a contract with you.
- We process personal information for marketing and sales activities based on your consent where so indicated on our sites at the time your personal information was collected, or further to our legitimate interest to market and promote our products and services.

- We rely on our legitimate interest to analyze, develop, improve and optimize our sites, products and services, and to maintain the security of our sites, networks and systems.
- In order to comply with applicable laws and regulations, such as to comply with a subpoena or other legal process, or to process an opt-out request.

Retention of Personal Information

FDC Solutions maintains personal information for the following retention periods:

- Information about you we collect to engage in transactions with our customers, suppliers and business partners, and to process purchases of our products and services, will be retained for the duration of the transaction or services period, or longer as necessary for record retention and legal compliance purposes.
- If you have registered for our newsletters and blogs, your subscription data will be retained for as long as you are subscribed to our distribution lists. If you elect to unsubscribe from the newsletters and blogs, FDC Solutions retains records of that deletion for 30 days.
- Contact information such as your email address or phone number collected online on our sites or offline from our interactions with you and used for direct marketing and sales activities will be retained for as long as we have an active (customer) relationship with you. We treat you as an active contact if (i) you have interacted with FDC Solutions or updated your contact details and preferences in the past 18 months; and (ii) you have not made a deletion request.
- If you have reached out to us via our support line and you have not opted out of call recording, we will delete call recordings 60 days after the call has concluded unless otherwise specified during the call.
- Personal information needed to retain your opt-out preferences is retained for 20 years (or longer as necessary to comply with applicable law).

Sharing of Your Personal Information

SHARING WITHIN FDC SOLUTIONS

Information about you may be shared globally throughout FDC's organization. FDC Solutions employees are authorized to access personal information only to the extent necessary to serve the applicable purpose(s) and to perform their job functions.

SHARING WITH THIRD PARTIES

We may share personal information with the following third parties for a business purpose.

- Third-party service providers (for example, credit card processing services, website management providers, information technology and related infrastructure providers, customer service, e-mail delivery, auditing, and other similar service providers) in order for those service providers to perform business functions on behalf of FDC Solutions.
- Relevant third parties in the event of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings).

- As required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

We may share personal information with the following third parties for a commercial purpose.

- FDC Solutions distributors or resellers for further follow-up related to your interests, specific partners that offer complementary products and services or with third parties to facilitate interest-based advertising.
- When third parties are given access to personal information, we will take appropriate contractual, technical and organizational measures designed to ensure that personal information is processed only to the extent that such processing is necessary, consistent with this Privacy Policy, and in accordance with applicable law.

European Economic Area Cross Border Data Transfer

If personal information is transferred to an FDC Solutions recipient in a country that does not provide an adequate level of protection for personal information, FDC Solutions will take measures designed to adequately protect information about you, such as ensuring that such transfers are subject to the terms of the EU Model Clauses.

FDC Solutions also complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention when a customer and FDC Solutions have agreed by contract that transfers of personal information from the European Economic Area and the United Kingdom (EEA) and/or Switzerland will be transferred and processed pursuant to the Privacy Shield for the relevant services. When conducting those activities on behalf of its EEA or Swiss customers, FDC Solutions holds and/or processes personal information provided by the EEA or Swiss customer at the direction of the customer. FDC Solutions will then be responsible for ensuring that third parties acting as an agent on our behalf do the same. FDC Solutions has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit www.privacyshield.gov.

With respect to personal information received or transferred pursuant to the Privacy Shield Framework, FDC Solutions is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission and commits to cooperate with EU data protection authorities.

Personal Information Security

FDC Solutions has implemented appropriate technical, physical and organizational measures designed to protect personal information against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorized disclosure or access, as well as all other forms of unlawful processing.

Cookies and Similar Technologies Used On Our Websites

Cookies and similar technologies (e.g., pixels tags and device identifiers) are used by FDC Solutions to recognize you and/or your device(s) on, off and across different services and devices for the purposes specified in see the section titled **Use of Your Personal Information**.

HOW TO USE COOKIES AND SIMILAR TECHNOLOGIES

Cookies are small text files that contain a string of characters and uniquely identify a browser on a device connected to the Internet. Any browser visiting our sites will receive cookies from us. We also place cookies in your browser when you visit non-FDC Solutions sites that host our plugins or tags.

We use cookies and other technologies on all our sites to ensure the best possible and secure experience on our sites and to provide you with tailored information on products and services. FDC Solutions also uses cookies or similar technologies on its sites to collect online information such as your mobile device ID, IP address, and other information about your device, as well as behavioral data of your device usage on our sites (e.g. pages viewed, links clicked, documents downloaded).

MANAGING YOUR COOKIE PREFERENCES

If you do not want to receive cookies, you can change your browser settings on your computer or other device you are using to access our services. Most browsers also provide functionality that lets you review and erase cookies, including FDC Solutions' cookies.

Your Privacy Rights

We provide multiple choices in respect of the information we process about you.

OPT OUT OF OUR USE OR SHARING OF YOUR PERSONAL INFORMATION

You can opt-out our use or sharing of your personal information and you may withdraw consent you have previously provided for the processing of information about you, including for email marketing, by FDC Solutions.

DELETE PERSONAL INFORMATION

You can ask us to erase or delete all or some of the information about you.

CHANGE OR CORRECT PERSONAL INFORMATION

You can edit some of the information about you by emailing your request to privacy@fdcsolutions.net. You can also ask us to change, update or fix information about you in certain cases, particularly if it is inaccurate.

OBJECT TO, LIMIT, OR RESTRICT USE OF PERSONAL INFORMATION

You can ask us to stop using all or some of the information about you (for example, if we have no legal right to keep using it) or to limit our use of it (for example, if the information about you is inaccurate).

RIGHT TO ACCESS AND/OR HAVE YOUR INFORMATION PROVIDED TO YOU

You can also ask us for a copy of information about you and can ask for a copy of information about you provided in machine readable form if you reside in the EU, California or other jurisdiction that provides you this right as a matter of law.

You can exercise these choices in accordance with applicable laws as specified on our website by contacting our Global Data Privacy Officer at privacy@fdcsolutions.net.

Sensitive Information and Information From Children

SENSITIVE PERSONAL INFORMATION

In our role as Data Controller we do not collect nor share any sensitive personal information (for example, government-issued IDs, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, genetic, or biometric data, criminal background or trade union membership).

CHILDREN'S PRIVACY

As a company focused on serving the needs of businesses, FDC's websites are not directed to minors and FDC Solutions does not promote or market its services to minors. If you believe that we have mistakenly or unintentionally collected personal information of a minor through our websites without appropriate consent, please notify us by emailing us at privacy@fdcsolutions.net so that we may immediately delete the information from our servers and make any other necessary corrections.

Rights Under the California Consumer Privacy Act

If you are a California resident, under the California Consumer Privacy Act (CCPA), you may request that we:

- Disclose to you the following information covering the 12 months preceding your request:
 - The categories and specific pieces of personal information we collected about you and the categories of personal information we sold (see the section titled **Categories and Pieces of Personal Information We Process**);
 - The categories of sources from which we collected such personal information (see the section titled **Categories and Pieces of Personal Information We Process**);
 - The business or commercial purpose for collecting or selling personal information about you (see the section titled **Use of Your Personal Information**); and
 - The categories of third parties to whom we sold or otherwise disclosed personal information (see the section titled **Sharing of Your Personal Information**).
- Delete personal information we collected from you (see the section titled **Your Privacy Rights**); or
- Opt out of any future sale of personal information about you (see the section titled **Your Privacy Rights**).

We will respond to your request consistent with applicable law. If you are a California resident, you may obtain information about exercising your rights, as described above, by contacting us at 309-676-7795.

Data Protection Officer

FDC Solutions has appointed a Global Data Protection Officer. If you believe your personal information has been used in a way that is not consistent with the Privacy Policy or your choices, or if you have further questions, comments or suggestions related to this Privacy Policy, please contact the Global Data Protection Officer by emailing privacy@fdcsolutions.net.

Written inquiries to the Global Data Protection Officer may be addressed to:

FDC Solutions, Inc.
Global Data Protection Officer
456 Fulton Street, Suite 298A
Peoria IL 61602, USA
Phone: (309) 676-7795
Email: privacy@fdcsolutions.net

Dispute Resolution or Filing a Complaint

If you have any complaints regarding our compliance with this Privacy Policy, please contact us first. We will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with this Privacy Policy and in accordance with applicable law.

If you have an unresolved privacy or data use concern that you believe 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>. Under certain conditions, specified on the Privacy Shield website, you may invoke binding arbitration when other dispute resolution procedures have been exhausted. You also have the right to file a complaint with a competent data protection authority if you are a resident of a European Union member state.