

Privacy Policy

DataPoints LLC Privacy Policy

Last modified September 1, 2021

DataPoints is committed to protecting your privacy. This Privacy Policy applies to both our corporate website (www.datapoints.com) (<http://www.datapoints.com/>) (the “Website”) and our subscription service and tools (located at measure.datapoints.com) (the “Subscription Service”). This Privacy Policy governs our data collection, processing, and usage practices. It also describes your choices regarding use, access, and correction of your personal information. If you do not agree with the data practices described in this Privacy Policy, you should not use the Website or the Subscription Service.

We periodically update this Privacy Policy. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice by sending you an email notification.

While we will notify you of any material changes to this Privacy Policy, we encourage you to review this Privacy Policy periodically.

If you have any questions about this Privacy Policy or our treatment of the information you provide us, please write to us by email at privacy@datapoints.com (<mailto:privacy@datapoints.com>).

1. Use of the Subscription Service

The Subscription Service

Our online Subscription Service allows users to administer psychometric assessments to their clients in relation to the provision of financial advisory services, and to gather marketing leads. The information added to the Subscription Service, either by site visitors providing their contact information or when a Subscription Service user adds the information, is stored and managed on our service providers' servers. This information is then used to counsel clients on financial related behaviors, and to contact visitors about their interest in the company's goods or services and interact with the company. DataPoints provides the Subscription Service to our customers for their own marketing, lead generation, and advisory needs. We also use our lead-generation tool to generate leads and market our tools to prospective users.

Use By Our Customers

Our customers use the Subscription Service to assess the behaviors and psychology of their clients and to generate leads for marketing their services. DataPoints does not control the use of this data by our customers. That information belongs to them and is used, disclosed and protected by them according to their privacy policies and is not subject to this Privacy Policy. DataPoints processes our customers' information as they direct and in accordance with our agreements with our customers, and we store it on our service providers' servers, but we do not have control over its collection or management. Our agreements with our customers prohibit us from using that information, except as necessary to provide and improve the Subscription Service, as permitted by this Privacy Policy, and as required by law. We have no direct relationship with individuals who provide Personal Information to our customers. DataPoints acknowledges that you have the right to access your Personal Information. Our customers control and are responsible for correcting, deleting or updating information they have collected from you using the Subscription Service. If requested to remove data we will respond within a reasonable timeframe. We may work with our customers to help them provide notice to their visitors about their data collection, processing and usage. Our agreements with our customers prohibit them from using the Subscription Service to collect, manage, or process Sensitive Information. We are not responsible for our customers' use of information they collect on the Subscription Service.

DataPoints collects information under the direction of its customers, and has no direct relationship with the individuals whose Personal Information it processes. If you are a client of one of our customers and would no longer like to be contacted by one of our customers that use our Subscription Service, please contact the customer that you interact with directly. We may transfer Personal Information to companies that help us provide our service.

Transfers to subsequent third parties are covered by the service agreements with our customers.

2. Information We Collect

When You Visit our Website

The Website can generally be explored without providing any Personal Information about yourself, although some areas request basic contact information in order to access specific information or research on the site. When you visit the Website or register for the Subscription Service, we request that you provide Personal Information about yourself, and we collect Navigational Information.

Personal Information

"Personal Information" refers to any information that you voluntarily submit to us and that identifies you personally, including contact information, such as your name, e-mail address, company name, address, phone number, and other information about yourself or your business.

Personal Information can also include information about any transactions that you enter into on the Website.

Personal Information also includes Navigational Information or Payment Information where such information can directly or indirectly identify an individual. Navigational information refers to information about your computer and your visits to this website such as your IP address, geographical location, browser type, referral source, length of visit and pages viewed. Please see the "Navigation Information" section below. We collect and process payment information from you when you subscribe to the Subscription Service, including credit cards numbers and billing information, using third party PCI-compliant service providers.

Log Files

When you use our services or view content provided by us, we automatically collect information about your computer hardware and software. This information can include your IP address, browser type, domain names, internet service provider (ISP), the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, clickstream data, access times and referring website addresses. We use this information to determine areas of interest on the Website, to maintain quality of the Subscription Service, and to provide general statistics regarding use of the Website. For these purposes, we do link this automatically collected data to Personal Information such as name, email address, address, and phone number.

Information About Children

The Website and Subscription Service are not intended for or targeted at children under 16, and we do not knowingly or intentionally collect information about children under 16. If you believe that we have collected information about a child under 16, please contact us at privacy@datapoints.com, so that we may delete the information.

3. How We Use Information We Collect

Compliance with Our Privacy Policy

We use the information we collect only in compliance with this Privacy Policy.

We Never Sell Personal Information

We will never sell your Personal Information to any third party.

Use of Personal Information

In addition to the uses identified elsewhere in this Privacy Policy, we may use your Personal Information to:

- Improve your browsing experience by personalizing the Website and to improve the Subscription Service
- Send information or content to you which we think may be of interest to you by post, email, or other means and send you marketing communications relating to our business

- Promote use of our services to you and share promotional and information content with you in accordance with your communication preferences
- Provide other companies with statistical information about our users -- but this information will not be used to identify any individual user
- Send information to you regarding changes to our Customer Terms of Use, Privacy Policy, or other legal agreements
- To conduct research using aggregate data collected where all individual personal data is anonymized and cannot be attached to any individual; this aggregate and anonymized data used for research may be included in publications and/or to create new products and services
- To verify your membership and/or affiliation with a third-party promotional partner (by disclosure of your name to the third-party promotional partner) with whom you have claimed affiliation by requiring a promotional rate for the Subscription Service offered to members/affiliates of the third-party promotional partner
- Meet legal requirements

We use the information collected through our Subscription Service by our customers for the following purposes:

- To provide the Subscription Service (which may include the detection, prevention and resolution of security and technical issues)
- To respond to customer support requests
- To conduct research using aggregate data collected where all individual personal data is anonymized and cannot be attached to any individual; this aggregate and anonymized data used for research may be included in publications and/or to create new products and services
- To otherwise fulfill our obligations under the Terms of Use

Legal basis for processing Personal Information (EEA visitors only)

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it. We will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible

consequences if you do not provide your personal information). Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

Use of Navigational Information

We use Navigational Information to operate and improve the Website and the Subscription Service. We may also use Navigational Information alone or in combination with Personal Information to provide you with personalized information about DataPoints.

Use of Credit Card Information

If you give us credit card information, we use it solely to check your financial qualifications and collect payment from you. We use a third-party service provider to manage credit card processing. This service provider is not permitted to store, retain, or use information you provide except for the sole purpose of credit card processing on our behalf.

Security of your Personal Information

We use a variety of security technologies and procedures to help protect your Personal Information from unauthorized access, use or disclosure. We secure the Personal Information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use or disclosure under the terms of a contract with a third-party data processor. All Personal Information is protected using appropriate physical, technical and organizational measures.

Social Media Features

Our Website and parts of the Subscription Service include Social Media Features, such as the Facebook Like button and Widgets, such as the Share This button or interactive mini- programs that run on our sites. These features may collect your IP address, which page you are visiting on our sites, and may set a cookie to enable the feature to function properly. Social Media Features and Widgets are either hosted by a third party or hosted directly on our Website or Subscription Service. This Privacy Policy does not apply to these features. Your interactions with these features are governed by the privacy policy and other policies of the companies providing them.

External Website

Our Website provides links to other websites. We do not control, and are not responsible for, the content or practices of these other websites. Our provision of such links does not constitute our endorsement of these other websites, their content, their owners, or their practices. This Privacy Policy does not apply to these other websites, which are subject to any privacy and other policies they may have.

Public Forums

We offer publicly accessible message boards, blogs, and community forums. Please keep in mind that if you directly disclose any information through our public message boards, blogs, or forums, this information may be collected and used by others. We will correct or delete any information you have posted on the Website if you so request, as described in "Opting Out and Unsubscribing" below.

Retention of Personal Information

How long we keep information we collect about you depends on the type of information as described in further detail below. After such time, we will either delete or anonymize your information or, if this is not possible, we will securely store your information and isolate it from any further use until deletion is possible.

We retain Personal Information that you provide to us where we have an ongoing legitimate business need to do so (for example, as long as is required in order to contact you about the Subscription Service or our other services, or as needed to comply with our legal obligations, resolve disputes and enforce our agreements).

When we have no ongoing legitimate business need to process your Personal Information, we securely delete the information or anonymize it or, if this is not possible, then we will securely store your Personal Information and isolate it from any further processing until deletion is possible. We will delete this information from the servers at an earlier date if you so request, as described in "To Unsubscribe from Our Communications" below.

If you provide information to our customers as part of their use of the Subscription Service, our customers decide how long to retain the personal information they collect from you. If a customer terminates its use of the Subscription Service, then we will provide customer with access to all information stored for the customer by the Subscription Service, including any Personal Information provided by you, for export by the customer according to our agreement with our customer. After termination, we may, unless legally prohibited, delete all customer information, including your Personal Information, from the Subscription Service.

If you have elected to receive marketing communications from us, we retain information about your marketing preferences for a reasonable period of time from the date you last expressed interest in our content, products, or services, such as when you last opened an email from us. We retain information derived from cookies and other tracking technologies for a reasonable period of time from the date such information was created.

4. How We Share Information We Collect

Service Providers

We employ other companies and people to provide services to visitors to our Website, our customers, and users of the Subscription Service and may need to share your information with them to provide information, products or services to you. Examples include analyzing data or performing statistical analysis, providing marketing assistance, processing credit card

payments, supplementing the information you provide us in order to provide you with better service, and providing customer service or support. In all cases where we share your information with such agents, we explicitly require the agent to acknowledge and adhere to our privacy and customer data handling policies.

Corporate Events

If we (or our assets) are acquired by another company, whether by merger, acquisition, bankruptcy or otherwise, that company would receive all information gathered by DataPoints on the Website and the Subscription Service. In this event, you will be notified via email and/or a prominent notice on our website, of any change in ownership, uses of your Personal Information, and choices you may have regarding your Personal Information.

Compelled Disclosure

We reserve the right to use or disclose your Personal Information if required by law or if we reasonably believe that use or disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or comply with a law, court order, or legal process.

5. International Transfer of Information (EEA Users and Customers)

International transfers to third parties

DataPoints is a US-based company not located in the EU or EEA, and some of the third parties described in this privacy policy that provide services to us under contract are based in the US and other countries that may not have equivalent privacy and data protection laws to the country in which you reside. When we share information of customers in the European Economic Area or Switzerland, we use the European Commission-approved standard contractual clauses regarding data protection in order to authorize the transfer outside the EEA. Specifically, we implement the Controller-to-Processor standard contractual clauses contained in Decision 2010/87/EU. The standard contractual terms are implemented in the data processing addendum ("DPA") that serves as an addendum to our Terms of Use for EEA-based users.

6. Cookies and Similar Technologies

Cookies

DataPoints uses cookies or similar technologies (such as web beacons) to analyze trends, administer the Website, track users' movements around the Website, and to gather demographic information about our user base as a whole.

7. How to Access & Control Your Personal Data

Reviewing, Correcting, and Deleting Your Personal Information

You have the following data protection rights:

--You can request access, correction, updates or deletion of your personal information.

--You can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information.

--If we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

To exercise any of these rights, please contact us at privacy@datapoints.com. We will respond to your request to change, correct, or delete your information within a reasonable timeframe and notify you of the action we have taken.

To Unsubscribe From Our Communications

You may unsubscribe from our marketing communications by clicking on the "unsubscribe" link located on the bottom of our e-mails, updating your communication preferences, or by sending us email us at privacy@datapoints.com. Customers cannot opt out of receiving transactional emails related to their account with us or the Subscription Service.

To Unsubscribe from Our Customers' Communications

Our customers are solely responsible for their own marketing emails and other communications; we cannot unsubscribe you from their communications. You can unsubscribe from our customers' marketing communications by clicking on the "unsubscribe" link located on the bottom of their emails, or by contacting them directly.

Contact

For questions or further information please contact privacy@datapoints.com.

Terms of use (<https://measure.datapoints.com/terms-of-use>)

Privacy Policy (<https://measure.datapoints.com/privacy-policy>)

© Copyright 2022 Data Points LLC. All Rights Reserved.