

# Encore Networks Privacy policy

Effective May 25, 2018

## What this policy covers

Encore Networks, Inc. and its affiliates, subsidiaries and entities that Encore Networks operates (collectively, "Encore", "we", "our", or "us") is committed to protecting the security and privacy of your personal data and ensuring that we conduct our business in compliance with laws on privacy, data protection and data security.

This is the Privacy Policy ("Policy") for Encore's worldwide websites (e.g. [www.encorenetworks.com](http://www.encorenetworks.com)), our affiliated websites (e.g. [myencloud.com](http://myencloud.com)) and any websites or marketing applications operated by on behalf of Encore (collectively "our Sites"). This Policy also applies to our direct mail, telemarketing, email campaigns and other similar marketing activities. We encourage you to read this Policy so that you understand Encore's commitment to your privacy, and how you can contribute to that commitment.

Your privacy is important to us, and so is being transparent about how we collect, use, and share information about you. This policy is intended to help you understand:

- What information we collect about you
  - Cookies and other technologies we use to collect data
- How we use information we collect
- How we share information we collect
- How we store and secure information we collect
  - How long we keep your information
- How to access and control your information
- How we transfer information we collect internationally
- Other important privacy information

This Privacy Policy covers the information we collect about you when you use our products or otherwise interact with us (for example, via our support channels), unless a different policy is displayed. Encore, we and us refers to Encore Networks, Inc. We offer a range of products. We refer to all of these products, together with our other services and websites as "Services" in this policy.

This policy also explains your choices about how we use information about you. Your choices include how you can object to certain uses of information about you and how you can access and update certain information about you. **If you do not agree with this policy, do not access or use our Services or interact with any other aspect of our business.**

Where we provide the Services under contract with an organization (for example your employer) that organization controls the information processed by the Services.

## What information we collect about you

We collect information about you when you provide it to us, when you use our Services, and when other sources provide it to us, as further described below.

---

## Information you provide to us

We collect information about you when you input it into the Services or otherwise provide it directly to us.

**Account and Profile Information:** We collect information about you when you (or your employer on your behalf) create a user account, create or modify your profile, set preferences, sign-up for or make purchases through the Services. For example, you provide your contact information and, in some cases, billing information when you register for the Services. You also have the option of adding a display name, email address, and other details to your profile information to be displayed in our Services. We keep track of your preferences when you select settings within the Services.

**Content you provide through our Services:** The Services include the Encore products you use i.e. enCloud™. enCloud™ collects and stores data about routers you attach to the service and limited user data necessary to log in to the enCloud™ platform as well as send alerts and notifications through enCloud™ related to conditions of the router. We also collect data about how you interact with the Services.

**Content you provide through our websites:** The Services also include our websites owned or operated by us, i.e. encorenetworks.com. We collect content that you submit to these websites. For example, you provide content to us when you provide feedback or when you participate in any interactive features, surveys, contests, promotions, or online activities, as well as when you provide contact information for the purpose of setting up a meeting or contacting us about our products or Services.

**Information you provide through our support channels:** The Services also include our customer support, where you may choose to submit information regarding a problem you are experiencing with a Service. Whether you designate yourself as a contact, open a support ticket, speak to one of our representatives directly or otherwise engage with our support team, you will be asked to provide contact information, a summary of the problem you are experiencing, and any other documentation, screenshots or information that would be helpful in resolving the issue.

---

## Information we collect automatically when you use the Services

We collect information about you when you use our Services, including browsing our websites and taking certain actions within the Services.

**Your use of the Services:** We keep track of certain information whenever someone visits our web sites for analytics purposes so we can monitor the traffic and performance of our web site. This information includes the features used and the links clicked by visitors to encorenetworks.com. Because there is no login on encorenetworks.com this information is not traceable to a specific individual unless they provide personal information (as part of a web form). In which case, the specifics around the use of this information is described on the web form.

**Cookies and Other Tracking Technologies:** Encore and our third-party partners, such as our analytics partners, use cookies to provide functionality and to recognize you across different Services and devices. A "cookie" is a small text file that we transfer to your computer or device so that we can keep track of your interests and preferences and recognize you as a return visitor to our Sites. Cookies may be temporary (session cookies) or permanent (persistent cookies). For example, we may use these technologies to collect information about the ways visitors use our Sites, to personalize your experience and to support the features and functionality of our Sites or marketing applications. You can set your browser to off or to notify you when you receive a cookie, giving you the chance to decide whether to accept it.

---

## Information we receive from other sources

We receive information about you from other Service users, from third-party services.

**Other users of the Services:** Other users of our Services may provide information about you when they submit content through the Services. For example, you may be mentioned in a support ticket opened by someone else. We also receive your email address from other Service users when they provide it in order to invite you to the Services. Similarly, an administrator may provide your contact information when they create a user account on your behalf.

**Encore Partners:** We work with a variety of Resellers who provide purchasing and other services around our products. We receive information from these resellers, such as billing information, billing and admin contact information, company name, what products you have purchased or may be interested in.

## How we use information we collect

Below are the specific purposes for which we use the information we collect about you.

**To provide the Services and personalize your experience:** We use information about you to provide the Services to you, including to process transactions with you, authenticate you when you log in, provide customer support, and operate and maintain the Services.

**For research and development:** We are always looking for ways to make our Services smarter, faster, secure, integrated, and useful to you. We use collective learnings about how people use our Services and feedback provided directly to us to troubleshoot and to identify trends, usage, activity patterns and areas for integration and improvement of the Services. We also test and analyze certain new features with some users before rolling the feature out to all users.

**To communicate with you about the Services:** We use your contact information to send transactional communications via email and within the Services, including confirming your purchases, reminding you of subscription expirations, responding to your comments, questions and requests, providing customer support, and sending you technical notices, updates, security alerts, and administrative messages. We also send you communications as you onboard to a particular Service to help you become more proficient in using that Service. These communications are part of the Services and in most cases you cannot opt out of them. If an opt out is available, you will find that option within the communication itself or in your account settings.

**To market, promote and drive engagement with the Services:** We use your contact information and information about how you use the Services to send promotional communications that may be of

specific interest to you, including by email and by displaying Encore ads on other companies' websites and applications, as well as on platforms like Facebook and Google. These communications are aimed at driving engagement and maximizing what you get out of the Services, including information about new features, survey requests, newsletters, and events we think may be of interest to you. We also communicate with you about new product offers, promotions and contests. You can control whether you receive these communications as described below under "Opt-out of communications."

**For Customer support:** We use your information to resolve technical issues you encounter, to respond to your requests for assistance, and to repair and improve the Services.

**For safety and security:** We use information about you and your Service use to verify accounts and activity, to monitor suspicious or fraudulent activity and to identify violations of Service policies.

**To protect our legitimate business interests and legal rights:** Where required by law or where we believe it is necessary to protect our legal rights, interests and the interests of others, we use information about you in connection with legal claims, compliance, regulatory, and audit functions, and disclosures in connection with the acquisition, merger or sale of a business.

**With your consent:** We use information about you where you have given us consent to do so for a specific purpose not listed above. For example, we may publish testimonials or featured customer stories to promote the Services, with your permission.

#### **Legal bases for processing (for EEA users):**

If you are an individual in the European Economic Area (EEA), we collect and process information about you only where we have legal bases for doing so under applicable EU laws. The legal bases depend on the Services you use and how you use them. This means we collect and use your information only where:

- We need it to provide you the Services, including to operate the Services, provide customer support and personalized features and to protect the safety and security of the Services;
- It satisfies a legitimate interest (which is not overridden by your data protection interests), such as for research and development, to market and promote the Services and to protect our legal rights and interests;
- You give us consent to do so for a specific purpose; or
- We need to process your data to comply with a legal obligation.

If you have consented to our use of information about you for a specific purpose, you have the right to change your mind at any time, but this will not affect any processing that has already taken place. Where we are using your information because we or a third party (e.g. your employer) have a legitimate interest to do so, you have the right to object to that use though, in some cases, this may mean no longer using the Services.

## **How we share information we collect**

We do not sell, trade, or otherwise transfer to outside parties your personally identifiable information. This does not include trusted third parties who assist us in operating our website, conducting our business, or servicing you, so long as those parties agree to keep this information confidential. We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours or others rights, property, or safety. However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

---

## Sharing with other Service users

When you use the Services, we share certain information about you with other Service users.

***Managed accounts and administrators:*** If you register or access the Services using an email address with a domain that is owned by your employer or organization, and such organization wishes to establish an account, certain information about you including your name, contact info, content and past use of your account may become accessible to that organization's administrator. If you are an administrator for a particular site or group of users within the Services, we may share your contact information with current or past Service users, for the purpose of facilitating Service-related requests.

---

## Sharing with third parties

We share information with third parties that help us operate, provide, improve, integrate, customize, support and market our Services.

***Service Providers:*** We work with third-party service providers to provide website and application development, hosting, maintenance, backup, storage, virtual infrastructure, payment processing, analysis and other services for us, which may require them to access or use information about you. If a service provider needs to access information about you to perform services on our behalf, they do so under close instruction from us, including policies and procedures designed to protect your information.

***Links to Third Party Sites:*** The Services may include links that direct you to other websites or services whose privacy practices may differ from ours. If you submit information to any of those third party sites, your information is governed by their privacy policies, not this one. We encourage you to carefully read the privacy policy of any website you visit.

***Third-Party Widgets:*** Some of our Services contain widgets and social media features, such as the Twitter "tweet" button. These widgets and features collect your IP address, which page you are visiting on the Services, and may set a cookie to enable the feature to function properly. Widgets and social media features are either hosted by a third party or hosted directly on our Services. Your interactions with these features are governed by the privacy policy of the company providing it.

***Compliance with Enforcement Requests and Applicable Laws; Enforcement of Our Rights:*** In exceptional circumstances, we may share information about you with a third party if we believe that sharing is reasonably necessary to (a) comply with any applicable law, regulation, legal process or governmental request, including to meet national security requirements, (b) enforce our agreements, policies and terms of service, (c) protect the security or integrity of our products and services, (d) protect Encore, our customers or the public from harm or illegal activities, or (e) respond to an emergency which we believe in good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person.

***Sale or purchase of Encore Business Assets:*** In the event that we sell or buy any Encore business or assets, we may disclose your personal data to the prospective seller or buyer of such business or assets subject to the terms of this Policy. For example, if Encore or substantially all of

its assets are acquired by a third party, personal data held by Encore about its customers may be one of the transferred assets.

## How we store and secure information we collect

---

### Information storage and security

Personal data collected by us may be stored and processed in your region, in the United States, and in any other country where Encore or its affiliates, subsidiaries or service providers operate. We use data hosting service providers in the United States, the United Kingdom, Germany, Netherlands, India and Singapore. Typically, the primary storage location is in your region.

While we implement safeguards designed to protect your information, no security system is impenetrable and due to the inherent nature of the Internet, we cannot guarantee that data, during transmission through the Internet or while stored on our systems or otherwise in our care, is absolutely safe from intrusion by others.

If you are an EU citizen, Personal data that we process in relation to you may be transferred and stored at a destination outside the EEA that may not be subject to equivalent data protection law. It may also be processed by staff situated outside the EEA who work for us or for one of our suppliers. The EEA includes all EU Member countries as well as Iceland, Liechtenstein and Norway.

---

### How long we keep 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.

Where we process personal data about you in conjunction with the supply of our products or services (e.g. contact data for technical or billing purposes), we retain that personal data for as long as necessary to provide the products and fulfill the transactions our clients have requested, or for other purposes such as complying with our legal or regulatory requirements, resolving disputes and enforcing our agreements. The criteria used to determine the retention periods include:

- whether your personal data is still needed to provide, maintain or improve the performance of our products and services,
- whether you requested that your personal data be deleted,
- we have determined a specific retention period for certain types of data,
- you have provided your consent (where applicable) and have not withdrawn your consent.

**Account information:** We retain your account information for as long as your account is active and up to six months thereafter in case you decide to re-activate the Services. We also retain some of your information as necessary to comply with our legal obligations, to resolve disputes, to enforce our agreements, to support business operations, and to continue to develop and improve our Services.

**Managed accounts:** If the Services are made available to you through an organization (e.g., your employer), we retain your information as long as required by the administrator of your account.

**Marketing information:** If you have elected to receive marketing emails from us, we retain information about your marketing preferences for a reasonable period of time from the date you last expressed interest in our Services, such as when you last opened an email from us or opted into receiving communications 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.

## How to access and control your information

You have certain choices available to you when it comes to your information. Below is a summary of those choices, how to exercise them and any limitations.

---

### Your Choices:

You have the right to request a copy of your information, to object to our use of your information (including for marketing purposes), to request the deletion or restriction of your information, or to request your information in a structured, electronic format. Below, we describe the tools and processes for making these requests. You may contact us as provided in the Contact Us section below to request assistance.

Your request and choices may be limited in certain cases: for example, if fulfilling your request would reveal information about another person, or if you ask to delete information which we or your administrator are permitted by law or have compelling legitimate interests to keep. Where you have asked us to share data with third parties, you will need to contact those third-party service providers directly to have your information deleted or otherwise restricted. If you have unresolved concerns, you may have the right to complain to a data protection authority in the country where you live, where you work or where you feel your rights were infringed.

**Access and update your information:** Our Services and related documentation give you the ability to access and update certain information about you from within the Service. You can update your profile information within your profile settings.

**Delete your account:** If you no longer wish to use our Services, you or your administrator may be able to delete your Services account. If you can delete your own account, that setting is available to you in your account settings. Otherwise, please contact your administrator. You may also contact Encore support ([support@encorenetworks.com](mailto:support@encorenetworks.com)) to request your account be deleted.

**Delete your information:** Our Services give you the ability to delete certain information about you from within the Service. For example, you can remove certain profile information within your profile settings. Please note, however, that we may need to retain certain information for record keeping purposes, to complete transactions or to comply with our legal obligations.

**Request that we stop using your information:** In some cases, you may ask us to stop accessing, storing, using and otherwise processing your information where you believe we don't have the appropriate rights to do so. For example, if you believe a Services account was created for you without your permission or you are no longer an active user, you can request that we delete your account as provided in this policy. Where you gave us consent to use your information for a limited purpose, you can contact us to withdraw that consent, but this will not affect any processing that has

already taken place at the time. You can also opt-out of our use of your information for marketing purposes by contacting us, as provided below. When you make such requests, we may need time to investigate and facilitate your request. If there is delay or dispute as to whether we have the right to continue using your information, we will restrict any further use of your information until the request is honored or the dispute is resolved, provided your administrator does not object (where applicable).

**Opt out of communications:** You may opt out of receiving promotional communications from us by using the unsubscribe link within each email, or by contacting us as provided below to have your contact information removed from our promotional email list or registration database. Even after you opt out from receiving promotional messages from us, you will continue to receive transactional messages from us regarding our Services.

**Data portability:** Data portability is the ability to obtain some of your information in a format you can move from one service provider to another (for instance, when you transfer your mobile phone number to another carrier). Depending on the context, this applies to some of your information, but not to all of your information. Should you request it, we will provide you with an electronic file of your basic account information.

If you are a EU citizen, and if your request or concern is not satisfactorily resolved by us, you may approach your local data protection authority (see [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.html](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.html)). The Information Commissioner is the supervisory authority in the UK and can provide further information about your rights and our obligations in relation to your personal data, as well as deal with any complaints that you have about our processing of your personal data.

## How we transfer information we collect internationally

---

### International transfers of information we collect

We collect information globally and primarily store that information in the United States. We may transfer, process and store your information outside of your country of residence, to wherever we or our third-party service providers operate for the purpose of providing you the Services. Whenever we transfer your information, we take steps to protect it.

**International transfers within Encore Companies:** To facilitate our global operations, we transfer information to the United States and allow access to that information from countries in which Encore has operations for the purposes described in this policy. These countries may not have equivalent privacy and data protection laws to the laws of many of the countries where our customers and users are based.

**International transfers to third parties:** Some of the third parties described in this privacy policy, which provide services to us under contract, are based in other countries that may not have equivalent privacy and data protection laws to the country in which you reside.

### Other important privacy information



---

## Notice to End Users

Some of our products are intended for use by organizations. Where the Services are made available to you through an organization (e.g. your employer), that organization is the administrator of the Services and is responsible for the accounts and/or Service sites over which it has control. If this is the case, please direct your data privacy questions to your administrator, as your use of the Services is subject to that organization's policies. We are not responsible for the privacy or security practices of an administrator's organization, which may be different than this policy.

Administrators are able to:

- terminate your access to the Services;
- Change your access rights to the Services

Even if the Services are not currently administered to you by an organization, if you use an email address provided by an organization (such as your work email address) to access the Services, then the owner of the domain associated with your email address (e.g. your employer) may assert administrative control over your account and use of the Services at a later date.

If you do not want an administrator to be able to assert control over your account or use of the Services, use your personal email address to register for or access the Services. If an administrator has not already asserted control over your account or access to the Services, you can update the email address associated with your account through your account settings in your profile. Once an administrator asserts control over your account or use of the Services, you will no longer be able to change the email address associated with your account without administrator approval.

Please contact your organization or refer to your administrator's organizational policies for more information.

---

## Our policy towards children

We are in compliance with the requirements of EU's General Data Protection Regulation ("GDPR") and the Children's Online Privacy Protection Act Compliance ("COPPA"). Our website, products and services are all directed to people who are at least 16 years old or older.

---

## Changes to our Privacy Policy

We may change this privacy policy from time to time. We will post any privacy policy changes on [encorenetworks.com](https://encorenetworks.com) and, if the changes are significant, we will provide a more prominent notice by adding a notice on the Services homepages, login screens, or by sending you an email notification. We encourage you to review our privacy policy whenever you use the Services to stay informed about our information practices and the ways you can help protect your privacy.

If you disagree with any changes to this privacy policy, you will need to stop using the Services and delete your account(s), as outlined above.

---

## **Contact Us**

Encore Networks contact information can be found at <http://encorenetworks.com/home/contact-us/> .

Specific questions about Privacy can be send to [privacyinfo@encorenetworks.com](mailto:privacyinfo@encorenetworks.com)