

eM Client s.r.o. ("Company") knows that you care about how your personal information is used and shared, and we take your privacy seriously. Please read the following to learn more about our privacy policy. By using Company's products and services and/or visiting the emclient.com (the "Site") website and domain name, and any other linked pages, features, content, or eM Client application(s) (the "Applications") offered from by Company in connection therewith (collectively, the "Services"), you acknowledge that you accept the practices and policies outlined in this Privacy Policy.

## **PARTICULARLY IMPORTANT INFORMATION**

**WHO WE ARE:** For the purpose of applicable data protection legislation, the data controller of your personal data is **eM Client s.r.o., Thamova 18, Prague 8, 186 00, Czech Republic.**

**MUST READ SECTIONS:** We draw your attention in particular to the sections entitled **"International Data Transfer"** and **"Your Rights."**

**CHANGES TO THIS POLICY:** We will post any modifications or changes to the Policy on our Services. We reserve the right to modify the Policy at any time, so we encourage you to review it frequently. The "Last Updated" legend above indicates when this Policy was last changed. If we make any material change(s) to the Policy, we will notify you via email prior to such change(s) taking effect.

## **1. PURPOSES OF PROCESSING What is personal data?**

We collect information about you in a range of forms, including personal data. As used in this Policy, "personal data" is as defined in the [UK Data Protection Act 1998/the European Data Protection Directive 95/46/EC/General Data Protection Regulation 2018] and any successor legislation, this includes any information which, either alone or in combination with other information we hold about you, identifies you as an individual, including, for example, your name, postal address, email address and telephone number.

### **Why do we need your personal data?**

We will only process your personal data in accordance with applicable data protection and privacy laws. We need certain personal data in order to provide you with access to the Services. If you created a profile registered with us, you will have been asked to tick to agree to provide this information in order to access our services, purchase our products, view our content.

## 2. COLLECTING YOUR PERSONAL DATA

We collect information about you in the following ways:

**Information You Give Us.** This includes:

- the personal data you provide when you register to use our Services, including your name and e-mail if you are Free version user or name, company name, e-mail and address if you are a Pro user;
- the personal data that may be contained in any video, comment or other submissions you upload or post to the Services;
- the personal data you provide in connection with our promotions we run on the Services;
- the personal data you provide when you report a problem with our Services or when we provide you with customer support on our customer forum or our VIP technical support;
- the personal data you provide when you make a purchase through our Services; and
- the personal data you provide when you correspond with us by phone, email or otherwise.
- the unique identifier calculated from your hardware configuration we use for validating of your license once you activate some of the Application
- the primary e-mail address being set up within the Applications. This data is used for purpose of better identification of the computer to allow advanced services such as Server settings feature offered in our License manager. The address can also be used for a detection of a commercial use of the Application.

**Information You Never Give Us.** eM Client is a desktop application and allows users to set up accounts to online services such as G Suite, iCloud, Office365 and other services. For its operation, it needs to cache some of this data on the local computer. However, the Company **never retrieves and has no access to this data**. This includes account data, passwords, e-mails, calendars, tasks, notes, contacts and chat messages. The Company will never access this data for any purposes. All the information we receive from you is listed in the previous paragraph.

**Information We Get from Others.** We may also get information about you from other sources, for example, if you have agreed to share information with one of our partners, we may add this to information we get from our Services.

**Information Automatically Collected.** We automatically log information about you and your computer or mobile device when you access our Services. For example, when visiting our Services, we log your computer or mobile device operating system name and version, manufacturer and model, browser type, browser language, screen resolution, the website you visited before browsing to our Services, pages you viewed, how long you spent on a page, access times and information about your use of and actions on our Services. We collect this information about you using cookies. Please refer to the sections on cookies, Flash Technology, and Pixel Tags below.

**Automated Decision Making and Profiling.** We may use automated decision making and/or profiling in regards to your personal data for some services and products, for example by providing you with some relevant features suggestion or by offering you a custom promotional offer based on your email information and behavior inside our Services. You can request a manual review of the accuracy of an automated decision that you are unhappy with or limit or object to such automated decision making and/or profiling by contacting us at [support@emclient.com](mailto:support@emclient.com)

### 3. COOKIES

#### What are cookies?

We may collect information using “cookies.” Cookies are small data files stored on the hard drive of your computer or mobile device by a website. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer or mobile device until you delete them) to provide you with a more personal and interactive experience on our Services.

We use two broad categories of cookies: (1) first-party cookies, served directly by us to your computer or mobile device, which are used only by us to recognize your computer or mobile device when it revisits our Services; and (2) third-party cookies, which are served by service providers on our Services, and can be used by such service providers to recognize your computer or mobile device when it visits other websites.

#### Cookies we use

Our Services use the following types of cookies for the purposes set out below:

## **Type of cookie Purpose**

### *Essential Cookies*

These cookies are essential to provide you with services available through our Services and to enable you to use some of its features.

Without these cookies, the services that you have asked for cannot be provided, and we only use these cookies to provide you with those services.

### *Functionality Cookies*

These cookies allow our Services to remember choices you make when you use our Services. The purpose of these cookies is to provide you with more personal experience and to avoid you having to re-enter your preferences every time you visit our Services.

### *Analytics and Performance Cookies*

These cookies are used to collect information about traffic to our Services and how users use our Services. The information gathered does not identify any individual visitor.

It includes the number of visitors to our Services, the websites that referred them to our Services, the pages they visited on our Services, the features they used on our Services, what time of day they visited our Services, whether they have visited our Services before, and other similar information. We use this information to help operate our Services more efficiently, to gather broad demographic information and to monitor the level of activity on our Services.

We use Google Analytics, Google Optimize, and Smartlook for this purpose. Those providers use their own cookies. It is only used to improve how our Services works. You can find out more information about Google Analytics cookies here: <https://developers.google.com/analytics/resources/concepts/gaConceptsCookies>

You can find out more about how Google protects your data here: <https://www.google.com/analytics/learn/privacy.html>.

You can prevent the use of Google Analytics relating to your use of our Services by downloading and installing the browser plugin available via this link: <http://tools.google.com/dlpage/gaoptout?hl=en-GB>

### *Targeted and advertising cookies*

These cookies track your browsing habits to enable us to show advertising which is more likely to be of interest to you. These cookies use information about your browsing history to group you with other users who have similar interests. Based on that information, and with our permission, third-party advertisers can place cookies to enable

them to show adverts which we think will be relevant to your interests while you are on third party websites.

### *Social Media Cookies*

These cookies are used when you share information using a social media sharing button or “like” button on our Services or you link your account or engage with our content on or through a social networking website such as Facebook, Twitter or Google+. The social network will record that you have done this.

### **Disabling cookies**

You can typically remove or reject cookies via your browser settings. In order to do this, follow the instructions provided by your browser (usually located within the “settings,” “help” “tools” or “edit” facility). Many browsers are set to accept cookies until you change your settings.

If you do not accept our cookies, you may experience some inconvenience in your use of our Services. For example, we may not be able to recognize your computer or mobile device and you may need to log in every time you visit our Services.

### **4. PIXEL TAGS**

We may also use pixel tags (which are also known as web beacons and clear GIFs) on our Services to track the actions of users on our Services. Unlike cookies, which are stored on the hard drive of your computer or mobile device by a website, pixel tags are embedded invisibly on webpages. Pixel tags measure the success of our marketing campaigns and compile statistics about usage of the Services so that we can manage our content more effectively. The information we collect using pixel tags is not linked to our users’ personal data.

### **5. ADVERTISING**

**Generally.** We may use other companies to serve third-party advertisements when you visit and use the Site/Application(s)/Services. These companies may collect and use click stream information, browser type, time and date, subject of advertisements clicked or scrolled over during your visits to the Site/Application(s)/Services and other websites in order to provide advertisements about goods and services likely to be of interest to you. These companies typically use tracking technologies to collect this information. Other companies’ use of their tracking technologies is subject to their own privacy policies.

**Targeted Advertising.** In order to serve offers and advertisements that may interest you, we may display targeted advertisements on the Site/Application(s)/Services, or other digital properties or applications in conjunction with our content based on information provided to us by our users and information provided to us by third parties that they have independently collected. We do not provide personal data to advertisers when you interact with an advertisement.

## **7. USING YOUR PERSONAL DATA**

We may use your personal data as follows:

- to operate, maintain, and improve our Services, products, and services;
- to manage your account, including to communicate with you regarding your account, if you have an account on our Services;
- to operate and administer our promotions you participate in on our Services;
- to respond to your comments and questions and to provide customer service;
- to send information including technical notices, updates, security alerts, and support and administrative messages;
- with your consent, to send you marketing e-mails about upcoming promotions, and other news, including information about products and services offered by us and our affiliates. You may opt-out of receiving such information at any time: such marketing emails tell you how to “opt-out.” Please note, even if you opt out of receiving marketing emails, we may still send you non-marketing emails. Non-marketing emails include emails about your account with us (if you have one) and our business dealings with you;
- if eM Client has justified doubts about non-commercial use of software activated with free/non-commercial use activation key, it may contact the customer at the e-mail address registered with his license or the e-mail address mentioned in paragraph 2 to resolve the issue.
- to process payments you make via our Services;
- to link or combine user information with other personal data;
- as we believe necessary or appropriate (a) to comply with applicable laws; (b) to comply with lawful requests and legal process, including to respond to requests from public and government authorities; (c) to enforce our Policy; and (d) to protect our rights, privacy, safety or property, and/or that of you or others; and
- as described in the “Sharing of your Personal Data” section below.

## 6. SHARING YOUR PERSONAL DATA

We may share your personal data as follows:

- **Third Parties Designated by You.** We may share your personal data with third parties where you have provided your consent to do so.
- **Our Third Party Service Providers.** We may share your personal data with our third party service providers who provide services such as data analysis, payment processing, information technology, and related infrastructure provision, customer service, email delivery, auditing, and other similar services. These third parties are only permitted to use your personal data to the extent necessary to enable them to provide their services to us. They are required to follow our express instructions and to comply with appropriate security measures to protect your personal data.
- **Affiliates.** We may share some or all of your personal data with our affiliates, in which case we will require our affiliates to comply with this Policy. In particular, you may let us share personal data with our affiliates where you wish to receive marketing communications from them.
- **Corporate Restructuring.** We may share personal data when we do a business deal, or negotiate a business deal, involving the sale or transfer of all or a part of our business or assets. These deals can include any merger, financing, acquisition, or bankruptcy transaction or proceeding.
- **Other Disclosures.** We may share personal data as we believe necessary or appropriate: (a) to comply with applicable laws; (b) to comply with lawful requests and legal process, including to respond to requests from public and government authorities to meet national security or law enforcement requirements; (c) to enforce our Policy; and (d) to protect our rights, privacy, safety or property, and/or that of you or others.

## 7. ANONYMOUS DATA

When we use the term “anonymous data,” we are referring to data and information that does not permit you to be identified or identifiable, either alone or when combined with any other information available to a third party.

We may create anonymous data from the personal data we receive about you and other individuals whose personal data we collect. Anonymous data might include analytics information and information collected by us using cookies. We make personal data into

anonymous data by excluding information (such as your name) that makes the data personally identifiable to you. We use this anonymous data to analyze usage patterns in order to make improvements to our Services

## **8. THIRD PARTY SITES**

Our Services may contain links to third party websites and features. This Policy does not cover the privacy practices of such third parties. These third parties have their own privacy policies and we do not accept any responsibility or liability for their websites, features or policies. Please read their privacy policies before you submit any data to them.

## **9. INTEGRATION WITH THIRD PARTY ONLINE SERVICES**

eM Client allows users to set up accounts to online services such as G Suite, iCloud, Office365 and others. For this purpose, eM Client complies with all necessary privacy terms of the respective providers to guarantee that their users' data will be used only for legitimate purposes (such as to compose and retrieve email). eM Client's use and transfer to any other app of information received from Google APIs adheres to Google API Services User Data Policy ([https://developers.google.com/terms/api-services-user-data-policy#additional\\_requirements\\_for\\_specific\\_api\\_scopes](https://developers.google.com/terms/api-services-user-data-policy#additional_requirements_for_specific_api_scopes)), including the Limited Use requirements.

## **10. USER GENERATED CONTENT**

You may share personal data with us when you submit user-generated content to our Services, [including via our forums, message boards, blogs and social networks profiles on our Services].

Please note that any information you post or disclose on our Services will become public information, and will be available to other users of our Services and to the general public. We urge you to be very careful when deciding to disclose your personal data, or any other information, on our Services. Such personal data and other information will not be private or confidential once it is published on our Services.

If you provide feedback to us, we may use and disclose such feedback on our Services. If you have provided your consent to do so, we may post your first and last name along with your feedback on our Services.



## **11. INTERNATIONAL DATA TRANSFER**

Your information, including personal data that we collect from you, may be transferred to, stored at and processed by us and our affiliates and other third parties outside the country in which you reside, including, but not limited to the United States, where data protection and privacy regulations may not offer the same level of protection as in other parts of the world. By using our Services, you agree to this transfer, storing or processing.] We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

## **12. SECURITY**

We seek to use reasonable organizational, technical and administrative measures to protect personal data within our organization. Unfortunately, no transmission or storage system can be guaranteed to be completely secure, and transmission of information via the internet is not completely secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us using the details in section 16 below.

## **13. OUR POLICY ON CHILDREN**

Our Services are not directed to children under 16. If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us using the details in section 16 below. We will delete such information from our files as soon as reasonably practicable.

## **14. SENSITIVE PERSONAL DATA**

Subject to the following paragraph, we ask that you not send us, and you not disclose, any sensitive personal data (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, criminal background or trade union membership) on or through Services or otherwise to us.

If you send or disclose any sensitive personal data to us when you submit user-generated content to our Services, you consent to our processing and use of such sensitive personal data in accordance with this Policy. If you do not consent to our

processing and use of such sensitive personal data, you must not submit such user-generated content to our Services.

## 15. YOUR RIGHTS

- **Opt-out.** You may contact us anytime to opt-out of (i) direct marketing communications; if you want to opt-out of receiving newsletters, you can do so by submitting request at <https://www.emclient.com/unsubscribe>; (ii) automated decision-making and/or profiling; (iii) our collection of sensitive personal data; (iv) any new processing of your personal data that we may carry out beyond the original purpose; or (v) the transfer of your personal data outside the EEA. Please note that your use of some of the [Site/Application(s)/Services] may be ineffective upon opt-out.
- **Access.** You may access the information we hold about you at any time [via your profile/account] or by contacting us directly.
- **Amend.** You can also contact us to update or correct any inaccuracies in your personal data.
- **Move.** Your personal data is portable – i.e. you to have the flexibility to move your data to other service providers as you wish.
- **Erase and forget.** In certain situations, for example, when the information we hold about you is no longer relevant or is incorrect, you can request that we erase your data.

If you wish to exercise any of these rights, please contact us using the details in section 16 below. In your request, please make clear: (i) **what** personal data is concerned; and (ii) **which of the above rights** you would like to enforce. For your protection, we may only implement requests with respect to the personal data associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable and in any event, within one month of your request. Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting such change or deletion.

## **16. COMPLAINTS**

We are committed to resolving any complaints about our collection or use of your personal data. If you would like to make a complaint regarding this Policy or our practices in relation to your personal data, please contact us at [support@emclient.com](mailto:support@emclient.com). We will reply to your complaint as soon as we can and in any event, within 30 days. We hope to resolve any complaint brought to our attention, however, if you feel that your complaint has not been adequately resolved, you reserve the right to contact your local data protection supervisory authority, which for the UK, is the Information Commissioner's Office.

## **17. CONTACT INFORMATION**

We welcome your comments or questions about this Policy. You may contact us in writing at [support@emclient.com](mailto:support@emclient.com)

*This document was last updated on June 28, 2019*