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# Privacy Policy

## PRIVACY POLICY

Last updated: April 21, 2022

The Data Company Technologies Ltd. (D/B/A Nimble) (“Nimble”, “Company”, “we” or “us”) respects your right to privacy and is committed to protecting it. This privacy policy (“Privacy Policy”) is designed to explain to you, a data subject, how we process and treat personal data.

### What is covered by this Privacy Policy?

This Privacy Policy applies to any of the following data subjects:

Visitors to our websites that link to this Privacy Policy (“Visitor” and “Website”, respectively); and/or a business customer, a business partner that has a contractual relationship with us, or a prospective customer that is yet to be engaged in a contract with us (“Customer”); and/or

Customers using our software, application, API and related Services (“User”); and/or

Members of our network that are engaged in a business collaboration with us (“Partners”); and/or

Unless explicitly mentioned otherwise, the information in this Privacy Policy refers to any and all data subject types (“you” or “your”).

### What is not covered by this Privacy Policy?

This Privacy Policy does not cover any Personal Data that is collected or otherwise processed directly by our Customers or Partners, i.e., any data processing activities with regard to which we serve as a Processor, as the term defined by the EU GDPR.

End Users of a Partner who has agreed to use our dedicated SDK for purposes of facilitating Services (“End Devices”).

If you are an End Device, wishing to learn more about Personal Data collection practices by others, please refer to the operator of the software you use that using our Services (also, Partners, as defined in this Privacy Policy).

### Is Nimble Controller or Processor?

When providing the Services, Nimble serves as a Data Processor, and the controllers are the Partners on one hand and the Customers on the other.

With respect to the API Application and Website (i.e. with respect to Visitors and Users), Nimble is a Data Controller.

For the purpose of this policy, the “Service(s)” shall include any software licensed by the Company, application, API, SDK, or related services provided through such software, application, API, SDK, including updates, enhancements, new features, support or communication. Specifically, the Services include our API Application made accessible upon approval and screening process to Customers (“API Application”).

### Special jurisdictions and data protection regulations

The Privacy Policy was designed with global standards and principles of transparency and choice in mind and is

– The EU and the UK GDPR: If you are a resident of the UK, the EU or the EEA, please refer to our GDPR Statement, in addition to this Privacy Policy.

– CCPA: If you are a resident of California, please refer to our CCPA Statement, in addition to this Privacy Policy.

### Data Protection Officer and Contact Options

1. If you have any requests regarding the data collected under this Privacy Policy, including but without limitation to, requests to remove, delete, amend, modify or transfer personal data held about you, please contact our Data Protection Officer at: [dpo@nimbleway.com](mailto:dpo@nimbleway.com).

Please include sufficient details about your inquiry or request, in order to allow us to verify your request and address it.

2. If you have questions, comments or complaints regarding the Privacy Policy or data practices, please contact us directly at: [info@nimbleway.com](mailto:info@nimbleway.com).

### Changes, updates and modifications

We are obliged, and so reserve the right to modify this Privacy Policy at any time, to reflect updates to the Services, API Application, Websites or to reflect an applicable regulatory requirement. Such changes will be effective immediately upon the display of the revised Privacy Policy, or its delivery to you by email if that is a form of agreed communication between us. The last revision date will be reflected in the “Last Updated” heading. If we make material changes to this Privacy Policy, we will make our best efforts to notify you, by email, or by means of a notice on our Website.

### Personal Data we Process

1. **Type of data.** Depending on your interaction with us, meaning, if you are a Visitor who just browsing our Website, or if you are a User who maintains an account in our API Application, a business Partner or Customer, or an End Device installing our software, we may collect one of two types of information about you, your device or your chosen activities with us:

- **Non-Personal Information/Data:** The first type of information is non-personal and non-identifiable information that cannot personally identify or lead to identifying a natural person. For example, statistics or aggregated information, or any other type of data that can no longer be attributed to you. Non-Personal Information which is processed may include aggregated usage information and technical information transmitted such as (but not limited to): the type of operating systems, type of browsers, language preferences, and approximate geo-location (country level).
- **Personal Information/Data:** The second type of information is information that identifies you as a natural person, or that may be used, either alone or in combination with other information, to personally identify you as a natural person. Such information may include, for example, a first and last name, an email address, phone number, a home or other physical address, and other contact information. In addition, in some jurisdictions (such as the EU for example), and given the specific use we make with the information, an IP address, device ID and cookies are considered Personal Information as well (“**Personal Information**”). The table below details the Personal Information processed by us.

You are not obliged by law to provide us with any information. You can always avoid providing us with certain Personal Information; and if you gave your consent to process certain Personal Information, you cannot always ask to withdraw such consent. However, you acknowledge that it may prevent us from providing certain Services.

In the event we combine Personal Information with Non-Personal Information, the combined information will be treated as Personal Information for as long as it remains combined.

## 2. Personal Data of Visitors of the Website

**a. Contact details:** if you contact us for support, feedback or other inquiries, requests, or questions either through an online form available on the Website, by sending us an email or by other means of communication we make available (such as submitting a bug report or filling in a survey) you will be requested to provide us with your name, your email address, and the subject matter of your inquiry.

If you want to become a business Partner or a Customer through our Website, you will be asked to provide us with your full name, business email address, company, website URL, phone number and country. We will use this information for our legitimate interest and solely for the purpose of responding to your inquiries and providing you with the support or information you have requested. We retain such information for as long as needed to provide you with the inquiry requested or as required under applicable law.

**b. Subscription:** If you voluntarily subscribe to our beta program, email communications or newsletter, you will be asked to provide us with your email address. You can unsubscribe at any time using the unsubscribe option within the body of the email sent to you or rather by contacting us directly at: [dpo@nibleway.com](mailto:dpo@nibleway.com).

We will use your email address in order to send you information related to our Services, our beta program or the subject matter regarding which you reached out to us or submitted your email address.

**c. Online Identifiers:** We process IP addresses, cookies, pixel tags and a user agent (namely, your browser's type, version, language, and country).

We may either directly or indirectly collect our Visitors' Online Identifiers. Such processing is subject to your consent which is obtained through the cookie notice displayed on our Website in which you can accept, decline or set your preference. Necessary cookies will be used as part of our legitimate interest and for purposes of the Website's functionality.

In certain cases, and upon your consent, third-party cookies and tags will be used for advertising, marketing and retargeting purposes of the site or Services.

**Device Information:** we may collect certain information about the device from which you access the Website or Services, such as type (mobile/desktop).

Based on your consent, and in certain cases, our legitimate interest, we may process device information for compatibility purposes, and to uniquely connect your device with a license key of a software product you purchased.

**e. Online activity:** We also collect certain technical information which relates to your use of the Website such as your click stream, type of browser, time and date, etc. We use this technical data in order to operate and manage our Website.

**f. Job Application:** In the event that you are interested in joining our team, and wish to submit your CV, you will be required to provide us with your name, email address, phone number and your CV file. Options to submit links to your website or LinkedIn profile are also available.

Your provision of personal information in connection with recruiting is voluntary, and you determine the extent of information you provide us. We do not request or require sensitive personal information concerning religion, health, sexual orientation, or political affiliation in connection with recruiting. We will use the information you have provided solely to communicate with you, manage our recruiting and hiring processes, and comply with corporate governance and legal and regulatory requirements. If you are hired, the information may be used in connection with employment and corporate management.

In addition to the Visitor information described above, the following may be processed about Users or Customers:

**a. Work contact details.** If you are a Customer or a prospective one, we may retain your full name, contact details and work information (such as role, title and company) for purposes of communicating with you, and at times, for the preparation of a contract and a Customer account maintenance.

**b. Authentication and authorization.** If you are an approved Customer you will receive access from us to our API Application. For authentication purposes, you will have to set up your own password. Your work email address is used as your username.

In addition, you can choose to use your Google account for authentication purposes, in which case, the only retained data will be the authentication token provided by Google (you can read more in Google's [privacy policy](#)).

For safety reasons, authentication and authorization data will be processed and retained by a third party, JWT (by Auth0), which their privacy policy and information security details can be found [here](#). You thereby represent and warrant that you are responsible for maintaining the confidentiality of your details and password. You represent and warrant that you will not provide us with inaccurate, misleading or false information.

**c. Account information.** when you open an account with us, to access our API Application, you will be requested to provide us with certain information such as your full name, email address and any other information you choose to make available in your user account.

**d. Analytics and Dashboard.** the Services include a dashboard via which you can track and manage your activity with us. This information is presented in a statistics manner, based on the activity logs' aggregation.

**e. Usage data.** In order to provide the Services, operation, maintenance and improvement of the Services, so as to monitor, screen and protect against abusive use of the Services, we will process an online activity log, metadata of your activities via the Services (such as timestamps, target and origin IP addresses, (root)domain and geo-information), and metadata that is otherwise required, such as segment, country, length, size of data packets.

### How we collect or process Personal Data

Depending on the nature of your interaction with us and the Services, we may collect information as follows:

- 1. Automatically** – When Visitor or Users use or access the Services. we may use Cookies, tags or log files, as described in this Privacy Policy, to gather some information automatically. This processing may be done directly by us or by our third-party Partners, such as Google Analytics for analytics purposes.
- 2. Provided by you directly**– we will collect information if and when you choose to provide us with the information, such as through a registration process, form submission, authentication, contact us communications, payment process, etc.
- 3. Publicly available or received by third parties.** If you are a Customer (or a prospective one), we might use information manifestly made publicly available by you to contact you, at times, received by third-party service providers such as Sopro, which privacy policy is available at: <https://sopro.io/legal/#privacy-policy>, or Belkins, which privacy policy is available at <https://belkins.io/legal/privacy-policy>. Information about other third-party marketing services (such as social platforms) will be made available via our cookie policy.

### Lawful basis for processing

In addition to the lawful basis explained respectively to each data processing activity above, we would like to explain the general lawful bases for processing your personal data (as defined under the General Data Protection Regulations “GDPR”):

1. When Visitors access our Website, we collect certain online identifiers for purposes of Website and services functionalities, and at times, for purposes of advertising and marketing our Services; such online identifiers are processed subject to the Visitors' consent to our Cookie Notice, otherwise, we will not process personal data from such Visitors; We will process necessary cookies regardless of a Visitor active consent, as part of our legitimate interest and Website's functionality necessities.
2. When a Visitor or a User signs up for our Services and opens an account with our API Application, we process personal data associated with such account management and protection. In which case, we will do so based on the User's or Visitor's consent, given at the point of account registration. We will also use the email address for purposes of updates, notification and information regarding the Services based on consent, or, our legitimate interest as the case may be.
3. Upon consent or legitimate interest, as the case may be, we will use certain contact information for purposes of direct marketing.
4. When an End Device installs one of our software products, we may process certain information regarding consent, activity log and online identifiers, based on their consent given to our Partners or directly to us.
5. If you are a Customer, we will process your personal data to fulfill our contractual agreement, or, to prepare for such, including, reaching out to you as a potential Customer for purposes of offering our Services and negotiating terms and conditions with you. This would be based on our legitimate business interest, and later, contract-based.
6. In certain cases, we may have to process personal data to prepare for a legal claim, or as otherwise be required by applicable laws, including data retention for demonstrating compliance with regulatory requirements.

In any other case, we will also process your personal data where you have provided us with consent to do so, or, where we have a legitimate interest and are not overridden by your data protection interests or fundamental rights and freedoms, such as when we use the data in order to provide the Services, or when used for anti-fraud purposes.

### **Cookies and web technologies**

1. When you access or use the Website, or interact with any digital aspect of the Services, we may use cookies, tags, pixels (or similar technologies), which store certain information on your device (i.e., locally stored) and which allow web functionalities to be adaptive to your use.
2. A Cookie is a small piece of a file that a website assigns and stores on your device while you are viewing a website. Cookies are very helpful and can be used for various different purposes such as allowing you to navigate between pages efficiently and making the interaction between you and our Services quicker and easier.
3. We may permit third parties to use cookies or similar technology to collect information about your online and application usage activities across our Services, this data may include Online Identifiers, therefore we recommend you review our cookie policy carefully.
4. We may link this automatically-collected data to other information we collect about you. We may also combine this automatically-collected log information with other information we collect about the Services we offer you. Further, we may use the information collected through the cookies for marketing and promotional service therefore we recommend you review the cookie policy and manage your preference through our cookie manager.

### **Retention of Data**

**1. Generally followed by retention principles.** As a general rule, we strive to follow the following retention principles, wherever possible or allowed:

- Storage Limitation, meaning we retain Personal Data for no longer than necessary to achieve the purpose for which it was

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