

# ClickSoftware® Website Privacy Policy

Last updated: April 4, 2018

This is the privacy policy (“**Privacy Policy**”) that governs how ClickSoftware Technologies Ltd., and our affiliated companies (“**ClickSoftware**”, “**we**”, “**our**” or “**us**”), use Personal Data (defined below) that we collect, receive and store about individuals in connection with the use of our website [www.clicksoftware.com](http://www.clicksoftware.com), and any other ClickSoftware-operated website that links to this Privacy Policy (each, together with its sub-domains, content and services, a “**Site**”). It explains what Personal Data we receive and collect, and how we use, process, retain and transfer such Personal Data.

You may choose whether or not to provide or disclose Personal Data in connection with your use of our Site. If you choose not to provide the Personal Data we request, you may still visit and use parts of the Site, but may be unable to access or use certain features, options, programs, and services that involve our interaction. The Site may contain links to third party websites and services that are not owned or controlled by ClickSoftware. We are not responsible for the privacy practices or the content of third party websites, services and advertisements, and you visit them at your own risk.

1. **Introduction.** We are committed to respecting privacy and recognize the need for appropriate protection and management of any **Personal Data** that is shared with us as part of using the Site. As used in this Privacy Policy, "Personal Data" means any information that may be used, either alone or in combination with other information, to personally identify an individual.

2. **Cloud Service.** This Privacy Policy does not address our cloud products and services. Our use of Personal Data that we obtain or collect in connection with our cloud products and services is set forth in our Cloud Service Privacy Policy which is available at: <https://www.clicksoftware.com/cloud-service-privacy-policy>.

3. **Modification.** We reserve the right, at our discretion, to change the terms of this Privacy Policy at any time. You can see when this Privacy Policy was last updated by reviewing the "Last Updated" legend on the top of this page.

4. **Collection and Receipt of Personal Data.** We may receive or collect Personal Data in the following ways:

4.1. Personal Data You Provide To Us On the Site: If you send us a "Contact Us" request or feedback, use the "Live Chat" feature on the Site, or apply for an open position on the Site, or if you choose to download content made available for downloading on the Site, or you register for an event, or you subscribe to a mailing list, or in connection with setting up an account on the Site, you may be required to provide us with certain information that may constitute Personal Data such as:

- Your name;
- Company name;
- Phone number;
- Email address;
- Username;
- Password;
- Communications you send to us;
- LinkedIn profile information; and
- Information included in your resume.

We will also obtain any other Personal Data you choose to disclose on and through the Site.

4.2. Public Profile: Some parts of the Site may enable you to build a public profile in connection with your account and use of the Site ("**Public Profile**"). Your Public Profile will include your name, as well as other Personal Data that you choose to include, such as your email address and a photo.

#### 4.3. Information Collected Automatically:

Certain information on the Site is collected automatically by means of various software tools. We have a legitimate interest in using such information to assist in log-in, systems administration purposes, information security and abuse prevention, to track user trends, and to analyze the effectiveness of the Site. Alone or in combination with other information, such automatically collected information may constitute Personal Data.

a) Log Files On the Site: The information inside the log files includes internet protocol (IP) addresses, type of browser, Internet Service Provider (ISP), date/time stamp, referring/exit pages, clicked pages and any other information your browser may send to us.

b) Cookies and Other Tracking Technologies: Some of our Site pages utilize "cookies" and other tracking technologies. A "cookie" is a small text file that may be used, for example, to collect information about Site activity. Certain cookies and other technologies may serve to recall Personal Data previously indicated by a Site user. Most browsers allow you to control cookies, including whether or not to accept them and how to remove them. You may set most browsers to notify you if you receive a cookie, or you may choose to block cookies with your browser.

c) Analytics Software Tools: We use Google Analytics on the Site to help us analyze the traffic on the Site. For more information on Google Analytics' processing of Personal Data, please see <http://www.google.com/policies/privacy/partners/>." By using a browser plugin <http://www.google.com/ads/preferences/plugin/> provided by Google, you can opt out of Google Analytics. We also use Marketo Analytics on the Site. For more information on Marketo Analytics' processing of Personal Data, please see <https://documents.marketo.com/legal/privacy/>. Finally, if you use a LiveChat feature on the Site, we use the LiveChat Analytics tool. For more information on LiveChat's processing of Personal Data, please see <https://www.livechatinc.com/privacy-policy/>.

**5. The Purposes For Which We Use Personal Data.** If you submit or we collect Personal Data through the Site, then such Personal Data may be used in the following ways: (i) to provide, analyze, administer, and improve our Site and services, (ii) to contact you in connection with the Site and certain services, notifications, events, programs or offerings that you may have registered for, (iii) to send you updates and promotional materials that you have registered, (iv) identify and authenticate your access to the parts of the Site and services that you are authorized to access; (v) for recruiting and human resources administration purposes, and (vi) to protect our rights and/or our property and to ensure the technical functionality and security of the Site.

**6. How We Disclose Personal Data.** We do not sell, lease, rent or otherwise disclose the Personal Data collected from the Site to third parties unless otherwise stated below.

**6.1. Affiliates:** We may transfer Personal Data to the subsidiaries and affiliated companies (each an “**Affiliate**”) that are within the ClickSoftware group of companies, but only for the purpose of providing our Site and services. Such information may be transferred to other countries around the world in which we have Affiliate offices, including the United Kingdom, Germany, India, USA, Israel and Australia. Our Affiliates are required to process any such Personal Data in compliance with this Privacy Policy. Notwithstanding the foregoing, we will comply with applicable laws regarding Personal Data transfers as well as any transfer restriction that is specified in an agreement between ClickSoftware and a customer. To the extent that our Affiliate offices are not

located in countries which the European Union considers as providing an adequate level of protection for Personal Data, such as Israel, we rely on other adequacy mechanisms for data transfers such as, with respect to the United States, the Privacy Shield (see Section 11) or the Standard Contractual Clauses.

6.2. Our Third Party Providers: We may transfer Personal Data to our third party service providers and partners (for example, a third party server hosting provider for hosting storage purposes), but only to assist us with our business operations and to enable us to provide our Site and services. Such information may be transferred to other countries around the world. We use commercially reasonable efforts to only engage or interact with third party service providers and partners that post a privacy policy governing their processing of Personal Data. Notwithstanding the foregoing, we will comply with applicable laws regarding Personal Data transfers as well as any transfer restriction that is specified in an agreement between ClickSoftware and a customer.

Currently we may share Personal Data collected by and through the Site with the following third party service providers:

- Google Analytics
- Wistia
- Marketo
- LinkedIn
- Altify

- LiveChat
- Demandtools
- Salesforce
- Kimble
- Litmos
- Totango
- GreenHouse

6.3. In the Event of Merger, Sale, or Change of Control. We may transfer or assign this Privacy Policy and any Personal Data to a third party entity that acquires or is merged with as part of a merger, acquisition, sale, or other change of control.

6.4. Other Disclosures: We may disclose Personal Data about you if we have a good faith belief that disclosure of such information is helpful or reasonably necessary to: (i) comply with any applicable law, regulation, legal process or governmental request; (ii) enforce our ToU, including investigations of potential violations thereof; (iii) detect, prevent, or otherwise address fraud or security issues; or (iv) protect against harm to the rights, property or safety of ClickSoftware, our users, or the public.

7. Retention of Personal Data: We reserve the right to retain any Personal Data as long as the Personal Data are needed to: (i) fulfill the purposes that are described in Section 7 (The Purposes For Which We Use Personal Data), and (ii) comply with applicable law.

**8. Anonymous Information.** We may use Anonymous Information (defined below) or disclose it to third party service providers, to provide, improve and develop our Site, products and services, including to analyze trends and gather demographic information. "**Anonymous Information**" means information which does not enable identification of an individual user, such as aggregated information, about use of the Site and our services

## **9. Publicly Available Information.**

9.1. Public Profile: Your Public Profile may be publicly available to other Site users and third parties (for example, to Customer Zone and Partner Zone users). With the exception of your name or user name, you retain the right to decide what information to include in your Public Profile.

9.2. User Submissions: Some parts of the Site may permit you and other users to post, publish and transmit information, video, image, data, text, documents, and other content onto public areas of the Site ("**User Submissions**"). You acknowledge and agree that your User Submissions will become publicly published content and will be available to other Site users and third parties to view. This is the case even if your User Submission contains Personal Data. The notices and tools that we provide on the Site should help you become aware which User Submissions will become publicly available.

9.3. Contact Information: Please note that if you publish your contact information in your Public Profile or a User Submission, you may receive



unsolicited messages or visits from third parties which will be out of our control and for which we are not responsible. We therefore encourage you to post and publish only information you are sure you want to be accessible to anyone.

## 10. **Your Rights.**

As a controller of the Personal Data collected by or through the Site, we take steps to help ensure that you are able to exercise your rights regarding Personal Data about you in accordance with applicable law.

If you have an account on the Site, we provide access to—and the ability to edit or delete—certain categories of Personal Data through the account.

If you would like to access, amend, erase, export (i.e., data portability), or object to or restrict the processing of Personal Data collected via the Site, you may submit a request to [privacy@clicksoftware.com](mailto:privacy@clicksoftware.com). We will promptly review all such requests in accordance with applicable laws.

Depending on where you live, you may have a right to lodge a complaint with a supervisory authority or other regulatory agency if you believe that we have violated any of the rights concerning Personal Data about you. We encourage you to first reach out to us at [privacy@clicksoftware.com](mailto:privacy@clicksoftware.com), so we have an opportunity to address your concerns directly before you do so.

10.1. Opting-Out of Promotional Emails. You may choose not to receive future promotional or advertising emails from us by selecting an unsubscribe link at

the bottom of each email that you receive from us. Please note that even if you opt out of receiving the foregoing emails, we may still send you a response to any "Contact Us" request as well as administrative, maintenance and operational emails (for example, in connection with a password reset request).

## **11. Personal Data Transferred from the EU or Switzerland To The United States**

ClickSoftware complies with the EU-US Privacy Shield Framework and Swiss-US Privacy Shield Framework (collectively, "Privacy Shield") as set forth by the US Department of Commerce regarding the collection, use, and retention of Personal Data from European Union (the "EU") member countries and Switzerland. ClickSoftware has certified to the Department of Commerce that it adheres to the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement, and Liability. A violation of our commitment to Privacy Shield may be investigated by the Federal Trade Commission and/or the United States Department of Commerce. If there is any conflict between the policies in this Privacy 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 page, to the extent available, please visit <https://www.privacyshield.gov>.

In compliance with the Privacy Shield Principles, ClickSoftware commits to resolve complaints about your privacy and our collection or use of Personal

Data about you. Persons from the EU or Switzerland who have inquiries or complaints regarding this Statement should first contact us via email at: [privacy@clicksoftware.com](mailto:privacy@clicksoftware.com).

ClickSoftware has committed to refer unresolved privacy complaints under the EU-US Privacy Shield Principles to JAMS, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <https://www.jamsadr.com/eu-us-privacy-shield> for more information and to file a complaint.

These recourse mechanisms are available at no cost to you. Damages may be awarded in accordance with applicable law.

Please note that if your complaint is not resolved through these channels, under limited circumstances, a binding arbitration option may be available before a Privacy Shield Panel.

In cases of onward transfer to third parties of data of EU or Swiss individuals received pursuant to the Privacy Shield, ClickSoftware is potentially liable.

**12. Data Security.** The security of Personal Data is important to us. We follow generally accepted industry standards to protect the Personal Data submitted to us, both during transmission and once we receive it. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect Personal Data, we cannot guarantee its absolute security.

**13. Children's Privacy.** Our Site is not intended for children under the age of 18. Accordingly, we do not intend to collect Personal Data from anyone we know to be under 18 years of age.

**14. How We Respond to Do Not Track Signals.** ClickSoftware does not track Site users over time and across third party websites to provide targeted advertising. Accordingly, we do not currently respond or take any action with respect to web browser "do not track" signals or other mechanisms that provide consumers the ability to exercise choice regarding the collection of Personal Data about an individual consumer's online activities over time and across third-party web sites or online services.

**15. Your California Privacy Rights.** If you are a California resident, California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal information by ClickSoftware to third parties for the third parties' direct marketing purposes. To make such a request, please send an email to [caprivacy.privacy@clicksoftware.com](mailto:caprivacy.privacy@clicksoftware.com) or write to us:

35 Corporate Dr #400, Burlington, MA 01803

**16. Contacting Us and our Privacy Officer.** Any comments, concerns, complaints, or questions regarding our Privacy Policy may be addressed to the ClickSoftware Privacy Officer ("Privacy Officer") at [privacy@clicksoftware.com](mailto:privacy@clicksoftware.com).