



PRIVACY POLICY

Last Updated May 21st, 2018

Legal Information

Unless the context otherwise requires, definitions in this Privacy Policy shall have the same meaning as those in Our [Master Subscription and Service Agreement](#).

MOBIT Technologies Ltd is committed to protecting and respecting your privacy.

Our Privacy Policy is incorporated into Our [Master Subscription and Service Agreement](#) which can be found on Our website, www.mobit.com and sets out the basis on which any personal data we collect from you, or that you provide to us (in relation to you only and not your customers or clients), will be processed by us. Please read the following carefully to understand Our views and practices regarding Your personal data and how We will treat it. By visiting www.mobit.com or using our Application (app.mobit.com) You are accepting and consenting to the practices described in this Privacy Policy.

For the purpose of the Data Protection Act 1998 (the Act) and from the 25 May 2018, the EU General Data Protection Regulation 2016/679 (the GDPR), the data controller is MOBIT Technologies Ltd, having its registered office at Oaklands Road, Gate 5, Albany, AUCKLAND 0632, New Zealand which trades as MOBIT.

We have appointed a Data Protection Officer (DPO) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions or you would like to make a request to exercise any of your legal rights, please contact the DPO using the details at (<https://www.mobit.com/policies/report-a-violation>).

INFORMATION WE MAY COLLECT FROM YOU

We may collect and process the following data about You:

Information You give Us. You may give Us information about You by filling in forms on Our website, www.mobit.com, Our Application (app.mobit.com) and any other website which We use to provide any of the Service (Site) or by corresponding with Us by phone, e-mail or otherwise. This includes information You provide when You register to use Our Site, subscribe to our Service, open an account with Us, place an order for Credits and when You report a problem with Our Site or Our Service. The information You give Us may include Your name, address, e-mail address and phone number, financial and credit card information, personal description and photograph.

Information We collect about You. With regard to each of Your visits to Our Site We may automatically collect the following information:

- technical information, including the Internet protocol (IP) address used to connect Your computer to the Internet, Your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform;
- Information about Your visit, including the full Uniform Resource Locators (URL) clickstream to, through and from Our Site (including date and time); products and services you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to

browse away from the page and any phone number used to call Our customer service number.

- Information We receive from other sources. We may receive information about You from any use of the Site and the Service. We are also working closely with third parties (including, for example, business partners, sub-contractors in technical, payment and delivery services, advertising networks, analytics providers, search information providers, credit reference agencies) and may receive information about You from them.

We may also collect, use and share “Aggregated Data” such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal data but is not considered personal data in law as this data does not directly or indirectly reveal your identity.

We do not collect any “Special Categories of Personal Data” about You (e.g. your race, ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinion, trade union membership, information about your health and genetic and biometric data). Nor do we collect information about criminal convictions and offences.

We do not collect data regarding children and our Service is not aimed at or intended for the use of anyone below the age of 18 years old (see our [Master Subscription and Service Agreement](#)).

USES MADE OF THE INFORMATION

We use information held about You in the following ways:

Information You give to Us. We will use this information:

- to carry out Our obligations arising from any contracts entered into between You and Us and to provide You with the information, products and Service that you request from Us;
- to provide You with information of other services We offer that are similar to those that You have already purchased or enquired about;
- to provide You with information about services We feel may interest You. If You are an existing customer, We will contact You by electronic means (e-mail or SMS) with information about services similar to those which were the subject of a previous sale or negotiations of a sale to You. If You are a new customer, We will contact You by electronic means only if You have consented to this. If you do not want Us to use Your data in this way, for marketing purposes, please follow the ‘unsubscribe’ link on any of our marketing emails or send us an email to support@mobit.com.
- to notify You about changes to our Service;
- to ensure that content from Our Application is presented in the most effective manner for You and for Your computer.

If You fail to provide personal data which We need to provide Our Service, then We may not be able to perform the contract We have with You. You are responsible for ensuring that the personal data which you give us is accurate and up to date.

Information We collect about You when you visit Our Site. We will use this information:

- to administer Our Site and for internal operations, including troubleshooting, data analysis, testing, research, statistical and survey purposes;

- to improve Our Application to ensure that content is presented in the most effective manner for You and for Your computer;
- to allow You to participate in interactive features of Our Application, when You choose to do so;
- as part of Our efforts to keep Our Site safe and secure;
- to measure or understand the effectiveness of advertising We serve to You and others, and to deliver relevant advertising to You;
- to make suggestions and recommendations to You and other users of Our Application about features, functions and services that may interest You or them.

Information We receive from other sources. We may receive personal data about you from various third parties and public sources as set out below. We may combine this information with information You give to Us and information We collect about You. We may use this information and the combined information for the purposes set out above (depending on the types of information We receive).

We collect technical data from the following:

Analytics providers such as Google Analytics based [inside OR outside] the EU
 Infusionsoft.com, and app.mobit.com (our application).

DISCLOSURE OF YOUR INFORMATION

We may share Your personal information with any member of Our group (both inside and outside of the EU), which means Our subsidiaries or Our ultimate holding company and its subsidiaries.

We may share Your information with selected third parties including:

- Business partners, suppliers and sub-contractors for the performance of any contract We enter into with them or You.
- Analytics and search engine providers that assist Us in the improvement and optimisation of Our Site.

We may disclose Your personal information to third parties:

- In the event that We sell or buy any business or assets, in which case We may disclose Your personal data to the prospective seller or buyer of such business or assets.
- If MOBIT Technologies Ltd or substantially all of its assets are acquired by a third party, in which case personal data held by it about its customers will be one of the transferred assets.
- If We are under a duty to disclose or share Your personal data in order to comply with any legal obligation, or in order to enforce or apply Our Terms of Service which can be found on Our website, www.mobit.com and other agreements; or to protect the rights, property, or safety of MOBIT Technologies Ltd, Our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

WHERE WE STORE YOUR PERSONAL DATA

By submitting Your personal data, 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 Privacy Policy.

All information You provide to Us is stored on Our secure servers. Where We have given You (or where You have chosen) a password which enables You to access certain parts of Our Site or Application (app.mobit.com), You are responsible for keeping this password confidential. We ask You not to share a password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although We will do our best to protect Your personal data, We cannot guarantee the security of Your data transmitted to Our Site or Application; any transmission is at your Own risk. Once we have received Your information, We will use strict procedures and security features to try to prevent unauthorised access.

We will not keep Your personal data for longer than is necessary for the purpose or purposes for which they are collected, unless there is another legal reason for us to retain the data. We will take all reasonable steps to destroy or erase from our systems all data which is no longer required. We will keep your personal data for the duration of Your account being active and for one (1) year after our contract with you has terminated.

YOUR RIGHTS

We endeavour to process all personal data in line with Your rights under the GDPR. In particular, You have the rights to:

1. Withdraw Your consent to Our processing Your personal data at any time. You can do this at any time by contacting Us at support@mobit.com. In certain circumstances, We can process Your personal data without Your consent in line with the lawful processing requirements in GDPR. These include (amongst other reasons) where processing is necessary to comply with a legal obligation, or to protect your vital interests.
2. Ask Us to rectify inaccurate or incomplete personal data. We would seek to rectify the data as soon as possible and usually within one month unless the request is complex.
3. Ask Us to erase Your personal data. This is commonly referred to as the right to be forgotten. This right is only applicable where there is no compelling reason for the continued processing of Your personal data. There are some circumstances where this right to erasure does not apply and in such cases We would notify You of the reason(s) why We need to retain Your personal data (unless prevented to do so by law).
4. Restrict processing of Your personal data where, for example, the data is inaccurate, being processed unlawfully or where the data is no longer relevant to the specific purpose for processing.

In such cases, We would retain the data but We would not process it further without Your consent, or if processing your data is for establishing, exercising or defending a legal claim, or for the protection of rights of other individuals, or for public interest reasons.

In such circumstances, We would let You know that We intend to lift the restriction on processing Your personal data.

5. Request access to Your personal data via our webform <https://www.mobit.com/policies/report-a-violation>. Your request should be made to Us via this form and We may ask you for proof of your identity before providing You with the data. There is usually no fee for making such a request however, in limited circumstances; We may charge an administrative fee (which will be based on the administrative cost of providing the information).
6. You have the right to ask Us not to process Your personal data for marketing purposes (including profiling). We will usually inform You (before collecting your data) if We intend to use your data for such purposes or if We intend to disclose your information to any third party for such purposes. You can exercise Your right to prevent such processing by checking certain boxes on the forms We use to collect your data. You can also exercise the right at any time by contacting us at support@mobit.com.
7. Obtain and reuse Your personal data for Your own purposes across different services (right to data portability). This right is only applicable to data that You have provided to Us, where We are processing the data based on Your consent or for the performance of a contract and when the processing is carried out by automated means. Where this right applies, the data will be provided to You in a structured, commonly used and machine-readable format.
8. Our website or application may, from time to time, contain links to and from the websites of Our partner networks, advertisers and affiliates. If You follow a link to any of these websites, please note that these websites have their own privacy policies and that We do not accept any responsibility or liability for these policies. Please check these policies before You submit any personal data to these websites.

CHANGES TO OUR PRIVACY POLICY

Any changes We may make to this Privacy Policy in the future will be posted on this page. Please check back frequently to see any updates or changes to this Privacy Policy.

CONTACT AND COMPLAINTS

If You have any questions, comments or requests regarding this Privacy Policy, please contact our DPO at <https://www.mobit.com/policies/report-a-violation> :

Name of DPO: Preeti Dey

Email address: preetid@mobit.com

Postal address: MOBIT Technologies Ltd, c/- P.O Box 300548, Albany, Auckland 0632, New Zealand

If you have any complaints regarding our handling of Your personal data, we would appreciate the chance to deal with your concerns in the first instance.