

# Binaire Private Limited

## Privacy Policy

Effective as of 01-December-2020

At Binaire Private Limited, data protection and confidentiality is a high priority.

This Privacy Policy applies to personal information processed (use, share, retain, protect) by us that is received through our websites <https://www.binaire.dev>, <https://www.mossaikxdr.com>, <https://www.spectre.dev>, <https://binairelabs.github.io>. Desktop Applications, Mobile Applications and our cloud-based services.

This Privacy Policy does not apply to any third-party websites, services or applications, even if they are accessible through our Services. **In addition, capitalized terms not defined in this Privacy Policy will have the meaning set forth in our Terms of Service.**

We urge you to review the Privacy Policy whenever you access our websites or use our software or services to stay informed.

Contact information of data controller:

Binaire Pvt. Ltd.

53, Sainik Farms, New Delhi, INDIA

Corporate Identity Number: U72900DL2019PTC357228

[legal@binaire.dev](mailto:legal@binaire.dev)

## **How we obtain Personal Data**

We collect and receive personal data through the Websites, Applications and other means detailed below. Personal data means any information relating to an identified or identifiable natural person.

Personal data is collected based on how you interact with our websites, applications and services. This can be information that you provide to us voluntarily or the information collected automatically.

- Personal data that you choose to voluntarily provide to us for your use of the websites and applications, create a customer profile, make a purchase, request digital resources, participate in contests or promotions, send us emails, communicate with us via other means.
- Cookies: Our website uses cookies. Cookies are text files that are saved in the internet browser or by the internet browser on the user's computer system. When a user visits a Website, a cookie can be saved on the user's computer.
  - Session Cookies: We use cookies to make our Website more user-friendly. Several elements on our Website require that the browser being used also be identified after a page change has been made. Session cookies are a technical necessity but are not absolutely necessary to display the Website. Several functions of the Website, e.g., language settings, shopping cart, automatic form filling, login information, etc. cannot be used or cannot be used properly without these cookies. As a result, there is no possibility for the user of the Website to contest this. These cookies can be

disabled by you using the browser's settings. They will be deleted when the browser session is quit.

- Cookies for Website use: Cookies for range measurement collect information about how our Website is used, e.g., page calls or error messages. These cookies do not save information that can identify the user. The information collected is aggregated and therefore analyzed anonymously.
- Pixel Tags/Web Beacons. A pixel tag (also known as a web beacon) is a piece of code embedded in the Services that collects information about engagement on the Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.
- Google Analytics and Proprietary Analytics
  - We use Google Analytics to collect information about visitors' use of our website. Google Analytics collects information such as how often users visit this site, what pages they visit, when they do so, and what other sites they used prior to coming to this site. We use the information we get from Google Analytics only to improve the functionality of our website. Google Analytics collects only the IP address assigned to you on the date you visit this site, rather than your name or other identifying information. We do not combine the information collected through the use of Google Analytics with personally identifiable information. Although Google Analytics plants a permanent cookie on your

web browser to identify you as a unique user the next time you visit this site, the cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to this site is restricted by the [Google Analytics Terms of Use](#) and [Google Privacy Policy](#). You can prevent Google Analytics from recognizing you on return visits to this site by disabling cookies on your browser.

- We use Proprietary Analytics in our Applications to collect information about user's application usage workflow. No personal information is collected.
- Social Media: If you share our content through social media, for example, tweeting about us on Twitter or by liking us on Facebook, those social networks will record that you have done so and may set a cookie for this purpose. In some cases, where a page on our Website includes content from a social network, such as a Twitter feed, or Facebook comments box, those services may set a cookie even where you do not click a button. As is the case for all cookies, we cannot access those set by social networks, just as those social networks cannot access cookies we set ourselves.
- Emails: Personalized emails are sent to some customers within the framework of individual marketing campaigns. This is done for marketing purposes based on the individual's consent. The data collected for the registration process for use of our applications will be saved and archived until revoked by you.
- Direct Advertising: The email address elicited for the purpose of purchasing goods or services on our Website will be used for direct advertising for our own products and/or services. This is done for marketing purposes based on your consent. If you do not want to

receive direct advertising, you can revoke the use of your email address at any time. You can do so via email or by using the unsubscribe link in the newsletter itself. After your objection, the data will be completely deleted.

If you have given us your consent that we pass your data to one of our partners, please be advised that your data will also be saved by this partner and a deletion of this data must be requested from the respective partner.

- Registration in forms: You can register with us for opening a customer account, provide suggestions, demo downloads, encouraged category license registration, shop order form, newsletter subscription.

Data supplied via contact form will be saved together with your contact information in order to process your inquiry, to be able to respond to follow-up inquiries or for contractual performance purposes.

Personal data will only be passed to third parties in as far as required for contract processing. Third parties can, for example, be a payment service provider or a logistics company. A farther-reaching transfer of data will not take place or will only take place if expressly consented to by you.

A revocation of existing consent can be made at any time. The revocation can be made via email. The legality of the processing of data that took place prior to your revocation remains unaffected.

Some of these services require the creation of a login with which you can login to a respective service in order to use it.

The data supplied by you will stay with us until you request that it be deleted, revoke your consent or the necessity for saving the data no longer exists. Required legal stipulations – in particular trade and fiscal retention periods or burdens of proof – remain unaffected. After the legal retention periods have expired, all data will be deleted.

- **Automatic Data Collection.** We may collect certain information automatically when you use the Services. This information may include your Internet protocol (IP) address, user settings, MAC address, cookie identifiers, mobile advertising and other unique identifiers, details about your browser, operating system or device, location information (including inferred location), Internet service provider, pages that you visit before, during and after using the Services, information about the links you click, and information about how you interact with and use the Services.

We may use a visitor's IP address to fight spam, malware and identity theft. With your permission, we may also collect information about your operating system's installed fonts in connection with providing the Services to you. Combined with other system information, this information could be used to give your computer a unique fingerprint/signature and enable us to track your usage of our Services after you log out.

## **The types of personal data we may obtain**

We may collect and receive the following personal data from you:

- Name and contact details (such as name, address, email, username, fax and phone numbers);

- Account details (such as username, password license key and whether/how often you have registered to Cloud)
- Payment information: We may sell services or merchandise through our Services. When you make purchases through the Services, we may process your payments through a third-party application, such as the Apple App Store, Google Play App Store, Amazon App Store, social networking sites such as Facebook, and/or payment processing services such as Stripe or PayPal. The third-party application may collect certain financial information from you to process a payment on behalf of Binaire Pvt. Ltd., including your name, email address, address, payment card information, and other billing information. Binaire Pvt. Ltd. does not store or receive your payment information, but it may store and receive information associated with your payment information (e.g., your billing details).
- Personal data included in content uploaded by you to the website or Cloud.
- Personal data included in comments posted by you on the website or Cloud.
- Personal data of individuals you wish to share your uploaded content with (such as name and email address).
- Traffic data (such as your Internet usage).
- Any other information that you have provided us (such as your profile picture, avatar, the comments you leave and whether you would like to receive our newsletter).
- We may collect other types of personal data if required under applicable law or if necessary for the purposes listed below. We

will then inform you and ensure that there is a valid legal basis for doing so.

## **How we may use personal data**

We may use the personal data we collect and receive for the following purposes:

- To create an account for your use of the website, applications and cloud.
- To provide Cloud, including support.
- To analyze how the website is used, such as which pages are visited, how long pages were visited and the paths taken by visitors to our website as they move from page to page.
- To verify compliance with applicable legal requirements and our policies.
- To contact you, such as by sending personalized emails, about our products and services, including about Cloud or to send you our newsletter.
- We process personal data because this is necessary for the performance of the contract between you and us, for our compliance with our legal obligations and for the purpose of our legitimate interests. In particular, our legitimate interests are our commercial company interest (e.g. to improve our products and services), our interest to make use of direct marketing, our interest to prevent fraud and our interest to report possible criminal acts or threats to competent authorities. Some of the personal data that we process is required for us to meet our legal



obligations, for example we cannot create an account for you if you choose not to share your personal data with us.

**Consent.** We may use personal information for other purposes that are clearly disclosed to you at the time you provide personal information or with your consent.

### **How we may share personal data**

We may share the personal data we collect and receive on a need to know basis with the following third parties;

We may share any personal information we collect about you with our third-party service providers. The categories of service providers to whom we entrust personal information include service providers for:

- provision of the Services;
- provision of information, products, and other services you have requested;
- marketing and advertising;
- payment and transaction processing;
- customer service activities,
- provision of IT and related services.

We will share your personal information with third-party platforms and/or services if you have expressly consented or requested that we do so. Please note we do not endorse, screen or approve, and are not responsible for, the practices or conduct of such third-party services.

Competent public authorities or other third parties, if required by law or reasonably necessary to protect the rights, property and safety of ourselves or others.

We may also transfer your personal data in the event that we sell or transfer all or a portion of our business or assets on a need to know basis. Should such a sale or transfer occur, we will use reasonable efforts to direct the transferee to use personal data you have provided to us in a manner that is consistent with applicable law and this Privacy Statement.

### **Links to external Websites**

Our Websites can contain links to external Websites. Please note that this Data Protection Declaration applies exclusively to Binaire Pvt. Ltd. Websites, Applications and Cloud. We have no influence on nor do we assure in any way that external Websites adhere to applicable data protection regulations.

We do not sell, rent or trade your personal data.

### **Data transfers outside the EEA**

We may transfer the personal data we obtain to third parties in countries outside the European Economic Area (EEA). The laws in those countries may not offer an adequate level of data protection.

When we transfer your personal data outside the EEA, we will protect your personal data as described in this Privacy Statement and in accordance with applicable law, such as by entering into the European Commission's Standard Contractual Clauses for the transfer of personal data to a processor located outside of the European Union.

## **Data Security**

We practice appropriate technical and organizational security safeguards designed to protect your personal data against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. However, we cannot guarantee 100% that communications between you and us or the personal information stored is absolutely secure. To the fullest extent permitted by applicable laws, we do not accept liability for unauthorized disclosure. If we come to know of security system breach that is likely to have unfavorable consequences for your privacy in accordance with applicable law, we may attempt to notify you electronically of any data breach.

## **How Long We Retain Personal Data**

We retain personal data for as long as necessary to fulfil the purposes for which we collect or receive the personal data, except if required otherwise by applicable law. Typically, we will retain most of the personal data for the duration of your use of the website(s), application(s) and Cloud, until you have removed your account, unless a longer applicable statutory retention period applies.

## **Your Rights**

You have the following rights in relation to your personal data:

- The right to obtain, at reasonable intervals, information on whether or not your personal data are being processed and to receive the personal data that is being processed in an intelligible form.
- The right to request rectification or erasure of personal data or restriction of or objection to processing of your personal data.
- You may request us to provide you your data in a structured, commonly used and machine readable format which can be transmitted to another controller.

To exercise these rights, please contact us using our contact details set out below. To protect your privacy, we will take steps to verify your identity before fulfilling your request. We will respond to your request within the applicable statutory term.

Moreover, subject to this Privacy Statement, you have the right to lodge a complaint with the competent supervisory authority.

## **Updates to this Privacy Policy**

We may update this Privacy Statement from time to time. We will notify you of any significant changes to this Privacy Statement on the website or through other appropriate communication channels. All changes shall be effective from the date of publication, unless otherwise provided in the notification.

## **How to Contact Us**

If you have any inquiries about the information in this Privacy Policy, or would like to exercise your rights, please contact us by email at the email address indicated on the contact tab on the website.

We may update this Privacy Policy from time to time and shall publish the updated version on our website. We may directly notify you of the updated Privacy Policy but we urge you to review the Privacy Policy whenever you access our websites or use our software or services to stay informed.