Crayon Privacy Policy

Effective Date: December 30, 2019 Last Reviewed: June 11, 2018

Crayon, Inc. ("*Crayon*") provides services (the "*Services*") that analyze and aggregate publicly available data and other third party information and materials about certain companies that our customers wish to monitor ("*Targets*") and provides them with strategic insights.

Crayon respects your privacy and is committed to protecting your personal information. This Privacy Policy describes how Crayon collects, uses, stores, transfers and protects your Personal Information (defined below) when you visit our main public-facing website at https://www.crayon.co, as well as our Crayon-managed Competitive Intelligence Collective website at https://www.competitiveintelligencecollective.com (regardless of where you visit them from) (collectively, the "*Website*"), or when you otherwise use our Services. This Privacy Policy will also tell you about your privacy rights and how the law protects you.

This Privacy Policy is provided in a layered format so you can click through to the specific areas set out below. Alternatively, you can download a pdf version of the policy here: <u>Crayon Privacy Policy</u>. Please also use the <u>Glossary</u> to understand the meaning of some of the terms used in this Privacy Policy.

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1. Important Information and Who We Are

Purpose of this Privacy Policy



This privacy policy aims to give you information on how Crayon collects and processes your personal information through your use of the Website, including any data you may provide through the Website and Services when you sign up to create an account with us, request a demo with one of our competitive intelligence specialists, communicate with us via our web chat functionality, subscribe to our blog, download one of our free library resources, apply to one of our available positions, purchase one of our Services, comment on our social media pages, or contact us by phone, email, through our social media pages, by post, or via the Contact Us form on the Website.

Please note that this Website is not intended for children under 18 years of age. No one under age 18 may provide any information to or on this Website. We do not knowingly collect personal information from children under 18. If you are under 18, do not use or provide any information on this Website or on or through any of its features, use any of the interactive or public comment features of this Website or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us.

It is important that you read this Privacy Policy together with any other privacy notice we may provide on specific occasions when we are collecting or processing personal information about you so that you are fully aware of how and why we are using your information. This Privacy Policy supplements other privacy notices and is not intended to override them.

Controller

Crayon, Inc. is the controller and responsible for your personal information (collectively referred to as "Crayon", "we", "us" or "our" in this Privacy Policy).

We have appointed a data privacy manager who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, including any requests to exercise *your privacy rights*, please contact the data privacy manager using the details set out below.

Contact details

If you have any questions about this Privacy Policy or our privacy practices, please contact our data privacy manager in the following ways:

Full name of legal entity: Crayon, Inc.



Email address: privacy@crayon.co

Postal address: 268 Summer St, 5th Floor, Boston, MA 02210, USA

If you are based in the European Union, please note that you also have the right to make a complaint at any time to your national regulator for data protection issues. We would, however, appreciate the chance to deal with your concerns before you approach the regulator so please contact us in the first instance.

Changes to the Privacy Policy and Your Duty to Inform Us of Changes

We keep our Privacy Policy under regular review. This version was last updated on December 30, 2019. Historic versions can be obtained by <u>contacting us</u>.

We reserve the right to change the terms of this Privacy Policy at any time. When we do, we will post the revised Privacy Policy to our Website and the last revision date of revision will be updated so that you will always be able to understand what information we collect, how we use your information, and under what circumstances we may share your information with others. We will notify you of any material changes via an email or by way of a pop-up notice on the Website announcing that the Privacy Policy has changed and bringing the changes to your attention.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your relationship with us.

Third-party links

This Website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our Website, we encourage you to read the privacy policy of every website you visit.

2. The Information We Collect About You

Personal information means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).



We may collect, use, store and transfer different kinds of personal information about our visitors, customers and applicants which we have grouped together as follows:

- Identity Data includes first name, maiden name, last name, username or similar identifier, title, ethnicity (voluntary for applicants), sex (voluntary for applicants including gender, gender identity, gender expression).
- **Contact Data** includes postal address, billing address, email address and telephone numbers.
- **Financial Data** includes credit card and financial information to process payment for services (if applicable).
- **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this Website.
- **Profile Data** includes your username and password, purchases or orders made by you, your interests, preferences, feedback and survey responses.
- Usage Data includes information about how you use our Website and Services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- **User Generated Content Data** includes information you choose to provide through our Website, such as any comments and other content that you post, share, send or receive through our Services.

We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal information but is not considered personal information in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Website feature. However, if we combine or connect Aggregated Data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this Privacy Policy.

We do not collect any **Special Categories of Personal Information** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health, and genetic and biometric data). Nor do we collect any information about criminal convictions and offenses.



If You Fail to Provide Personal Information

Where we need to collect personal information by law, or under the terms of a contract we have with you, and you fail to provide that information when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with Services). In this case, we may have to cancel a Service you have with us but we will notify you if this is the case at the time.

3. How Is Your Personal Information Collected?

We use different methods to collect information from and about you including through:

- Direct interactions. You may give us your Identity, Contact and Financial Data by
 filling in forms or by corresponding with us by post, phone, email or otherwise. This
 includes personal information you provide when you create an account, participate
 in any interactive features of our Website (e.g., posting, sharing, sending and
 receiving comments through our Services), fill out a form, make a purchase, apply
 for a job, communicate with us via third party social media sites, request customer
 support or otherwise communicate with us.
- Automated technologies or interactions. As you interact with our Website, we
 will automatically collect Technical Data about your equipment, its location, your
 browsing actions and patterns. We collect this personal information by using
 cookies, server logs and other similar technologies. We may also receive Technical
 Data about you if you visit other websites employing our cookies. Please see
 our cookie policy for further details.
- Third parties or publicly available sources. We will receive personal information about you from various third parties and public sources as set out below:
 - Technical Data from the following parties:
 - analytics providers; and
 - advertising networks
 - Contact, Financial and Transaction Data from providers of technical and payment services.
 - o Identity and Contact Data from mailing list providers.
 - Identity and Contact Data from providers of identity verification services.
 - Identity and Contact Data from recruiting agencies.
 - Identity and Contact Data from social media networks.



Identity and Contact Data from publicly available sources.

4. How We Use Your Personal Information

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Click <u>here</u> to find out more about the types of lawful basis that we will rely on to process your personal information.

Generally, we do not rely on consent as a legal basis for processing your personal information although we will get your consent before sending third party direct marketing communications to you via email. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes For Which We Will Use Your Personal Information

We have set out below, in a table format, a description of all the ways we plan to use your personal information and, if you are based in the European Union, which of the legal bases under the GDPR we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Purpose/Activity	Type of Information	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you



To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity(b) Contact(c) Financial(d) Transaction(e) Marketing and Communications	(a) Performance of a contract with you (to process your purchases, send you updates about your order, deliver and manage your order, including to collect payments, fees and charges) (b) Necessary for our legitimate interests (to start legal proceedings to recover debts due to us)
To manage our relationship with you which will include notifying you about changes to our terms of use or to our Privacy Policy	(a) Identity(b) Contact(c) Profile(d) Marketing and Communications	(a) Performance of a contract with you (to inform you of any changes to our terms and conditions)(b) Necessary to comply with a legal obligation (to inform you of any changes to our Privacy Policy)
To administer and protect our business and this Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise) (b) Necessary to comply with a legal obligation



To deliver relevant Website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity(b) Contact(c) Profile(d) Usage(e) Marketing and Communications(f) Technical	Necessary for our legitimate interests (to study how customers use our Services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our Website, Services, marketing, customer relationships and experiences (including permitting you to analyze your Targets and post, share, send or receive your content to us)	(a) Technical (b) Usage (c) User Generated Content Data	Necessary for our legitimate interests (to define types of customers for our Services, to keep our Website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about services, offers, promotions, rewards, and events that may be of interest to you	(a) Identity(b) Contact(c) Technical(d) Usage(e) Profile(f) Marketing and Communications	Necessary for our legitimate interests (to develop our Services and grow our business)

To communicate with you by email, text, social media messaging, social media posting or any other communication mechanism that you choose	(a) Identity (b) Contact (c) Technical (d) Marketing	Necessary for our legitimate interests (to reply to communications sent to us and for customer relationship management purposes)
	and Communications	
Provide you with support on our Services	(a) Identity (b) Contact (c) User Generated Content Data	Performance of a contract with you
To respond to your inquiries related to employment opportunities	(a) Identity (b) Contact (c) User Generated Content Data	Performance of a contract with you or in order to take steps at your request prior to entering into a contract with you

We may also use, or disclose the personal information we collect for one or both of the following purposes:

- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which



personal information held by us about our Website users or consumers is among the assets transferred.

Marketing

We strive to provide you with choices regarding certain personal information uses, particularly around marketing. We have established the following personal data control mechanisms:

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which services, offers, promotions, rewards, and events may be relevant for you.

You will receive marketing communications from us if you have requested information from us or purchased Services from us and you have not opted out of receiving that marketing.

Third-party marketing

We will get your express opt-in consent before we share your personal information with any company outside Crayon for marketing purposes, including service providers who perform marketing services on our behalf, such as sending communications to you on our behalf.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal information provided to us as a result of purchasing or using our Services, a Service support experience or other transactions.

California residents

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit our <u>CCPA Privacy Notice</u>.

Cookies



As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically does include personal information, or we may maintain it or associate it with personal information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- Web Beacons. Pages of our the Website and emails may contain small electronic
 files known as web beacons (also referred to as clear gifs, pixel tags, and singlepixel gifs) that permit us, for example, to count users who have visited those pages
 or opened an email and for other related website statistics (for example, recording
 the popularity of certain website content and verifying system and server
 integrity).



You can set your browser to refuse all or some browser cookies, or to alert you when websites set or access cookies. If you disable or refuse cookies, please note that some parts of this Website may become inaccessible or not function properly. For more information about the cookies we use, please see our <u>Cookie Policy.</u>

In addition, some content or applications on the Website may be served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly as they may provide you with ways to choose not to have your information collected or used in this way. If you are based in the United States you can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website at http://optout.networkadvertising.org. If you are based in the European Union you may visit the website of the European Interactive Digital Advertising Alliance ("EIDAA") at https://www.edaa.eu as well as of the European Advertising Standards Alliance ("EASA") at https://www.easa-alliance.org.

Social Media Features

Our Website includes Social Media Features, such as the Facebook Like button. These Features may collect your IP address, which page you are visiting on our Website, and may set a cookie to enable the Feature to function properly. Social Media Features are either hosted by a third party or hosted directly on our Website. Your interactions with these Features are governed by the privacy policies of the companies providing them.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.



If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

5. Disclosures of Your Personal Information

We may share your personal data with the parties set out below for the purposes set out in the table *Purposes for which we will use your personal data* above.

- Third Parties as set out in the <u>Glossary</u>.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions.

6. International Transfers

We largely operate in the United States ("U.S."), and therefore, if you reside outside of the U.S. you understand and agree that your personal information may be transferred to, stored or processed in, the U.S. by us and our third party hosting providers. Furthermore, you understand that U.S. law may not afford the same level of protection to personal information as those afforded in your country. Personal information may be transferred for the performance of a contract or as required for the implementation of precontractual measures taken at your request or to establish or exercise our legal rights.

If you are based in the European Union and when we are given access to your personal information by one of our clients in connection with services we provide to them, then we rely on our client data controllers' written instructions to ensure that any transfer of your personal information to us and to our service providers based outside the European Economic Area is performed in accordance with applicable EU law.



7. Data Security

We have put in place appropriate security measures to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal information to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal information on our instructions, and they are subject to a duty of confidentiality.

No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security. We have put in place procedures to deal with any suspected personal information breach and will notify you and any applicable regulator of a breach where we are legally required to do so. Notice will be given promptly, consistent with the legitimate needs of law enforcement and any measures necessary for Crayon or law enforcement to determine the scope of the breach and to assure or restore the integrity of the data system. Crayon may delay notification if Crayon or a law enforcement agency determines that the notification will impede a criminal investigation, unless and until Crayon or the agency determines that notification will not compromise the investigation. If you have any questions about the security of your personal information, you can contact us at privacy@crayon.co

8. Data Retention

How long will you use my personal information for?

We will only retain your personal information for as long as reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal information, we consider the amount, nature and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process your personal information and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.



In some circumstances you can ask us to delete your information: see *your rights and choices* below for further information.

In some circumstances we will anonymize your personal information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

9. Your Rights With Respect to Your Personal Information

Under certain circumstances, you have rights under data protection laws in relation to your personal information. Please click on the links below to find out more about these <u>rights</u>:

- Request access to your personal information.
- Request correction of your personal information.
- Request erasure of your personal information.
- Object to processing of your personal information.
- Request restriction of processing your personal information.
- Request transfer of your personal information.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us at privacy@crayon.co.

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal information (or to exercise any of your other rights). This is a security measure to ensure that personal information is not



disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10. Glossary

LAWFUL BASIS

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal information for our legitimate interests. We do not use your personal information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your information where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

Comply with a legal obligation means processing your personal information where it is necessary for compliance with a legal obligation that we are subject to.

Consent means any freely given, specific, informed and unambiguous indication of your wishes by which you, by a statement or by a clear affirmative action, signify agreement to the processing of personal information relating to you.

THIRD PARTIES

 Service providers acting as processors who provide IT, payment processing, analytics, and system administration services. Please refer to Crayon's list of <u>Sub-Processors</u> / <u>Service Providers</u>.



 Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance and accounting services.

YOUR LEGAL RIGHTS

You have the right to:

Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected, though we may need to verify the accuracy of the new information you provide to us.

Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal information to comply with applicable law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

Object to processing of your personal information where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.

Request restriction of processing of your personal information. This enables you to ask us to suspend the processing of your personal information in the following scenarios:

- If you want us to establish the information's accuracy.
- Where our use of the information is unlawful, but you do not want us to erase it.
- Where you need us to hold the information even if we no longer require it as you need it to establish, exercise or defend legal claims.
- You have objected to our use of your information, but we need to verify whether we have overriding legitimate grounds to use it.



Request the transfer of your personal information to you or to a third party. We will provide to you, or a third party you have chosen, your personal information in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

Withdraw consent at any time where we are relying on consent to process your personal information. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain services to you. We will advise you if this is the case at the time you withdraw your consent.

