

# PRIVACY POLICY

Welcome, and thank you for your interest in GoldPhish Ltd (“GoldPhish”, “we,” or “us”), our web site at <https://www.goldphish.com> (the “Site”), and all related web sites, and other services provided by us and on which a link to this Privacy Policy is displayed, and all other communications with individuals though from written or oral means, such as email or phone (collectively, together with the Site, our “Service”).

This Privacy Policy (“Policy”) describes the information that we gather on or through the Service, how we use and disclose such information, and the steps we take to protect such information. It also explains the choices available to you regarding our use of your personal information and how you can access and update this information. By visiting the Site, or by purchasing or using the Service, you consent to the privacy practices described in this Policy.

This Policy is incorporated into, and is subject to, the GoldPhish Terms of Service. Capitalised terms used but not defined in this Policy have the meaning given to them in the GoldPhish Terms of Service.

## Definitions

“Client” means a customer of GoldPhish.

“Client Data” means personal data, reports, addresses, and other files, folders or documents in electronic form that a User of the Service stores within the Service.

“Personal Data” means information that specifically identifies an individual or that is linked to information that identifies a specific individual.

“Public Area” means the area of the Site that can be accessed both by Users and Visitors, without needing to use a login ID and a password.

“Restricted Area” means the area of the Site that can be accessed only by Users, and where access requires the use of a login ID and a password.

“User” means an employee, agent, or representative of a Client, who primarily uses the restricted areas of the Site for the purpose of accessing the Service in such capacity.

“Visitor” means an individual other than a User, who uses the public area, but has no access to the restricted areas of the Site or Service.

## The Information We Collect on the Service:

We collect different types of information from or through the Service.

- Personal Data. When you use the Service, as a User or as a Visitor, you may provide, and we may collect Personal Data. Examples of Personal Data include name, email address, mailing address, mobile phone number, and credit card or other billing

information. You may provide us with Personal Data in various ways on the Service. For example, when you register for an Account, use the Service, post Client Data, interact with other users of the Service through communication or messaging capabilities, or send us customer service-related requests.

- **Special Categories of Sensitive Personal Data.** Our Services do not collect data considered to be sensitive personal data, especially as defined by European Law. Accordingly, our Services do not knowingly collect any information about your race, national origin, sexual preference or practices, disabilities, political affiliations, philosophical beliefs, trade-union memberships, or health.
- **Information Collected by Clients.** A Client or User may store or upload into the Service Client Data. GoldPhish has no direct relationship with the individuals whose Personal Data it hosts as part of Client Data. Each Client is responsible for providing notice to its customers and third persons concerning the purpose for which Client collects their Personal Data and how this Personal Data is processed in or through the Service as part of Client Data.
- **“Automatically Collected” Information.** When a User or Visitor uses the Service, we may automatically record certain information from the User’s or Visitor’s device by using various types of technology, including cookies, “clear gifs” or “web beacons.” This “automatically collected” information may include IP address or other device address or ID, web browser and/or device type, the web pages or sites visited just before or just after using the Service, the pages or other content the User or Visitor views or interacts with on the Service, and the dates and times of the visit, access, or use of the Service. We also may use these technologies to collect information **regarding a Visitor or User’s interaction with email messages, such as whether the Visitor or User opens, clicks on, or forwards a message.** This information is gathered from all Users and Visitors.

## How We Use the Information We Collect

We use the information that we collect in a variety of ways in providing the Service and operating our business, including the following:

### Operations

We use the information – other than Client Data – to operate, maintain, enhance and provide all features of the Service, to provide the services and information that you request, to respond to comments and questions and to provide support to users of the Service. We process Client Data solely in accordance with the directions provided by the applicable Client or User.

### Improvements

We use the information – other than Client Data – to understand and analyse the usage trends and preferences of our Visitors and Users, to improve the Service, and to develop new products, services, feature, and functionality.

## Communications

**We may use a Visitor's or User's email address or other information** – other than Client Data – to contact that Visitor or User (i) for administrative purposes such as customer service, to address intellectual property infringement, right of privacy violations or defamation issues related to the Client Data or Personal Data posted on the Service or (ii) with updates on promotions and events, relating to products and services offered by us and by third parties we work with. You have the ability to opt-out of receiving any promotional communications as **described below under "Your Choices."**

## Cookies and Tracking Technologies

We use automatically collected information and other information collected on the Service through cookies and similar technologies to: (i) personalise our Service, such as remembering **a User's or Visitor's information so that the User or Visitor will not have to re-enter** it during a visit or on subsequent visits; (ii) provide customized advertisements, content, and information; (iii) monitor and analyse the effectiveness of Service and third-party marketing activities; (iv) monitor aggregate site usage metrics such as total number of visitors and pages viewed; and (v) track your entries, submissions, and status in any promotions or other activities on the Service. You can obtain more information about cookies by visiting <http://www.allaboutcookies.org>.

## Analytics

We use Google Analytics to measure and evaluate access to and traffic on the Public Area of the Site, and create user navigation reports for our Site administrators. Google operates independently from us and has its own privacy policy, which we strongly suggest you review. Google may use the information collected through Google Analytics to evaluate Users' and **Visitors' activity on our Site. For more information, see [Google Analytics Privacy and Data Sharing](#).**

We take measures to protect the technical information collected by our use of Google Analytics. The data collected will only be used on a need to know basis to resolve technical issues, administer the Site and identify visitor preferences; but in this case, the data will be in non-identifiable form. We do not use any of this information to identify Visitors or Users.

Before retaining your information for any period longer than necessary to fulfil the stated uses, or before changing the stated uses of your personal information, we will obtain the explicit consent of all users. Visitors who are not users will be notified of changes to this policy through **the publication of the date of this policy's drafting, and prior versions** shall be available for viewing on this website.

## To Whom We Disclose Information

Except as described in this Policy, we will not intentionally disclose the Personal Data or Client Data that we collect or store on the Service to third parties without the consent of the applicable Visitor, User or Client. We may disclose information to third parties if you consent to us doing so, as well as in the following circumstances:

## Unrestricted Information

Any information that you voluntarily choose to include in a Public Area of the Service, such as a public profile page, will be available to any Visitor or User who has access to that content.

## Service Providers

We work with third party service providers who provide website, application development, hosting, maintenance, and other services for us. These third parties may have access to, or process Personal Data or Client Data as part of providing those services for us. We limit the information provided to these service providers to that which is reasonably necessary for them to perform their functions, and our contracts with them require them to maintain the confidentiality of such information.

## Non Personally Identifiable Information

We may make certain automatically-collected, aggregated, or otherwise non-personally-identifiable information available to third parties for various purposes, including (i) compliance with various reporting obligations; (ii) for business or marketing purposes; or (iii) to assist such **parties in understanding our Clients', Users' and Visitors' interests, habits, and usage patterns** for certain programs, content, services, and/or functionality available through the Service.

## Law Enforcement, Legal Process and Compliance

We may disclose Personal Data or other information if required to do so by law or in the good-faith belief that such action is necessary to comply with applicable laws, in response to a facially valid court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies.

We also reserve the right to disclose Personal Data or other information that we believe, in good faith, is appropriate or necessary to (i) take precautions against liability, (ii) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity, (iii) investigate and defend ourselves against any third-party claims or allegations, (iv) protect the security or integrity of the Service and any facilities or equipment used to make the Service available, or (v) protect our property or other legal rights, enforce our contracts, or protect the rights, property, or safety of others.

## Change of Ownership

Information about Users and Visitors, including Personal Data, may be disclosed and otherwise transferred to an acquirer, successor or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, as well as in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets and only if the recipient of the User or Visitor Data commits to a Privacy Policy that has terms substantially consistent with this Privacy Policy.

Client Data may be physically or electronically transferred to an acquirer, or successor or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, as well as in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets, for the sole purpose of continuing the operation of the Service, and only if the recipient of the Client Data commits to a Privacy Policy that has terms substantially consistent with this Privacy Policy.

## Your Choices

### Access, Correction, Deletion

We respect your privacy rights and provide you with reasonable access to the Personal Data that you may have provided through your use of the Services. If you wish to access or amend any other Personal Data we hold about you, or to request that we delete any information about you that we have obtained from an Integrated Service, you may contact us as set forth in the **“How to Contact Us” section. At your request, we will have any reference to you deleted or blocked in our database.**

You may update, correct, or delete your Account information and preferences at any time by accessing your Account settings page on the Service. Please note that while any changes you make will be reflected in active user databases instantly or within a reasonable period of time, we may retain all information you submit for backups, archiving, prevention of fraud and abuse, analytics, satisfaction of legal obligations, or where we otherwise reasonably believe that we have a legitimate reason to do so.

You may decline to share certain Personal Data with us, in which case we may not be able to provide to you some of the features and functionality of the Service.

At any time, you may object to the processing of your Personal Data, on legitimate grounds, except if otherwise permitted by applicable law.

This provision does not apply to Personal Data that is part of Client Data. In this case, the **management of the Client Data is subject to the Client’s own Privacy Policy, and any request for access, correction or deletion should be made to the Client responsible for the uploading and storage of such data into the Service.**

### Navigation Information

You may opt out from the collection of navigation information about your visit to the Site by Google Analytics by using the [Google Analytics Opt-out feature](#).

### Opting out from Commercial Communications

If you receive commercial emails from us, you may unsubscribe at any time by following the instructions contained within the email or by sending an email to the address provided in the **“How to Contact Us” section.**

Users are able to view and modify settings relating to the nature and frequency of promotional **communications that they receive from us by accessing the “Account functionality” tab on the Service.**

Please be aware that if you opt-out of receiving commercial email from us or otherwise modify the nature or frequency of promotional communications you receive from us, it may take up to ten (10) business days for us to process your request. Additionally, even after you opt-out from receiving commercial messages from us, you will continue to receive administrative messages from us regarding the Service.

**GoldPhish has no direct relationship with the Client’s customers or third party whose Personal Data** it may process on behalf of a Client. An individual who seeks access, or who seeks to correct, amend, delete inaccurate data or withdraw consent for further contact should direct his or her query to the Client or User they deal with directly. If the Client requests GoldPhish to remove the data, we will respond to its request within thirty (30) days. We will delete, amend or block access to any Personal Data that we are storing only if we receive a written request to do so from the Client who is responsible for such Personal Data, unless we have a legal right to retain such Personal Data. We reserve the right to retain a copy of such data for archiving purposes, or to defend our rights in litigation. Any such request regarding Client Data **should be addressed as indicated in the “How to Contact Us” section, and include sufficient information for GoldPhish to identify the Client or its customer or third party and the information to delete or amend.**

## Third-Party Services

The Service may contain features or links to web sites and services provided by third parties. Any information you provide on third-party sites or services is provided directly to the operators **of such services and is subject to those operators’ policies, if any, governing privacy and security, even if accessed through the Service.** We are not responsible for the content or privacy and security practices and policies of third-party sites or services to which links or **access are provided through the Service. We encourage you to learn about third parties’** privacy and security policies before providing them with information.

## Do Not Track Policy

**Some browsers have incorporated “Do Not Track” features. Most of these features, when** turned on, send a signal or preference to the website or online service that a user visits, indicating that the user does not wish to be tracked. Because there is not yet a common understanding of how to interpret Do Not Track signals, we do not currently respond to Do Not Track signal. We continue to work with the online industry to define a common understanding of how to treat Do Not Track signals.

## How And Why We Use Cookies

We use cookies to create a session and remember a type of user as they access the Service. We obtain explicit consent from you through your interaction with the notification that is displayed when you visit the Service. Cookies provide additional security and convenience beyond simply identifying users based on their IP address, such as individual settings about your preferences, or information necessary to deliver the user experience. For this reason, it

is necessary that you enable cookies in your browser, and you hereby acknowledge that we have informed you of our use of cookies and that you consent to our use of cookies in relation to your computer system. You may disable cookies, but we cannot guarantee that the Service will function properly. Because browsers and devices are constantly changing, we cannot provide detailed instructions on how to disable cookies on every device, however, you may find this article useful: <http://www.wikihow.com/Disable-Cookies>. Please be advised that **disabling cookies, using a “private browsing” feature, or even using specialized browsers and virtual private network connections will not provide complete anonymity on the Internet.**

The Following Types of Cookies Are Used in the Site:

- strictly necessary/essential cookies - These cookies are essential in order to enable you to move around the website and use its features, such as accessing secure areas of the website. Without these cookies services you have asked for cannot be provided. **These cookies don't collect information that identifies a visitor.**
- performance cookies - These cookies collect information about how visitors use a website, for instance which pages visitors go to most often, and if they get error **messages from web pages. These cookies don't collect information that identifies a visitor.** All information these cookies collect is aggregated and therefore anonymous. It is only used to improve how a website works.
- functionality cookies - These cookies allow the website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced, more personal features. For instance, a website may be able to provide you with local weather reports or traffic news by storing in a cookie the region in which you are currently located. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customise. They may also be used to provide services you have asked for such as watching a video or commenting on a blog. The information these cookies collect may be anonymised and they cannot track your browsing activity on other websites.

## Minors and Children's Privacy

Protecting the privacy of young children is especially important. Our Service is not directed to children under the age of 18, and we do not knowingly collect Personal Data from children under the age of 18 without obtaining parental consent. If you are under 18 years of age, then please do not use or access the Service at any time or in any manner. If we learn that Personal Data has been collected on the Service from persons under 18 years of age and without verifiable parental consent, then we will take the appropriate steps to delete this information. If you are a parent or guardian and discover that your child under 18 years of age has obtained an Account on the Service, then you may alert us at [info@goldphish.com](mailto:info@goldphish.com) and request that we **delete that child's Personal Data** from our systems.

The Service is not intended to be used by minors, and is not intended to be used to post content to share publicly or with friends. To the extent that a minor has posted such content on the Service, the minor has the right to have this content deleted or removed using the deletion or removal options detailed in this Privacy Policy. If you have any question regarding **this topic, please contact us as indicated in the “How to Contact Us” section. Please be aware**

that, although we offer this deletion capability, the removal of content may not ensure complete or comprehensive removal of that content or information.

## Data Security

We follow generally accepted industry standards to protect the information submitted to us, both during transmission and once we receive it. We maintain appropriate administrative, technical and physical safeguards to protect Personal Data against accidental or unlawful destruction, accidental loss, unauthorised alteration, unauthorised disclosure or access, misuse, and any other unlawful form of processing of the Personal Data in our possession. This includes, for example, firewalls, password protection and other access and authentication controls. We use SSL technology to encrypt data during transmission through public internet, and we also employ application-layer security features to further anonymize Personal Data.

However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. We cannot ensure or warrant the security of any information you transmit to us or store on the Service, and you do so at your own risk. We also cannot guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. If you believe your Personal Data has been **compromised, please contact us as set forth in the “How to Contact Us” section.**

If we learn of a security systems breach, we will inform you of the occurrence of the breach in accordance with applicable law.

## Data Transfer

We may transfer, process and store Personal Data we collect through the Services in centralized databases located in the United Kingdom. If you choose to use the Service from the United States or other regions of the world with laws governing data collection and use that may differ from U.K law, then please note that you are transferring your Client Data and Personal Data outside of those regions to the United Kingdom for storage and processing. Also, we may transfer your data from the U.K to other countries or regions in connection with storage and processing of data, fulfilling your requests, and operating the Service. By providing any information, including Client Data and Personal Data, on or to the Service, you consent to such transfer, storage, and processing.

## Data Controller and Data Processor

GoldPhish does not own, control or direct the use of any of the Client Data stored or processed by a Client or User via the Service. Only the Client or Users are entitled to access, retrieve and direct the use of such Client Data. GoldPhish is largely unaware of what Client Data is actually being stored or made available by a Client or User to the Service and does not directly access such Client Data except as authorised by the Client, or as necessary to provide Services to the Client and its Users.

Because GoldPhish does not collect or determine the use of any Personal Data contained in the Client Data and because it does not determine the purposes for which such Personal Data is collected, the means of collecting such Personal Data, or the uses of such Personal Data, GoldPhish is not acting in the capacity of data controller in terms of the **European Union’s**

**Directive 95/46/EC on data privacy or the European Data Protection Regulation (“EU Law”)** and does not have the associated responsibilities under EU Law. GoldPhish should be considered only as a processor on behalf of its Clients and Users as to any Client Data containing Personal Data that is subject to the requirements of EU Law. Except as provided in this Privacy Policy, GoldPhish does not independently cause Client Data containing Personal Data stored in connection with the Services to be transferred or otherwise made available to third parties, except to third party subcontractors who may process such data on behalf of GoldPhish in connection with GoldPhish’s **provision of Services to Clients**. Such actions are performed or authorised only by the applicable Client or User.

The Client or the User is the data controller under the Directive for any Client Data containing Personal Data, meaning that such party controls the manner such Personal Data is collected and used as well as the determination of the purposes and means of the processing of such Personal Data.

GoldPhish is not responsible for the content of the Personal Data contained in the Client Data **or other information stored on its servers (or its subcontractors’ servers) at the discretion** of the Client or User nor is GoldPhish responsible for the manner in which the Client or User collects, handles disclosure, distributes or otherwise processes such information.

## Changes and Updates to this Policy

Please revisit this page periodically to stay aware of any changes to this Policy, which we may update from time to time. If we modify the Policy, we will make it available through the Service, and indicate the date of the latest revision, and will comply with applicable law. Your continued use of the Service after the revised Policy has become effective indicates that you have read, understood and agreed to the current version of the Policy.

## How to Contact Us

Please contact us with any questions or comments about this Policy, your Personal Data, our use and disclosure practices, or your consent choices by email at [info@goldphish.com](mailto:info@goldphish.com).

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