

OPTIMOROUTE INC. PRIVACY POLICY

1. ABOUT THIS POLICY

At OptimoRoute™, we take data protection seriously.

This Privacy Policy has been put together to provide our customers (“Customers”) with transparent information and guidelines about the privacy and data protection aspects of our OptimoRoute™ service.

This Privacy Policy has been divided into two sections:

Customer as Data controller

First of all, we wish to remind our Customers of their data protection responsibilities when collecting personal data via the OptimoRoute™ service. These provisions can be found under the section “Customer as Data controller – What to keep in mind”.

Under this section we have also gathered some general recommendations and best practices.

OptimoRoute™ as Data controller

Secondly, this Privacy Policy is intended to serve as our own legal information document regarding the personal data we process about our Customers and users for our own purposes. These provisions can be found under the section “OptimoRoute™ as Data controller.”

Updates to this policy

This Privacy Policy may be updated from time to time. The current version can be found on our website (<https://optimoroute.com/privacy-policy/>). We will not make substantial changes or reduce the rights of Customers under this Privacy Policy without providing a notice thereof.

2. OUR CONTACT INFORMATION

OptimoRoute Inc.

Address: 228 Hamilton Ave, FL 3, Palo Alto, CA 94301

E-mail address: support@optimoroute.com

Phone: +1-855-338-2838

Website: <https://optimoroute.com>

Designated contact for all data protection inquiries:

E-mail: privacy@optimoroute.com

Phone: +1-855-338-2838

3. CUSTOMER AS DATA CONTROLLER – WHAT TO KEEP IN MIND.

How does OptimoRoute™ work?

The OptimoRoute™ service is provided using our Route and Schedule Planning Software that enables customers to organize their mobile workforce – plan and optimize routes and schedules for their drivers, dispatch routes to drivers, monitor the situation in the field and analyze the driver performance. Our Customers may then use the data and analytics collected from the software for various purposes, including monitoring and optimizing the performance of their employees.

OptimoRoute™ does not actively monitor the type of data being collected. We also do not control the purposes for which the collected data is used.

Key definitions; Data subject, Data controller and Data processor

In EU data protection legislation, the Data subject is the individual whose personal data is subject to processing. For example, any identifiable drivers are Data subjects. The Data controller is the one determining the purpose and measures of processing personal data; what information is collected and how it is used. The Data processor handles the data on behalf of the Data controller. In regard to the data regarding the drivers, the Customer is therefore the Data controller, whereas OptimoRoute™ acts as their Data processor.

Data processing agreement

The EU General Data Protection Agreement requires a data processing agreement to be made between the Data controller and Data processor. These provisions have been incorporated into Section 6 of our Terms of Service (<https://optimoroute.com/terms-of-service>).

Definition of personal data

Personal data is any piece of information from which an individual can be identified either directly or indirectly. Typical examples of personal data include names, addresses, phone numbers and identifiable photographs. Exact location data can also be classified as personal data. Please note that a combination of information may also result in identifiable information, even if the pieces of information individually are not.

Informing users

You are responsible for including your own privacy policy or other form of information document clarifying what personal data is collected and how it is handled.

You may do this by adding a link to an external privacy policy of your organization or otherwise inserting your own privacy policy.

Data subject rights

The Data subject has certain rights in regard to their personal data, such as the right to access it and the right to have it corrected and in some cases deleted. The Data subject also has the right to withdraw any consent they have previously given.

As a Data controller you are responsible for ensuring data subjects can exercise their legal rights. Your privacy policy should include clear contact details for Data subjects to contact.

Sensitive data and consents

Personal data revealing or concerning health, political opinions, religious or philosophical beliefs, trade union membership, a person's sex life or sexual orientation or race are considered to be categories of sensitive personal data.

The collection, processing and publication of this type of information generally requires an explicit consent from the individual.

Please exercise special care when collecting these categories of data.

Publishing data results

In order to respect the privacy of the Data subjects it is recommended to get their consent for publishing any data which may identify them. Any possible publication of personal data should also be mentioned in your own privacy policy.

If no consent has been acquired, it is recommended to anonymize or pseudonymize the publication material.

Natural persons as Data controllers

Most of our Customers are companies, organizations or public entities; however sometimes natural persons may also independently use our service. Please note that the Data controller responsibilities listed in this section apply regardless of the legal status of the Data controller.

4. OPTIMOROUTE™ AS A DATA CONTROLLER

The following sections of the Privacy Policy describe how we process the personal data of our Customers and their representatives for our own purposes.

Please note that this part of the privacy policy only applies to processing of personal data carried out by OptimoRoute™ as a Data controller. It does not apply to the data our Customers collect. In regard to such data, please see section “Customer as Data controller.”

5. INFORMATION WE COLLECT

Account Information and Correspondence: If you sign up for an account with us, we may collect information that you provide to us, such as your username and email address. Further, in the course of using our services, you may provide us with additional information through your communications with us (for example company name/organization, title, phone number etc.).

Payment Information: We use FastSpring as our reseller and all online purchases are processed through FastSpring. FastSpring stores data such as company name, name of the contact person, address, phone number and credit card number. Any information you provide to them is governed by their [privacy policy](#). Transaction information might be securely transferred back to our system, but the credit card information is only stored in FastSpring.

Website Logs and Cookies: Whenever you visit or interact with our website, we automatically collect certain information about your browser and your interaction with our website, including (a) IP address, (b) browser and device type, (c) operating system, (d) referring web page, (e) the date and time of page visits, (f) the pages accessed on our websites, and (g) keyword/campaign information for marketing campaigns. We also use cookies and similar technologies to recognize and improve your use of our websites, and you will not be able to access certain parts of our websites, including those that require a login, unless your device accepts cookies from us.

Mobile Information: When using OptimoRoute™ mobile applications and services, we may collect information from you such as mobile device type, device info and IP address. If you use location-enabled products and services, you may be sending us location information. This information may or may not reveal your actual location. You may opt-out of location based services at any time by editing the setting at the device level. The Mobile Information is used for the purpose of providing our services. We also use the Mobile Information for support, to develop new features, and to improve the overall quality of OptimoRoute™'s products and services. We may also use the information to show a history of your activity, to provide you with statistics about you or your use of our product or service, or to provide you with a better user experience.

Hosted Data: While using the OptimoRoute™ web application or integration API you might upload data concerning users, drivers, vehicles and orders. We delete Hosted Data upon your request.

Feedback: You and/or your end users may provide us with feedback regarding our Services (e.g., in the form of email, suggestions for how to improve our service, reviews on services such as [Capterra](#) or [G2 Crowd](#), etc.). We do not delete this information.

6. PURPOSES AND LEGITIMATE GROUNDS FOR PROCESSING OF PERSONAL DATA

Purposes of processing

To provide our Services and carry out our contractual obligations

We process personal data in the first place to be able to offer the Services to our Customers and to run, maintain and develop our business. Personal data may be processed in order to carry out our contractual obligations towards the Customer. We may use the data, for example, to offer essential functionalities of the Services and to provide access to the Services. If Customer contacts our customer service, we will use the provided information for answering questions and solving possible issues, and supporting our Customers with their Customer service requests.

For Customer communication and marketing

We may process personal data for the purpose of contacting Customers regarding our Services as part of our sales process, to inform Customers of changes in our Services as well as to conduct marketing activities.

For quality improvement and trend analysis

We may process information regarding the use of our services to improve our service quality e.g. by analyzing any trends in the use of our Services. When possible, we will do this using only aggregated, non-personally identifiable data.

Legitimate grounds for processing

We process personal data to perform our contractual obligations towards Customers and to comply with legal obligations. Furthermore, we process personal data to pursue our legitimate interest to run, maintain and develop our business and to create and maintain Customer relationships. When choosing to use your data on the basis of our legitimate interests, we weigh our own interests against your right to privacy.

7. COOKIES

We use various technologies to collect and store Analytics Data and other information when Customers use our Services, including cookies.

Cookies are small text files sent and saved on your device that allows us to identify visitors of our websites and facilitate the use of our Services and to create aggregate information of our visitors. This helps us to improve our Services and better serve our Customers. The cookies will not harm your device or files. We use cookies to tailor our Services and the information we provide in accordance with the individual interests of our Customers.

Customers may choose to set their web browser to refuse cookies, or to alert when cookies are being sent.

Please note that some parts of our Services may not function properly if use of cookies is refused.

8. DATA TRANSFERS TO COUNTRIES OUTSIDE EEA

OptimoRoute™ stores the Customers' personal data primarily within the United States of America.

We have service providers in several geographical locations. As such, we or our service providers may transfer personal data to, or access it in, jurisdictions outside the European Economic Area or the Customer's domicile.

We will take steps to ensure that the Customers' personal data receives an adequate level of protection in the jurisdictions in which it is processed. We provide adequate protection for the transfers of personal data to countries outside of the European Economic Area through a series of agreements with our service providers based on the Standard Contractual Clauses or other similar arrangements.

More information regarding the transfers of personal data may be obtained by contacting us.

9. PERSONAL DATA RECIPIENTS

We do not share personal data with third parties outside of OptimoRoute™'s organization unless one of the following circumstances applies:

It is necessary for the purposes set out in this Privacy Policy

To the extent that third parties need access to personal data to perform the Services, OptimoRoute™ has taken appropriate contractual and organizational measures to ensure that personal data are processed exclusively for the purposes specified in this Privacy Policy and in accordance with all applicable laws and regulations.

For legal reasons

We may share personal data with third parties outside OptimoRoute™'s organization if we have a good-faith belief that access to and use of the personal data is reasonably necessary to: (i) meet any applicable law, regulation, and/or court order; (ii) detect, prevent, or otherwise address fraud, security or technical issues; and/or (iii) protect the interests, properties or safety of OptimoRoute™, our Customers or the public in accordance with the law. When possible, we will inform Customers about such transfer and processing.

To authorized service providers

We may share personal data to authorized service providers who perform services for us (including data storage, sales, marketing and Customer support services). Our agreements with our service providers include commitments that the service providers agree to limit their use of personal data and to comply with privacy and security standards at least as stringent as the terms of this Privacy Policy. Please bear in mind that if you provide personal data directly to a third party, such as through a link on our website, the processing is typically based on their policies and standards.

For other legitimate reasons

If OptimoRoute™ is involved in a merger, acquisition or asset sale, we may transfer personal data to the third party involved. However, we will continue to ensure the confidentiality of all personal data. We will give notice to all Customers concerned when the personal data are transferred or become subject to a different privacy policy as soon as reasonably possible.

With explicit consent

We may share personal data with third parties outside OptimoRoute™'s organization for other reasons than the ones mentioned above, when we have the Customer's explicit consent to do so. The Customer has the right to withdraw this consent at all times.

10. DATA RETENTION

OptimoRoute™ does not store personal data longer than is legally permitted and necessary for the purposes of providing the Services or the relevant parts thereof. The storage period depends on the nature of the information and the purposes of processing. The maximum period may therefore vary per use.

Customer Data relating to your use of the Services are typically deleted within reasonable time after you no longer use the Services. We will store Customer's personal data for as long as the Customer is a registered user of our Services and, thereafter, for no longer than is required by law or reasonably necessary for our legitimate interests for example for claims handling, internal reporting, marketing and reconciliation purposes.

11. CUSTOMERS' RIGHTS

Right to access

You have the right to access your personal data processed by us. Customers may contact us and we will inform them of what personal data we have collected and processed regarding the said Customer.

Right to withdraw consent

In case the processing is based on a consent granted by Customer, Customer may withdraw the consent at any time. Withdrawing a consent may lead to fewer possibilities to use our Services. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal.

Right to rectify

Customers have the right to have incorrect or incomplete personal data we have stored about the Customer corrected or completed. You can correct or update some of your personal data through your user account in the Services.

Right to erasure

Customers may also ask us to erase the Customer's personal data from our systems. We will comply with such request unless we have a legitimate grounds to not delete the data.

Right to object

Customers may object to the processing of personal data if such data are processed for other purposes than purposes necessary for the performance of our Services to the Customer or for

compliance with a legal obligation. In case we do not have legitimate grounds to continue processing such personal data, we shall no longer process the personal data after your objection.

Right to restriction of processing

Customers may request us to restrict processing of personal data for example when your data erasure, rectification or objection requests are pending and/or when we do not have legitimate grounds to process your data. This may however lead to fewer possibilities to use our Services.

Right to data portability

Customers have the right to receive their personal data from us in a structured and commonly used format and to independently transmit those data to a third party.

How to use the rights

The above-mentioned rights may be used by sending a letter or an e-mail to us on the addresses set out above, including the following information: the full name, company name, address, e-mail address and a phone number. We may request the provision of additional information necessary to confirm the identity of the Customer. We may reject requests that are unreasonably repetitive, excessive or manifestly unfounded.

12. DIRECT MARKETING

Notwithstanding any consent granted beforehand for the purposes of direct marketing, Customer has the right to prohibit us from using their personal data for direct marketing purposes by contacting us or by using the unsubscribe option offered in connection with our newsletter.

13. INFORMATION SECURITY

We use administrative, organizational, technical, and physical safeguards to protect the personal data we collect and process. Measures may include, where appropriate, encryption, firewalls, virtual private networks (VPN), secure facilities and access right systems. Our security controls are designed to maintain an appropriate level of data confidentiality, integrity, availability, resilience and ability restore the data. We regularly test our Services, systems, and other assets for security vulnerabilities.

Should despite of the security measures, a security breach occur that is likely to have negative effects to the privacy of Customers, we will inform the relevant Customers and other affected parties, as well as relevant authorities when required by applicable data protection laws, about the breach as soon as possible.

14. LODGING A COMPLAINT

In case Customer considers our processing of personal data to be inconsistent with the applicable data protection laws, a complaint may be lodged with the local supervisory authority for data protection.