

Privacy Policy

Dataray LLC.

This Privacy Policy was last updated in January 2020.

Your privacy is our concern, and we are serious about it. This Privacy Policy explains what type of information Dataray may collect, hold and process in connection with provision of any Dataray's products, services, content, applications, or websites (referred to collectively as the "Services"), and how that information is used and protected. It also sets out how you can contact us if you have any queries or concerns regarding your personal data.

We reserve the right to make changes to this Privacy Policy at any time. Please check the Privacy Policy periodically for changes, although, if you are our customer, we may also notify you via email of any changes that, in our sole discretion, materially impact your use of the Services or the way we process your personal data. Your continued use of our Services covered by this Privacy Policy will signify your acceptance of any and all changes to this Privacy Policy made by us from time to time.

This Privacy Policy is issued by Dataray LLC, registered at Russian Federation, 2019 ("Dataray" or "we").

1. About Dataray

Dataray is a provider of Software as a Service (SaaS) AI-Powered solution for social media marketing. For more information about Service, please see our site at <https://i-xray.com/>

2. Data we collect or receive

We collect personal data from our customers and users of the Services (which includes employees of our corporate or institutional customers) for our own purposes, such as to provide and administer the Services. We are the data controller in respect of this personal data.

In order to provide our Services, we analyse user profiles and other information that we receive directly from the social media platforms such as Facebook, Twitter, LinkedIn and other, via these platforms' APIs. Such data include both non-personal data such as various statistics and metrics and personal data of the platforms' users. Where we source the data directly from the relevant platforms, via these platforms' public APIs, we determine the purpose of processing, which is developing and

constantly enhancing our Services and offering them to our customers on a world-wide basis, via our web platform. In such cases, we are the data controller with respect to such data.

We also process personal data on behalf of our customers as a data processor; this is when the provision of certain Service or specific feature requires that our customers give us a permission (such as, for example, an access token or other administrative permission), within the Service, to access and manage any information that our customers monitor or collect from social media sites; this may include information that is not publicly available. When we access customer's data with respect to which the customers are the data controllers, we act in accordance with the instructions of our customers (which they give us through the Services) as their data processor. This will be, for example, when we access Facebook Insights or facilitate and organize the communication (e.g. Facebook messages) between the customer and its end users within our customer care feature of the Community Service.

2.1 Data of customers and users of our Services

We collect your personal data when:

- You register or use registration for our Services, by completing a web registration form;
- You log to our Service, either by entering your username (email) and password, or using a social login such as Connect with Facebook or Sign In with Twitter, or by any other similar authentication means that we may make available to you;
- You use our Services or otherwise interact with Dataray, for example when you publish any images, content or other files or data via our Services;
- You otherwise voluntarily provide such data, e.g. by filling out and submitting any forms made available to you through Dataray's website or the Services or through websites or services of our business partners.

When you create an account with Dataray, we will ask you to complete a registration form indicating your first name, surname, email. You can also choose to add a phone number to your account.

You can log in to the Services with your user name. In such case, you provide to us your user name (email) and password. The password is hashed and Dataray does not see it.

If you log in to our Services using your social network account, we receive basic personal details from your social network profile. The scope of details we receive depends on your social network account privacy settings and on your settings when logging into our Services; they might include your social network ID, public profile information (such as name, profile picture, gender, age range, or country) and e-mail address. We may also receive additional information from your profile if you give us permission to access it. If you wish to change the scope of your social network profile information that we receive upon your registration, you should review the privacy policy or other guidance available on your social network's website and change your privacy settings.

For purposes of analysis and improvement of our Services, our servers may automatically record information when you visit our website or use some of our Services, including:

- URL;
- IP address;
- Browser type and language; and
- Date and time of your request or action, including your actions within the Services such as history of how you use our Services.

If our Services are purchased by an entity, it is the individual users within such entity's organization who log into our Services platform and whose personal data are collected, as described above. Where such entity provides us directly with any personal data of its employees or other individual users that it authorized to access the Services, it must have all necessary consents, permissions or registrations to process and to provide to us its employees' or users' personal data.

2.2 Social network user data

The type and scope of personal data obtained from social media platforms depends on the type of the APIs and permissions set out by the respective platforms, and on the administrative permissions granted to us by our customers, where applicable

Below are the most typical examples of data collected about social media platform users:

- Basic user profile information (such as the user name, user photo);
- User generated content (such as posts, comments, pages, profiles, images or feeds) including its metadata (such as time and location of a post or comment);
- Contact details (such as name, email address, telephone number) if made public by the user;
- Additional individual information (such as age, gender, employer, profession, geographic location, education information, financial status, habits and preferences) published by the user.

We only process data that the social network users made available to general public, pursuant to the relevant platforms' terms, and that are generally accessible via the social network APIs, or data that our customers grant us permission to access.

3. How we use the data

We use your personal data for the following purposes:

3.1 To provide the Services

We may process your personal data in the scope specified in Section 2.1 of this Privacy Policy to identify you when you login to your account and use our Services, to enable us to operate the Services and provide them to you. This may include verification of your payments, purchase orders and billing information. It may also include verification to determine free trial eligibility.

Analysis of data from social networks, which may include personal data in the scope specified in Section 2.2 of this Privacy Policy, is the core of our Services. We analyse this data to provide our Services to our customers in the scope and manner set out by the social platform terms for developers.

3.2 To communicate with you

We may process data of our customers or their individual users in the scope specified in Section 2.1 of this Privacy Policy, in particular email or other contact data, to communicate with our customers and users, for example, when we assist them with setting up or administering their account, when we provide customer care and support, send technical notices, updates of upcoming changes or improvements to the Services, reminders, security alerts and other support and administrative messages.

3.3 To provide a better user experience

We may process your personal data in the scope specified in Section 2.1 to learn how you use our Services to be able to continuously enhance user experience as well as provide our customers seamless customer support. We may process such personal data also to improve and enhance our existing Services and develop new offerings. This includes product and market statistics, research and analytics, benchmarks and other analyses to better understand your needs and the needs of users in the aggregate, diagnose problems and analyse trends. See Section 7 below for more details.

3.4 To protect our Services and secure our or third party rights

We process your personal data in the scope specified in Section 2.1 to keep the Service safe, secure and reliable. This includes detecting, preventing, and responding to fraud, abuse, security risks, and technical issues that could harm Dataray, our customers and users.

We may process some of data specified in Section 2.1 when required by law or to establish, exercise or defend our legal claims or, where necessary, protect rights of Dataray. For example, we may store data about how you use our Services, including payments for Services, to prove or otherwise support our rights.

3.5 For marketing and sales purposes

We may process your contact personal data, in particular email and name to offer you our new Services. For more details please see Section 8 below.

4. Lawful basis

For the purposes specified in Sections 3.1 and 3.2, we process your personal data based on our contract with you (if you are our direct customer and an individual) or based on our legitimate interest to provide our Services to our customers (where our customer is your company or organisation and you are an authorized user designated by your company or organization, or if you are social network user whose data are analysed as described in Section 2.2 above).

For the purposes specified in Section 3.3, we process your personal data based on our legitimate interest to develop and improve our Services.

For the purposes specified in Section 3.4, we process your personal data based on our legitimate interest to protect and secure our rights or claims or the rights of our customers or users.

For the purpose specified in Section 3.5, we process your personal data based on your voluntary consent where you have given us such consent. In a limited scope permissible under applicable law, we may also use your electronic contact details to inform you about our Services without your explicit consent, based on our legitimate interest, as described in more detail in Section 8 below.

Where we use your personal data for our legitimate interests, we make sure that we take into account any potential impact that such use may have on you. Our legitimate interests don't automatically override yours and we won't use your information if we believe your interests should override ours unless we have other grounds to do so (such as performance of contract, your consent or a legal obligation). If you have any concerns about our processing, please refer to details of "Your rights" in Section 11 below.

5. Retention periods

We retain your personal data for the period necessary to fulfil the purposes outlined in this Privacy Policy and/or any Services agreement, unless a longer retention is required by law (e.g. for tax or accounting purposes or due to other legal requirements) or storing of the data is needed for the establishment, exercise or defence of Dataray legal claims; in such case, we will store only the data necessary for the enforcement of our claims or our defence for the period necessary in the given case and not exceeding the statutory limitation periods.

6. Sharing your personal data for legal and business purposes

We may use and/or disclose to third parties (including government bodies and law enforcement authorities, our affiliates, professional advisors and our vendors or subcontractors) information about you when:

- Complying with legal process;
- Enforcing or defending the legal rights of Dataray, and in connection with a corporate restructuring such as a merger, business acquisition or insolvency situations
- Preventing fraud or imminent harm; and
- Ensuring the security and operability of our network and services.

This information will be shared provided that, in all such circumstances, we will only share the limited personal information that is required to be shared in the unique situation.

We share your data with our trusted business partners or individual who process your data as our data processors on our behalf and pursuant to our instructions, in accordance with this Privacy Policy. We select our vendors very carefully and always ensure that they provide adequate data protection and security safeguards.

7. Anonymous statistics

We may use aggregated anonymised data derived from the personal data provided by you or collected by the program analytics such as user behaviour and activities for our own statistics, for auditing, for the purposes of product and market research, for analytics (which helps us to optimise and improve our Services and their usability, the range of Services and to develop new technologies, products, and services), and for benchmarks and other analyses. Additionally, we may choose to publish such anonymised data and to share it with third parties outside of Dataray. We will not directly or indirectly transfer any data received from you to (or use such data in connection with) any ad network, ad exchange, data broker, or other advertising or monetization related toolset.

8. Marketing communications

We may contact you about our news, events, Services and their features or special offers that we believe may interest you, provided that we have the requisite permission to do so, either on the basis of your consent (where we have requested it and you have provided it to us), or our legitimate interests to provide you with marketing communications where we may lawfully do so, within the limits provided by law. In the latter case, we will only send you marketing communication if you are using or

have recently used any of our Services and have not objected to receiving such information (by any means mentioned below).

Your marketing communication preferences may be changed at any time by following the instructions below:

- If you would like to unsubscribe from an email sent to you, follow the 'unsubscribe' link and/or instructions placed at the bottom of the email.
- Alternatively, you can contact us using the details in the "Contact Us" section below to change your marketing communication preferences, including the withdrawal of your consent.

If you have received unwanted, unsolicited emails sent via our system or purporting to be sent via our system, please forward a copy of that email with your comments to support@i-xray.com for review.

We may share your contact details with our vendors or business partners who provide the relevant services or functions on our behalf, including event organization, marketing, distribution of surveys customer service, or public relations. These third-party vendors have access to and may collect information only as needed to perform their functions on our behalf and are not permitted to share or use the information for any other purpose.

Please note that we may occasionally send you important information (including via email) about our Services that you are using or have used including changes to applicable terms and conditions and/or other communications or notifications as may be required to fulfil our legal and contractual obligations, as described in Section 3.2 above. These important Service communications are not affected by your marketing communication preferences.

9. Security of your data

We have implemented and will maintain appropriate technical and organizational measures, internal controls, and information security routines in accordance with good industry practice while keeping in mind the state of technological development in order to protect your data against accidental loss, destruction, alteration, unauthorized disclosure or access or unlawful destruction. Such measures may include, without limitation, taking reasonable steps to ensure the reliability of employees having access to your data and providing for limited access rights and access controls; authentication; personnel training; regular back up; data recovery and incident management procedures; restrictions on storing, printing and disposal of personal data; software protection of devices on which personal data are stored; etc.

10. Cookies

We use cookies so that the users can login into the system and fully navigate within the system; turning off cookies would result in the user being unable to login to the system.

Additionally, we use cookies and other technologies (such as site measuring software and user experience software) to enhance your online experience and learn about how you use our services in order to improve the quality of the Services. We may combine data gained through cookies with other data you provide to us.

11. Your rights

If you exercise any of your rights pursuant to this Section or pursuant to applicable laws, we will communicate any rectification or erasure of your personal data or restriction of processing carried out in accordance with your request to each recipient to whom the personal data have been disclosed pursuant to Section 6 of this Privacy Policy, unless such communication proves impossible or involves disproportionate effort.

If you wish to exercise these rights and/or obtain all relevant information, please contact us at support@i-xray.com. You will be asked to identify yourself; this is necessary to verify that the request has been sent by you. We will respond within 1 month after receipt of your request, but we retain the right to extend this period up to 2 months in exceptional circumstances. We will in any event inform you within 1 month after receipt of your request if we decide to extend the period for our response.

In accordance with applicable laws and as further described below, you have the right to request access to, rectification, erasure or portability (e.g. transfer of your personal data to another service provider) of your personal data we process, as well as to object to the processing of your personal data and/or request restriction of such processing.

Please note that your objection to processing could mean that we are unable to provide you with our Services or otherwise perform the actions necessary to achieve the purposes set out above (see Section 3 'How we use the data').

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us by contacting us via the contact details in Section 12 'Contact Us'.

11.1 Rectification of your personal data

According to applicable laws, you have the right to rectify your personal data you have shared with us. Through your settings of the Services, you can update your account information, change your profile settings.

If you wish to limit or change access to or the sharing of your personal data with a social network, please do this via your account settings on that social network.

11.2 Accuracy of your personal data

We take reasonable measures to ensure that you are able to keep your personal data accurate and updated. You can always approach us in order to obtain confirmation whether or not we still process your personal data.

If you find out that your personal data processed by us is inaccurate or incomplete and you are unable to update your personal data according to Section 11.1 of this Privacy Policy, you may request us to update such personal data. We will verify your identity and update your personal data on your behalf.

11.3 Erasure of your personal data

You can ask us to erase your personal data at any time. If you approach us with such a request, we will delete all your personal data we have without undue delay, provided that your personal data is no longer necessary for the provision of the Services or other permitted purposes, in particular in connection with exercising and defending our legal rights, or meeting our legal obligations. We will also delete (and ensure deletion by the processors that we engage) all your personal data in case you withdraw your consent or in the circumstances that the law requires us to do so.

11.4 Restriction of processing

If you request us to restrict the processing of your personal data, e.g. in circumstances when you contest the accuracy, lawfulness or our need to process your personal data, we will limit processing of your personal data to the necessary minimum (storage) and, if applicable, will process them only for the establishment, exercise or defence of legal claims or, where necessary, for protection of rights of another natural or legal person, or other limited reasons dictated by the applicable law. In case the restriction is lifted and we continue processing your personal data, you will be informed accordingly without undue delay.

11.5 Portability of your personal data

You have the right to receive personal data relating to you and which you have provided to us. If you approach us with such request, we will provide your personal data in commonly used and machine-readable format to you without undue delay from receipt of your request. If you request so, we will send your personal data to a third party (another data controller) which you will identify in your request, unless such request would adversely affect rights or freedoms of others and where technically feasible.

11.6 Objection to processing

You have the right to object to our using your personal data on the basis of our legitimate interests (refer to Section 4 above to see when we are relying on our legitimate interests) (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. In such case, we will no longer process your personal data unless we demonstrate compelling legitimate grounds for their further processing which override your interests, rights and freedoms, or for the establishment, exercise or defence of our legal claims. If you object to processing of your data for direct marketing purposes, we will cease to process your data for these purposes.

11.7 Withdraw your consent

If you have provided us any consent with the processing of personal data, for example for marketing communication, you can withdraw your given consent at any time without stating any reason. We will block your personal data for any further processing. Please note that the withdrawal of your consent does not affect the lawfulness of any processing based on consent before its withdrawal.

12. Contact Us

If you have any queries regarding our data collection and protection practices or your rights, please do not hesitate to contact us at support@i-xray.com