

Privacy Policy

Last Revised: December 18, 2018

S.C. HFM S.R.L ("HFM") respects and values your privacy. That's why HFM has established this Privacy Policy (referred to as the "Privacy Policy" herein) - so that HFM can disclose what information HFM collects about you and how HFM use, store and disclose such information. HFM want to help you make an informed decision about whether or not to share your information with HFM.

HFM reserves the right to revise, modify, add or remove provisions to this Privacy Policy at any time. In the event that HFM do so, HFM will notify you in accordance with the notice provisions of HFM' Terms of Service. Take note of the 'Last Updated' date listed at the foot of this Privacy Policy. If HFM make changes to this Privacy Policy, HFM will update that date to notify you of the date of such changes. By continuing to use <https://www.hfm.srl> ("the Website") after receiving notice of the updated Privacy Policy, you acknowledge that you have read and understand the revised Privacy Policy.

Capitalised terms in this Privacy Policy have the meaning given to such terms in HFM' Terms of Service.

1. How does HFM collect information from you?

HFM collects information from you when you send it to HFM directly by filling out forms on HFM' Website (including any application you may make for Services or the Software), corresponding with HFM by e-mail, writing to HFM by post, or speaking to HFM by telephone. HFM also collect information from you when you browse the Website and use the Software, as set out in detail below. Some of the methods HFM use to collect data are automated and will take effect automatically as you navigate the Website and/or use the Software.

2. What information does HFM collect?

1. Personal Information.

Personal information means any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person ("Personal Information").

HFM may collect the following Personal Information from you: name, address, telephone number, postal address, e-mail address, IP address, information about the type of browser you use, your operating system, the screen resolution of your browser, your ISP, which pages you view on the Website and the time and duration of your visits to the Website, credit card number (in the case of direct customers) and, if applicable, company name, postal address, telephone number, e-mail address, credit card number or tax ID number as well as similar information concerning technical contacts, marketing contacts, and executive contacts within your company or organisation.

2. User Communications.

If you communicate with HFM, HFM may collect information relating to that communication whether it takes the form of e-mail, letter, forum posting, testimonials or any other form of communication between you and HFM or submitted by you to the Website (collectively, "User Communications").

3. Server Information.

If you use one of HFM' software products such as HFM' proprietary Web Hosting, Billing and Automation Solution, HFM may collect certain information concerning such software and concerning the server upon which the software operates. This information includes without limitation: (a) the licensed or unlicensed status of the software; (b) the source from which the license for the software was obtained (i.e., HFM or a HFM affiliate); or (c) information about the server upon which the software is installed including (i) the public IP address, (ii) the operating system and (iii) the use of any virtualization technologies on such server ((a) through (c) collectively, "Server Information"). Additionally, "Server Information" may also include information collected by HFM from time to time concerning which features of the software are most often used in order to improve and make adjustments to the software; and information collected from you by HFM in the event that you request technical support services including without limitation, IP addresses, usernames and passwords necessary to login to SSH, the root directory of the server upon which you installed the HFM software and any affected accounts including email accounts, MySQL accounts and other accounts.

4. Non-Personal Information.

HFM also collect data in a form that does not, on its own, permit direct association with any specific individual. HFM may collect, use, transfer, and disclose non-personal information for any purpose.

3. What information does HFM collect if you're under the age of 13?

HFM does not knowingly collect Personal Information about children under the age of 13. If HFM becomes aware that it has inadvertently collected Personal Information about children under the age of 13, it will take steps to delete the information as soon as possible, except where HFM is required by applicable law to keep it.

Where HFM knows a child is above the age of 13, but considered a minor under applicable law, HFM will obtain parental/guardian consent prior to using that child's Personal Information.

4. How does HFM use and store the information it collects?

As a general matter, HFM may use the Personal Information you disclose to HFM to improve and provide the Website, the Services and HFM' other products and services, and for the specific purpose that you gave HFM your Personal Information. More specific details on how HFM use your information follows below.

HFM may use Personal Information to create and authenticate your account, to process transactions you request such as software license purchases in order to perform any contract you have entered into with HFM, to provide you with customer and technical support and to communicate with you about your account and HFM' products and services.

The Personal Information you provide to HFM allows HFM to provide you with the newsletters and mailing lists that you have signed up for with HFM. If you do not want to be on HFM' mailing list, you can opt out at any time by changing your settings in your 'My Details' page within the client area.

HFM may also use Personal Information to offer, market or advertise to you HFM products and services. While such HFM products and services may reference, incorporate or include third-party products and services, HFM will not use your Personal Information to independently offer, market or advertise third-party products and services unless HFM first obtain your consent to do so.

From time to time, HFM may use your Personal Information to send important notices, such as important product updates and communications about purchases as well as changes to HFM' terms, conditions, and policies. Because this information is important for your interaction with HFM you may not opt out of receiving these communications.

HFM may also use your Personal Information for any other legal purpose stated in this Privacy Policy, and any other purpose for which you have given HFM express consent.

Where you consent to HFM doing so, HFM may use your Personal Information to send you direct marketing communications. Should you ever choose to 'opt out' of receiving such communications HFM may retain your Personal Information on file to ensure that HFM do not continue to target you with communications of the type that you have asked HFM to cease sending to you.

HFM limits the use of Personal Information to the purposes identified in this Privacy Policy and for which you have provided explicit consent. In accordance with established policies and procedures, HFM retains Personal Information only for as long as necessary to fulfil the stated purposes, unless it is required by law for a different period or HFM has the consent of the individual.

In accordance with established policies and procedures, HFM will periodically destroy or erase any Personal Information that is no longer needed.

HFM may use User Communications in the same way as HFM uses Personal Information. If you communicate with HFM for a particular purpose, HFM may use your User Communications for that purpose. For example, if you contact HFM for technical support, HFM may use your communications to provide technical support to you.

HFM may use Server Information to provide you with technical support services and to maintain, evaluate, improve and provide HFM products and services. HFM may also use such information to investigate unlicensed (and therefore unauthorised) uses of HFM' software.

5. Where is your Personal Information stored?

HFM IS A EUROPEAN COMPANY AND YOUR PERSONAL INFORMATION WILL NECESSARILY BE HELD IN THE EUROPEAN ECONOMIC AREA ("EEA"). YOUR PERSONAL DATA MAY BE TRANSFERRED TO AND STORED AT ANY OUR EUROPEAN OFFICE AND ASSOCIATED DATACENTERS AND BY ACCEPTING OUR TERMS OF SERVICE AND/OR A SOFTWARE EULA, YOU ARE EXPLICITLY CONSENTING TO THIS TRANSFER AND STORAGE TAKING PLACE. WE WILL TAKE ALL STEPS REASONABLY NECESSARY TO ENSURE THAT YOUR PERSONAL INFORMATION IS TREATED SECURELY AND IN ACCORDANCE WITH THIS PRIVACY POLICY.

6. How does HFM disclose the Personal Information it collects?

Except as disclosed in this Privacy Policy, HFM does not share your Personal Information with unaffiliated third parties other than as set out in this Privacy Policy. HFM will never disclose your Personal Information to an unaffiliated third party for the purposes of e-mail or other marketing unless HFM first obtain your consent to do so.

HFM cannot be responsible for protecting your Personal Information if you share such information in publicly available sections of the Website such as the user forums or testimonials section. You should use your own judgment in disclosing this information on the Website.

In the event that HFM is purchased by another company, merges with another company or has a substantial portion of its assets purchased by another company, HFM may share your Personal Information with that company. In such an event, HFM will notify you in accordance with the notice provisions of the Terms of Use.

HFM may share your Personal Information with third parties as permitted or required by applicable law, by a court order or by another judicial or governmental request. HFM may also disclose your Personal Information if HFM determine that such disclosure is necessary to protect HFM's rights and remedies or is necessary for national security, law enforcement, or other issues of public importance. Such disclosures could take place in the context of an investigation or to prevent or take action against illegal activity, suspected fraud, situations involving potential threats to the physical

safety of any person, violations of HFM's Terms of Service, applicable EULAs or other HFM agreements, or as otherwise required by applicable law. Where this is the case HFM will endeavour to give you notice of such disclosures, to the extent that HFM are lawfully permitted to do so.

HFM may disclose your Personal Information to affiliated third parties that assist HFM in providing maintaining, evaluating, improving and providing the Website, the Services and any other HFM products and services. HFM may disclose your Personal Information to affiliated third parties for the purposes of offering, marketing or advertising HFM products and services to you (such HFM products and services may reference, incorporate or include third-party products and services). In such an event, HFM will take reasonable measures to prevent such affiliated third parties from using your Personal Information for other purposes.

7. Does HFM use cookies and web beacons?

Cookies

Yes, HFM uses cookies to distinguish you from other users of the Website and to improve your overall experience. When you use the Website, certain information may be stored locally on your device using 'cookies' or similar technologies such as objects stored in the device's local storage. A cookie is a small text file used to store limited information about the user of the device. They help HFM to identify how HFM' users use the Website, and so that HFM can continue to develop and improve it.

Cookies do this by storing information about your preferences on your device, including the device model, manufacturer, screen resolution, device capabilities, service provider, country and city location data. HFM uses the following types of cookies:

1. **Strictly necessary:** These cookies enable HFM' Website to function correctly and deliver the services and products you have requested.
2. **Performance & Functionality:** These cookies are used to enhance the performance and functionality of HFM' Website but are non-essential to their use (for example, HFM uses cookies to remember your preferences on the Website). However, without these cookies, certain functionality may become unavailable.
3. **Analytical:** These cookies collect information that is used either in aggregate form to help HFM understand how the Website is being used or to help HFM customise the Website for you. In particular HFM use the Google analytics cookies. For more information about Google's privacy policy, please visit <http://www.google.com/intl/en/policies/>. If you do not wish to allow the use of Google Analytics cookies at all, Google provides an opt-out plug-in for most common website browsers <http://tools.google.com/dlpage/gaoptout>.

By using the Service, you accept the use of cookies in accordance with this Privacy Policy.

Your cookie choices

You have the right to choose whether to accept or refuse cookies and similar technologies. You can exercise this choice by not accepting the Terms of Service and this Privacy Policy, however, please note that if you choose to do so, you will not be able to use the Service.

For more information about what cookies are and your rights to control cookies, please visit the third party educational resource <http://www.allaboutcookies.org>.

Web beacons

HFM does not use web beacons.

8. How does HFM protect Personal Information and other information about you?

HFM takes reasonable steps to protect any Personal Information HFM collects about you. Additionally, HFM may supply you with tools to evaluate the strength of the password you select for the Website. No security measures are foolproof, and HFM cannot guarantee the security of your information other than to take reasonable steps to protect it. In the event that HFM becomes aware of a security breach, unauthorised disclosure or inadvertent disclosure concerning your information, you agree that HFM may notify you of such an event using the notice provisions of the Terms of Use.

You are responsible for maintaining your account's security (as more specifically explained in the Terms of Service).

9. **Information and access to your Personal Information**

Based on what you have told HFM, HFM try to ensure that your contact information and preferences are accurate, complete, and up to date. You have the right to request access to and rectification or erasure of Personal Information or restriction of processing concerning your Personal Information or to object to processing as well as the right to data portability. HFM will comply with erasure requests as long as HFM is not required to retain the Personal Information by law and does not need to retain it for its legitimate business purposes. HFM may decline to process requests that are frivolous/vexatious, jeopardise the privacy of others, are extremely impractical, or for which access is not otherwise required by local law. Access, correction, or deletion requests can be made by emailing office@hfm.srl. **Your Rights**

As a Data Subject you have a number of rights in relation to your Personal Information. These include your rights:

- To ask HFM to confirm what (if any) Personal Information HFM hold relating to you and how that data is processed and used by HFM (often referred to as a 'Subject Access Request');
- To have HFM rectify Personal Information which HFM hold about you that is inaccurate;
- To have HFM erase Personal Information which relates to you if it is no longer necessary for HFM to continue to process it, or if HFM have no lawful basis to store, process or retain it (though HFM do have rights to refuse these requests in certain situations);
- To object to HFM processing your Personal Information;
- To be informed about the existence of any automated decision making and profiling of your Personal Information, and where appropriate, be provided with meaningful information about the logic involved, as well as the significance and the envisaged consequences of such processing that affects you;
- To have HFM provide you with a copy of your Personal Information for transfer to an alternative provider of similar services.

Should you ever wish to exercise one or more of these rights you should contact HFM at office@hfm.srl.

Third party websites

HFM' Website may, from time to time, contain links to and from the websites of HFM' partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that HFM do not accept any responsibility or liability for these policies. Please check these policies before you submit any Personal Information to these websites.

10. **What if you have questions, comments or complaints about this Privacy Policy?**

Please feel free to direct any questions, comments or complaints regarding

this Privacy Policy using the contact information listed in the Notices section of the HFM Terms of Use. It is HFM's policy to investigate and attempt to resolve all formal written complaints HFM receive concerning this Privacy Policy. HFM will cooperate with appropriate regulatory authorities, including local data protection authorities, to resolve any complaints regarding the transfer of personal data that cannot be resolved between HFM and an individual. With effect from 25 May 2018, the General Data Protection Regulation (GDPR) enters force. Your rights under that new regulation are explained at <https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/>. Details of how you can exercise those rights are set out in 'Your Rights'. HFM have largely factored GDPR into this Privacy Policy but if you think HFM has failed to do so in any way, please notify HFM at office@hfm.srl.