*Privacy Statement revised as of April 10, 2020*

1. Overview

Kaseya, its affiliates and group partner companies (“We”, “Us”, or “Our”) recognize the need for protection and management of your personal information. We have therefore adopted this Privacy Statement to assist you in understanding what information We collect and how that information is used and shared. This Privacy Statement applies to the information We collect when you access any Kaseya website, when you purchase or use a Kaseya product, or when you provide any non-public information to us. If you are an employee of Kaseya, you may review the employee-specific privacy policy which can be found in your employee onboarding packet.

Before you access any Kaseya website, such as at https://www.kaseya.com, purchase or use Kaseya products or services, or provide any non- public information to Us, you should review this Privacy Statement to understand Our information collection and use practices.

2. Information We Collect

We collect certain categories of information about you and the device that you are using, particularly when you visit our websites but also when you use or purchase our products or when you provide us information to deliver you newsletters and other communications. In particular:

**Contact Information:** Contact information is information or data that can be used to identify or contact a specific individual. For example, when you access Our websites, We ask you to provide certain contact information when you create an account, such as your name, address, phone number, e-mail address, user IDs and passwords, contact preferences, educational and employment background. If you do not wish to provide the information requested, you may not be able to proceed with the activity or receive the benefit for which the personal information is being requested.

**Payment Information:** If you purchase a product or service from Kaseya, you will need to provide us with payment information. This may include billing and other transaction information, credit card number, or other financial information that we can use to ensure proper payment for the services you are purchasing.

**Device Information:** As is true of most websites, We gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, Internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically collected log information with other information we collect about you.

**Tracking and Location Information:** We may collect and/or track certain information that is derived from the use of our products such as usage patterns, travel patterns, web site page views and traffic patterns. We may use this tracking and location information for statistical purposes to improve our products and services and to help users manage their environment and infrastructure more efficiently.

**Mobile Device Information:** When Our products are deployed to mobile devices via a Kaseya Application installed on the device, Our servers automatically record information that may include: the MAC (Media Access Controller) addresses from the network card in or used with your devices; web requests, Internet Protocol addresses, phone numbers, browser types, browser languages, the date and time of request; and other information regarding internet connection activities. In addition, the information collected and tracked depends upon the system configurations chosen by the administrator and the options enabled by the users and may include device location, device identifier and device user name; status of the mobile device SIM card; MAC addresses and device serial numbers; phone number, signal strength, cell tower, carrier, IMEI#, and other WWAN attributes; first and last name and email address of device user; device check-out/check-in; who uses which device as well as the physical status of the device at the start of a shift and then again at the end of a shift; applications loaded on the device (excluding content); real-time GPS location tracking and mapping, including analysis of location data and history; or mobile device remote control, including screen capture. The administrator can perform partial or complete erasure of data on user devices, including restoring the device to its factory default. The mechanisms that allow smartphones and mobile devices to be monitored run in the background of the devices. Individuals are notified that these functions may occur, but may not be aware when these functions are occurring in real time.

**Kaseya Blog:** If you use Our blog or any community forum on Our web site, you should be aware that any personally identifiable information you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages. We are not responsible for the personally identifiable information you choose to submit in these forums. Although We are not responsible for the personally identifiable information you choose to submit via these forums, We will use reasonable efforts to remove that information from our blogs or community forums, if you contact us at dpo@kaseya.com.

Information Related to Data Collected for our Clients:

* Kaseya collects information under the direction of its Clients, and has no direct relationship with the individuals whose personal data it processes. If you are a customer of one of our Clients and would no longer like to be contacted by one of our Clients that use our service, please contact the Client that you interact with directly.  We may transfer personal information to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our Clients.

Access and Retention of Data Controlled by our Clients:

* We acknowledge that you have the right to access your personal information. Kaseya has no direct relationship with the individuals whose personal data it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to the COMPANY’s Client (the data controller). If requested to remove data we will respond within a reasonable timeframe.

We will retain personal data we process on behalf of our Clients for as long as needed to provide services to our Client. Kaseya will retain this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements

3. Cookies and Similar Technologies

“Cookies” are small text files that are placed on your computer, smartphone or other device when you visit a website. Like many other website operators, Kaseya works with third party service providers and partners (including marketing partners, customer service providers, and others) to use cookies, beacons, and similar technology for a number of purposes. For example, These technologies are used in:

* Analyzing site usage trends;
* Administering the site;
* Tracking users’ movements around the site;
* Gathering demographic information about Our user base as a whole;
* Saving your shopping cart;
* Identifying users to remember users’ settings (e.g. language preference);
* For authentication and to help you sign up for Our services.

Users can control the use of cookies at the individual browser level. Each browser is different, so check the “Help” menu of your browser to learn how to change your cookie preferences. If you reject cookies, you may still use our site, but your ability to use some features or areas of our site may be limited.

Behavioral Targeting / Re-Targeting

We partner with a third party to either display advertising on our website or to manage our advertising on other sites. Our third party partner may use cookies or similar technologies in order to provide you advertising based upon your browsing activities and interests. If you wish to opt out of interest-based advertising click [here](http://preferences-mgr.truste.com/) (or if located in the European Union click [here](http://www.youronlinechoices.eu/)). Please note you will continue to receive generic ads.

4. How We Use the Information We Collect

We use the information We collect to provide and enhance Our products and services, to operate Our business (e.g. billing and other accounting purposes; establishing accounts and contacting you regarding important information about your account, including notices and updates), for editorial and feedback purposes, for marketing and promotional purposes (including providing your contact information to third parties with whom Kaseya has a relationship), for statistical analysis, for product development, to contact you regarding our products and services, to monitor and maintain our network, and to address issues that may arise concerning claims of abuse or inappropriate activity. For example, We may use the information We collect for the following purposes:

* Displaying personalized content and advertising;
* Information security and IT management;
* Informing you of other products or services offered by Us;
* Sending you relevant survey invitations;
* Providing you with additional materials regarding Our products and services or to connect you with a Kaseya representative;
* Responding directly to your questions, comments or requests for support;
* Analyzing site usage to improve and customize Our web sites and products and service offerings;
* Improving Our marketing and promotional efforts; and
* Enforcing Our agreements with you.

Some of the information We collect allows Us to differentiate users on Our network, and in some cases, We act as a pass-through for certain pieces of information to obtain authentication for Internet access. We may compile and otherwise use for any purpose any usage data or other data as set forth in the Kaseya End User License Agreement (“EULA”) including information that we may receive by providing support or professional services under that agreement. If you have purchased products or services from Kaseya, please refer to the EULA to which you are party for further information regarding how we collect and process usage data.

If our use of your data is governed by the European Union’s General Data Protection Regulation (“GDPR”), the California Consumer Privacy Act (“CCPA”) or under other similar privacy regulations, you should know that we rely on the following legal grounds to process your personal information:

* **Performance of a contract** – To the extent you have purchased a product or service from Kaseya, we may need to collect and use your personal information to perform the services which you have purchased. For example, we may use your personal information to respond to requests you make via our website and provide you with such services.
* **Compliance with law** – In certain circumstances we may be required to process your data to comply with legal obligations to which Kaseya is subject.
* **Consent** – Some of the personal information We collect is provided by you voluntarily, for example when you sign up to join a mailing list or register for an event, and is therefore collected and used with your permission. To withdraw your consent to such use, you can contact us at dpo@kaseya.com.
* **Legitimate interests** – We may use your personal information for our legitimate interests, such as to improve our products and services and the content on Kaseya websites. We may also use your contact information to keep you and others who have provided us with their contact information up-to-date on recent product and service developments. It you wish us to stop using your contact information in this manner, you can contact us at dpo@kaseya.com.

5. How We Share Information We May Collect

We occasionally hire other companies to assist Us in providing products or services, handling the processing and delivery of mailings, providing customer support, hosting websites, customer billing, processing transactions, or performing statistical analysis of our services. Those companies will be permitted to obtain only the information they need to deliver the service. They are required to maintain the confidentiality of the information and are prohibited from using it for any other purpose.

We may disclose any information We collect from you if We believe such action is necessary to: (a) comply with any law, judicial proceeding, government request, court order, legal process, rule or regulation or any process served on Us; (b) protect and defend the rights or property of Kaseya (including the enforcement of Our agreements and investigation of potential violations thereof); (c) protect your safety or the safety of others; (d) detect, prevent, or otherwise address fraud, security or technical issues; or (e) act in urgent circumstances or emergencies. If We are acquired by or merged with a third party, you will be notified via email and/or a prominent notice on our website of any change in ownership, uses of your personal information, and choices you may have regarding your personal information. We reserve the right to transfer the personal information We have collected as part of that transaction or proposed transaction, provided that such third party agrees to maintain procedures no less protective than those found in our Privacy Statement.

6. Accessing And Changing Your Personal Information

Depending on the relevant jurisdiction, you may have certain rights granted to you by law with respect to the personal information Kaseya and others have collected about you. For example, if the GDPR or CCPA applies to the data We have collected about you, you have the right to access and correct data We have about you, to object to the processing of data, and to request that any information we have about you be erased.

You may request to exercise these rights by managing your account through the online portal or by emailing our data privacy team at dpo@kaseya.com. We will respond to your request within a reasonable timeframe, but no later than one month after you submit the request unless applicable law requires otherwise.

To protect your privacy and security, we may require steps to verify your identity, such as a password and user ID, before granting access to your data.

Upon request Kaseya will provide you with information about whether we hold any of your personal information. If your personal information changes, or if you no longer desire our service, you may correct, update, amend, delete/remove, ask to have it removed from a public forum, directory or testimonial on our site or deactivate it by making the change on our member information page or by emailing our Customer Support at dpo@kaseya.com or by contacting us by telephone or postal mail at the contact information listed below. We will respond to your request within a reasonable timeframe.

7. Third Party Sites and Services

Related offerings with links from Kaseya’s websites have their own privacy policies that can be viewed by clicking on the corresponding links within each respective website. All Kaseya partners are encouraged to participate in industry privacy initiatives and to take a responsible attitude towards consumer privacy.

However, since we do not have direct control over the policies or practices of participating third parties, we are not responsible for the privacy practices or content of those sites. We recommend and encourage that you always review the privacy policies of those third parties before you provide any personal information or complete any transaction with such parties.

Our web site also includes social media features, such as the Facebook “Like” button and widgets, such as the “Share this” button or interactive mini-programs that run on our site. These features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our web site, therefore your interactions with these features are governed by the privacy statement of those third parties.

8. Collection and Use of Children’s Personal Information

Kaseya does not knowingly collect or use personal information from children under the age of 13, or equivalent minimum age in the respective jurisdiction. If Kaseya learns that we have personal information on a child under the age of 13, or equivalent minimum age depending on jurisdiction, we will take steps to delete that information from our systems.

9. Cross-Border Data Transfers

Kaseya participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework.  Kaseya is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework’s applicable Principles.  To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce’s Privacy Shield List. [[https://www.privacyshield.gov](https://www.privacyshield.gov/)]

Kaseya is responsible for the processing of personal data it receives, under the Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf.  Kaseya complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions.

With respect to personal data received or transferred pursuant to the Privacy Shield Framework, Kaseya is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission In certain situations, Kaseya may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

Under certain conditions, more fully described on the Privacy Shield website [<https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>], you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

Kaseya commits to cooperate with EU Data Protection Authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC), and will comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.

10. Security

Kaseya takes information security seriously and uses reasonable measures to protect your information from unauthorized access. When you place orders on our websites, all of your order information, including your credit card number and delivery address, is transmitted through the Internet using Transport Layer Security (TLS) technology. TLS technology causes your browser to encrypt your order information before transmitting it to our secure server. We use a variety of security technologies depending on the situation to help protect your information from unauthorized access, use, or disclosure, such as physical access controls, TLS, Internet firewalls, and network monitoring. However, no security system is 100% secure, and therefore we cannot guarantee the security of your information or assume liability for improper access to it. If you use a password to help protect your information, it is your responsibility to keep your password confidential, change the password frequently and use a strong password. We strongly recommend that you do not share this password with anyone.

11. Data Retentions

We will retain your information for as long as your account is active or as needed to provide you services. If you wish to cancel your account or request that we no longer use your information to provide you services, contact us at dpo@kaseya.com. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

12. Communication Preferences

You can stop delivery of promotional e-mail or other Kaseya communications by contacting Kaseya at dpo@kaseya.com. Additionally, when you purchase products or services from Us, We may deliver non-promotional communications related to those products or services which may not be canceled unless you cease use of the product or service.

13. Changes to this Statement

We reserve the right to modify this Privacy Statement at any time, so please review it frequently. If We make material changes to this Statement, We will notify you here, by email, or by means of a notice on Our home page prior to the change becoming effective. Your continued use of Kaseya’s products, services or websites or communication with Kaseya constitutes your agreement to this Privacy Statement and any updates.

14. Contacting Us

If you have questions or concerns, you should first contact the Kaseya Privacy Administrator at: dpo@kaseya.com; 26 West 17th Street, 9th Floor, New York, New York 10011.

15. Privacy Shield Covered Entities

The Kaseya entities covered under the U.S. Department of Commerce’s Privacy Shield program and Kaseya’s U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/> request are:

ITG Software ULC

Kaseya commits to cooperate with EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.