

Privacy Policy

Overview

Here at Blue Banyan Solutions Inc, DBA Blu Banyan (“Blu Banyan”) we respect your personal information and your preferences of the collection of your personal and business information. The following Privacy policies are created for the different ways your personal information may be used, collected, and shared by Blu Banyan.

- Blu Banyan **General Privacy Policy** includes how we at Blu Banyan utilize your personal or business information that was provided to us through your interactions through Blu Banyan’s website, offline sales or through marketing activities, such as emails or business ads.

GENERAL PRIVACY POLICY

1. Introduction

This **General Blu Banyan Privacy Policy** (also referred to as the ‘**Privacy Policy**’) provides information on the collection, use, and sharing (collectively referred to ‘**processing**’ or ‘**process**’) as of personal information by Blu Banyan and its affiliates (“Blu Banyan”, “we” or “us”) in connection with your use of Blu Banyan websites, mobile applications, and social media pages that link to this Privacy Policy, your interactions with Blu Banyan during in-person meetings or at Blu Banyan events, and in the context of other offline sales and marketing activities. This Privacy Policy also explains the privacy rights you have in relation to these processing activities.

This Privacy Policy was last updated on September 14, 2020. However, the Privacy Policy can change over time, for example to comply with legal requirements or to meet changing business needs. The most up-to-date version can be found on this website. In case there is an important change that we want to highlight to you, we will also inform you in another appropriate way (for example via a statement of changes on our website).

As used in this Privacy Policy, ‘personal information’ or ‘personal data’ means information that relates to an identified individual or to an identifiable individual. For example, this could include among other things your name, address, email address, business contact details, or information gathered through your interactions with us via our websites or at events. Personal information is also referred to as ‘**information about you.**’ For more detail about the types of information about you that we may process, please refer to Section 4 below.

2. Scope

This Privacy Policy applies to the processing of personal information by Blu Banyan of:

- visitors and users of the various Blu Banyan sites, including our websites, computer or mobile software applications and our social media pages that link to this Privacy Policy.

- attendees of events.
- customers and prospective customers and their representatives.
- suppliers and business partners and their representatives.

3. Who is Responsible for your Personal Information?

Blu Banyan and its affiliated entities are responsible for processing your personal and company information described within this Privacy policy.

4. Which Categories and Specific pieces of personal information are used and Processed?

Blu Banyan can process information that is gathered online and offline.

- **Offline information** about you originates from our interactions with you during in-person meetings or at Blu Banyan events, conferences, workshops, or gatherings.
- **Online information** about you originates from your activities on our site, for example, (pre-) sales inquiries, or from your interactions with Blu Banyan via electronic communication tools such as email or telephone. Information about you may also be provided by third party sources, such as data aggregators who may not have a relationship with you.

Specific pieces of information about you that Blu Banyan may be collect and process includes:

- name and physical address, email addresses, and telephone numbers;
- demographic attributes, when tied to personal information that identifies you;
- photographs and testimonials;
- transactional data, including products and services ordered, financial details and payment methods;
- company data such as the name, size and location of the company you work for and your role within the company;
- data from surveys and publicly available information, such as social media posts;
- call recording and chat transcript data from Sales and customer support calls and live chat sessions;
- unique IDs such as your mobile device identifier or cookie ID on your browser;
- IP address and information that may be derived from IP address, such as geographic location;
- information about a device you use, such as browser, device type, operating system, the presence or use of “apps”, screen resolution, and the preferred language;
- behavioral data of the internet connected computer or device you use when interacting with the sites, such as advertisements clicked or viewed, sites and content areas, date and time of activities or the web search used to locate and navigate to a site; and
- CEO name linked to the CEO’s company information and activities (for certain Blu Banyan services relating to public company information and activity).

Please note that Blu Banyan does not control the content that you may post to Blu Banyan Communities forums or social networks; in some cases, such content may be publicly available on the Internet. You should carefully consider whether you wish to submit personal information to these forums or social networks and whether you wish to make your profile available to other users, and you should tailor any content you may submit accordingly.

5. Why and How do we use your personal information?

We may use personal information for the following business purposes:

- to communicate and respond to your requests and inquiries to Blu Banyan;
- to deliver functionality on our sites and for their technical and functional management;
- to engage in transactions with customers, suppliers and business partners and to process orders for Blu Banyan products and services;
- to analyze, develop, improve and optimize the use, function and performance of our sites and products and services;
- to manage the security of our sites, networks and systems; and
- to comply with applicable laws and regulations and to operate our business.

We may use personal information for the following commercial purposes:

- to market our products and services or related products and services, and to tailor our marketing and sales activities to your or your company's interests.

We may also use the names of company CEOs to provide select services to Blu Banyan customers which may include publicly-available information regarding names of company CEOs.

These purposes are described below in further detail.

To communicate and respond to your requests and inquiries to Blu Banyan

If you get in touch with us (such as by submitting contact forms on our sites, attending Blu Banyan events or other occasions, sending an email or by visiting social media platforms), we process information about you to communicate with you and to respond to your requests or other inquiries. We can also process personal information to interact with you on third party social networks.

To engage in transactions with customers, suppliers, and business partners and to process purchases of our products and services

If you place an order for our products and services, or if you provide services to Blu Banyan, our employees, customers or partners as a supplier or business partner, Blu Banyan processes information about you to engage in and administer the relevant transactions (such as by sending invoices and making payments), administer your order, and help you get started and adopt our products and services (e.g., by contacting you to activate your Cloud services credits). If you download products or services from our sites, Blu Banyan uses information about you to confirm certain information about your order (for example, that you did not experience problems in the download process).

To analyze, develop, improve, and optimize the use, function and performance of our sites and products and services

We may process personal information in order to analyze, develop, improve and optimize the use, function and performance of our sites and products and services, including for quality assurance and training purposes, as well as for marketing and sales campaigns. In case the sites permit you to participate in interactive discussions, create a profile, post comments, opportunities or other content, or communicate directly with another user or otherwise engage in networking activities, Blu Banyan may process personal information when moderating these activities.

To manage the security of our sites, networks, and systems

We may collect site use data for security and operations management to help keep our sites, networks and systems secure, or to investigate and prevent potential fraud, including ad fraud and cyber-attacks and to detect bots.

To comply with applicable laws and regulations and to operate our business

In some cases, we must process personal information to comply with applicable laws and regulations. For example, to respond to a request from a regulator or to defend a legal claim. We may also process personal information in the performance and operation of our business, such as to conduct internal audits and investigations or for finance and accounting and archiving and insurance purposes.

To market our products and services or related products and services and to tailor marketing and sales activities

Blu Banyan may use information about you to notify you about new product releases and service developments, events, alerts, updates, prices, terms, special offers and associated campaigns and promotions. Blu Banyan may also use personal information to advertise Blu Banyan's products and services or related products and services, and also to have our distributors, resellers or partners notify you about our products or services or their related products or services (such as via joint sales or product promotions). We do our best to tailor your website visit, marketing experience and our communications to your expressed interests.

If you attend an event, Blu Banyan may process information about you gathered in relation to the event and can share information about your attendance with your company.

We may also process your personal information to post testimonials on our sites, but will first obtain your consent to use your name and testimonial.

6. FOR WHAT PERIOD DO WE RETAIN PERSONAL INFORMATION

Blu Banyan maintains personal information for the following retention periods:

- Information about you we collect to engage in transactions with our customers, suppliers and business partners, and to process purchases of our products and services, will be retained for the duration of the transaction or services period, or longer as necessary for record retention and legal compliance purposes.

- Contact information such as your email address or phone number collected online on our sites or offline from our interactions with you at Blu Banyan events and conferences, and used for direct marketing and sales activities will be retained for as long as we have an active (customer) relationship with you. We treat you as an active contact if (i) you have interacted with Blu Banyan or updated your contact details and preferences in the past 18 months; and (ii) you have not made a deletion request.
- If you have reached out to us via our support line and you have not opted out of call recording, we will delete call recordings 60 days after the call has concluded unless otherwise specified during the call.
- Personal information needed to retain your opt-out preferences is retained for 20 years (or longer as necessary to comply with applicable law).

7. WHEN AND HOW CAN WE SHARE YOUR PERSONAL INFORMATION?

Sharing within Blu Banyan

Blu Banyan employees are authorized to access personal information only to the extent necessary to serve the applicable business purpose(s) and to perform their job functions.

Sharing with third parties

We may share personal information with the following third parties for a business purpose:

- Third-party service providers (for example, credit card processing services, order fulfilment, analytics, event/campaign management, website management, information technology and related infrastructure provision, customer service, e-mail delivery, auditing, and other similar service providers) in order for those service providers to perform business functions on behalf of Blu Banyan;
- Relevant third parties in the event of a reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings);
- As required by law, such as to comply with a subpoena or other legal process, when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to government requests, including public and government authorities outside your country of residence, for national security and/or law enforcement purposes.

8. HOW IS YOUR PERSONAL INFORMATION SECURED?

Blu Banyan has implemented appropriate technical measures designed to protect personal information against accidental or unlawful destruction or accidental loss, damage, alteration, unauthorized disclosure or access, as well as all other forms of unlawful processing.

9. WHAT COOKIES AND SIMILAR TECHNOLOGIES DO WE USE ON OUR SITES?

Cookies and similar technologies (e.g., pixels tags and device identifiers) are used by Blu Banyan and our advertising technology partners to recognize you and/or your device(s) on, off and across different services and devices for the purposes specified in [Section 5](#) above.

When do we use cookies and similar technologies?

Cookies are small text files that contain a string of characters and uniquely identify a browser on a device connected to the Internet. Any browser visiting our sites will receive cookies from us. We also place cookies in your browser when you visit non-Blu Banyan sites that host our plugins or tags.

We use cookies and other technologies on all our sites to ensure the best possible and secure experience on our sites and to provide you with tailored information on products and services.

Blu Banyan also uses cookies or similar technologies on its sites to collect online information such as your mobile device ID, IP address, and other information about your device, as well as behavioral data of your device usage on our sites (e.g. pages viewed, links clicked, documents downloaded). This information contributes to Blu Banyan's Marketing and Services designed to provide targeted digital advertising and personalization services to our customers.

- **How can I manage my cookie preferences?**

If you do not want to receive cookies, you can also change your **browser settings** on your computer or other device you are using to access our services. Most browsers also provide functionality that lets you review and erase cookies, including Blu Banyan cookies.

12. WHAT ARE YOUR PRIVACY RIGHTS?

We provide multiple choices in respect of the information we process about you:

- **Opt-out of our use or sharing of your personal information**
You may withdraw consent you have previously provided for the processing of information about you, including for email marketing by Blu Banyan.
- **Delete personal information**
You can ask us to erase or delete all or some of the information about you.
- **Change or correct personal information**
You can edit some of the information about you by. You can also ask us to change, update or fix information about you in certain cases, particularly if it is inaccurate.
- **Object to, or limit or restrict use of personal information**
You can ask us to stop using all or some of the information about you (for example, if we have no legal right to keep using it) or to limit our use of it (for example, if the information about you is inaccurate).
- **Right to access and/or have your information provided to you**
You can also ask us for a copy of information about you and can ask for a copy of information about you provided in machine readable form if you reside in the EU, California or other jurisdiction that provides you this right as a matter of law.

You can exercise these choices in accordance with applicable laws.

13. DO YOU COLLECT SENSITIVE INFORMATION AND INFORMATION FROM CHILDREN?

Sensitive personal information

We ask that you do not send us, and do not share any sensitive personal information (for example, government-issued IDs, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, genetic, or biometric data, criminal background or trade union membership).

Children's privacy

As a company focused on serving the needs of businesses, Blu Banyan's sites are not directed to minors and Blu Banyan does not promote or market its services to minors. If you believe that we have mistakenly or unintentionally collected personal information of a minor through our sites without appropriate consent, please notify us through our inquiry form so that we may immediately delete the information from our servers and make any other necessary corrections. Additionally, please use this same form to request removal of content or information that was posted to our sites when the registered user was under the age of 16. Please note that such requests may not ensure complete or comprehensive removal of the content or information, as, for example, some of the content may have been reposted by another user.

14. WHAT ARE YOUR RIGHTS UNDER THE California Consumer Privacy Act (CCPA)?

If you are a California resident, you may request that we:

- 1. disclose to you the following information covering the 12 months preceding your request:
 - the categories and specific pieces of personal information we collected about you and the categories of personal information we sold (see [Section 4](#));
 - the categories of sources from which we collected such personal information (see [Section 4](#));
 - the business or commercial purpose for collecting or selling personal information about you (see [Section 5](#)); and
 - the categories of third parties to whom we sold or otherwise disclosed personal information (see [Section 8](#)).
- 2. delete personal information we collected from you (see [Section 12](#)); or
- 3. opt-out of any future sale of personal information about you (see [Section 12](#)).

We will respond to your request consistent with applicable law.