

# **PRIVACY POLICY**

## **PRIVACY POLICY**

Effective: November 20, 2023

This Privacy Policy covers Act-On Software, Inc.'s ("Act-On" We" "Our", "Us") collection, use and disclosure of information we collect through our website, act-on.com and through the use or access of the Act-On platform or app, (collectively the "Service"). The use of personal information collected through our Service shall be limited to the purpose of providing the Service as described in this Privacy Policy.

### ***ACT-ON PLATFORM USER DATA***

Act-On respects the privacy of our users and the privacy of their data. All information contained within the electronic communications, attached documents, forms, newsletters, surveys and documents you may use or compose through the Act-On platform or app are governed by the Act-On Master Services Agreement ("Agreement"). Although Act-On owns the platform and app, data storage, databases and the Act-On website(s), our business clients retain all rights to their Customer Content (as defined below). All user data uploaded to an account of the Services ("Customer Content") is stored in a personalized and secure location. We will not utilize, sell, or rent your Customer Content except as is described in the Agreement or this Privacy Policy. Only the registered users of the account holder may gain access to the Customer Content. For more on the use of Customer Content see the section titled "**Customer Content and Information Related to Data Collected through the Act-On Platform.**"

If you wish to subscribe to our newsletter(s), blogs or similar communications, we will use your name and email address to send the content to you. You may choose to stop receiving any content we send to you by following the unsubscribe instructions included in these emails or you can contact us at [marketingnews@act-on.com](mailto:marketingnews@act-on.com).

### ***DATA COLLECTION***

#### ***Data Collection—Data You Provide Directly to Us***

We collect the e-mail addresses, phone numbers, and certain personal information of those who communicate with us via e-mail or register with us to access the Services. We collect information volunteered by the users (such as any surveys Act-On might conduct, through interactive features, and/or site registrations). We may collect personal data and details associated with your purchases, including payment information. When you request a Beta account on the Services, we ask for the following

information: your name, your company name, telephone number, and a valid e-mail address at which we may contact you. Users of the Services are also asked to provide their company's postal address and time zone to better personalize their account. When you submit information, you are transferring such information into the United States and you hereby consent to such transfer and have gained the necessary consent to do so.

### ***Data Collection—Data We Collect Automatically***

We also collect certain information automatically when you use our Services in the following ways.

**Automatic Collection of Personal Information.** We may collect certain information automatically when you use our Services, such as your Internet protocol (IP) address, user settings, MAC address, cookie identifiers, mobile carrier, mobile advertising and other unique identifiers, browser or device information, location information (including approximate location derived from IP address), and Internet service provider. We may also automatically collect information regarding your use of our Services, such as pages that you visit before, during and after using our Services, information about the links you click, the types of content you interact with, the frequency and duration of your activities, and other information about how you use our Services.

**Cookie Policy (and Other Technologies).** We, as well as third parties that provide content, advertising, or other functionality on our Services, may use cookies, pixel tags, and other technologies (“**Technologies**”) to automatically collect information through your use of our Services.

- **Cookies.** Cookies are small text files placed in device browsers that store preferences and facilitate and enhance your experience.

- **Pixel Tags/Web Beacons.** A pixel tag (also known as a web beacon) is a piece of code embedded in our Services that collects information about engagement on our Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

- **Operationally Necessary.** This includes Technologies that allow you access to our Services, applications, and tools that are required to identify irregular website behavior, prevent fraudulent activity, improve security, or allow you to make use of our functionality;

- **Statistics and Performance-Related.** We may use Technologies to assess the performance of our Services, including as part of our analytic practices to help us understand how individuals use our Services (*see Analytics below*);
- **Preferences and Functionality-Related.** We may use Technologies that allow us to offer you enhanced functionality when accessing or using our Services. This may include identifying you when you sign into our Services or keeping track of your specified preferences, interests, or past items viewed;
- **Advertising, Marketing, or Targeting-Related.** We may use first party or third-party Technologies, including cross-device tracking, to deliver content, including ads relevant to your interests, on our Services or on third-party digital properties. You can control the use of these Technologies as described below under “Cookie Controls.”
- **Analytics.** We may use Technologies and other third-party tools to process analytics information on our Services. These Technologies allow us to better understand how our digital Services are used and to continually improve and personalize our Services. Some of the analytics partners include:
  - **Google Analytics.** For more information about how Google uses your personal information (including for its own purposes, e.g., for profiling or linking it to other data), please visit [Google Analytics’ Privacy Policy](#). To learn more about how to opt-out of Google Analytics’ use of your information, please click [here](#).

**Cookie Controls.** You can set your cookie preferences on our Site, including opt-out of certain cookies, and review the cookies we use by clicking [here](#) or by contacting us as described below in the [Questions](#) section.

You may also stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device permits. However, if you adjust your preferences, our Services may not work properly. Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of personalized advertisements on some mobile applications by following the instructions for [Android](#), [iOS](#), and [others](#).

In addition, the online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these and learn more about targeted advertising and consumer choice and privacy by visiting the [Network Advertising Initiative](#), [the Digital Advertising Alliance](#), [the European Digital Advertising Alliance](#), and [the Digital Advertising Alliance of Canada](#).

Please note you must separately opt out in each browser and on each device.

### ***Social Media (Features) and Widgets***

Our website 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 website. These Features may collect your IP address, which page you are visiting on our website, 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 website. Your interactions with these features are governed by the privacy policy of the company providing it.

### ***Data Collection—Data We Collect From Third Parties.***

Third-Party Services and Sources. We may obtain personal information about you from other sources, including through third-party services and organizations. For example, if you access our Services through a third-party application, such as an app store, a third-party login service, or a social networking site, we may collect personal information about you from that third-party application that you have made available via your privacy settings. We may receive information about you from other sources, including publicly available databases or third parties from whom we have purchased data, and combine this data with information we already have about you. This helps us to update, expand and analyze our records, identify new customers, and provide products and services that may be of interest to you. If you provide us personal information about others, or if others give us your personal information, we will only use that personal information for the specific reason for which it was provided to us.

## ***DATA USES AND SHARING***

### ***Use and Sharing of Information***

We may use personal information to provide the Services you’ve requested, including services that display customized e-mails, newsletters, forms, documents, advertisements, promotions, and reports. We may also use personal information for auditing, research and analysis to operate and improve the Act-On website. We may

use third parties to assist us in processing your personal information, and we require that such third parties comply with obligations at least as restrictive as our Privacy Policy and any other applicable confidentiality and security measures required by applicable law. We may use information collected from you when pursuing our legitimate interests such as for administrative purposes, direct marketing, research and development (including marketing research), network and information security, and fraud prevention. We may use certain other information collected from you to help diagnose technical problems, administer the Act-On website and Service, and improve the quality and types of services delivered. We may provide non-identifying and aggregate usage and volume statistical information derived from the actions of our visitors and account holders to third parties provided such information cannot be used to identify any given customer or individual.

We may provide your personal information to companies that provide services to help us with our business activities such as live chat or payment processing. You agree that these companies are authorized to use your personal information only as necessary to provide these services to us.

The personal information we collect is not otherwise shared with other organizations for commercial purposes, except to provide products or services you've requested, when we have your permission, when such sharing may be in our legitimate interests, or under the following circumstances:

- as required by law, such as to comply with a subpoena, legal proceedings, or similar 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 a government request,
- in certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements,
- to investigate potential violations of the Act-On Acceptable Use Policy,
- to investigate potential violations of the Act-On Agreement or other agreement in place between Act-On and a third party,
- if Act-On Software, Inc. is involved in a merger, acquisition, or sale of all or a portion of its assets, your personal information may be shared with

the counter-party but you will be notified via email and/or by a prominent notice on our website of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

Act-On Software, Inc. will only collect, use, and disclose information as described in this privacy policy. Except as described in this Privacy Policy, Act-On Software, Inc. will not disclose personal information to third parties without the consent of the individual whose information is being transferred. In such case, whenever practicable, Act-On will offer individuals the opportunity to choose (opt-out) whether their personal information is (a) to be disclosed to a non-agent third party, or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. Act-On Software, Inc. will provide individuals with reasonable mechanisms to exercise their choices.

### ***Links to Other Websites***

Our website includes links to other websites whose privacy practices may differ from those of Act-On Software, Inc. If you submit information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.

### ***Local Storage Objects (HTML 5)***

We use Local Storage Objects (LSOs) such as HTML5 to store content information and preferences. Third parties with whom we partner to provide certain features on our site or to display advertising based upon your Web browsing activity use LSOs such as HTML 5. Various browsers may offer their own management tools for removing HTML5 LSOs.

### ***Behavioral Targeting /Re-Targeting***

We partner with a third party ad network to either display advertising on our website or to manage our advertising on other sites. Our ad network partner uses cookies and Web beacons to collect non-personal information about your activities on this and other websites to provide you targeted advertising based upon your interests. If you wish to not have this information used for the purpose of serving you targeted ads, you may opt-out by clicking [here](#) or as described in the “[Cookie Control](#)” section above. Please note this does not opt you out of being served advertising. You will continue to receive generic ads.

### ***Public Forums /Blogs***

Our blog comment section is managed by a third party application that may require you to register to post a comment. We do not have access or control of the information posted to the blog. You will need to contact or login into the third party application if you want the personal information that was posted to the comments section removed. To learn how the third party application uses your information, please review their privacy policy.

### ***Testimonials***

With your consent we may post your testimonial along with your name. If you wish to update or delete your testimonial, you must contact us at [privacy@act-on.com](mailto:privacy@act-on.com).

### ***Promotional Communications***

We may send you promotional emails or text messages if you provide your consent to receiving such communications. To unsubscribe from promotional emails, you may use the unsubscribe link found at the bottom of the email. To opt-out of receiving promotional text messages, you may reply "STOP." Note that you will continue to receive transaction-related emails regarding products or services you have requested. We may also send you certain non-promotional communications regarding us and our services, and you will not be able to opt-out of those communications (e.g., communications regarding the services or updates to this Privacy Policy). Our Clients are required to comply with our [Acceptable Use Policy](#) when using our Services to send promotional communications, including the applicable legal requirements for email and text communications.

### ***CUSTOMER CONTENT AND INFORMATION RELATED TO DATA COLLECTED THROUGH THE ACT-ON PLATFORM***

Act-On collects information under the direction of its clients, and has no direct relationship with the individuals whose personal data is provided, or is collected at the direction of, our business clients. Act-On serves as a processor of this data. Act-On works with its clients to help them provide notice to their customers concerning the purpose for which personal information is collected.

We collect information for our clients, 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.

Act-On may transfer personal information to companies that help us provide our Service. Transfers to subsequent third parties are covered by the provisions in this Policy regarding notice and choice and the service agreements with our clients.

Act-On has no direct relationship with the individuals whose personal data it processes as part of Customer Content (i.e., all user data processed through our Services or collected on behalf of our business clients). An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data within Customer Content should direct his query to the Act-On client (the data controller). If the client requests Act-On to remove the data, we will respond to their request within 30 days.

Act-On will retain personal data we process on behalf of our clients for as long as needed to provide Service to our client. Act-On will retain and use this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

### ***SECURITY***

Act-On has implemented processes intended to protect user information and maintain security of data. Each account holder is assigned a unique user name and password, which is required to access their account. It is each user's responsibility to protect the security of his or her login information. We have attempted to protect Act-On's servers by locating them areas with security procedures, using of firewalls and implementing other generally available security technologies. These safeguards help prevent unauthorized access, maintain data accuracy, and ensure the appropriate use of data, but NO GUARANTEE CAN BE MADE THAT YOUR INFORMATION AND DATA WILL BE SECURE FROM INTRUSIONS AND UNAUTHORIZED RELEASE TO THIRD PARTIES.

When you enter sensitive information (such as login credentials), we encrypt the transmission of that information using secure socket layer technology (SSL). We follow protocols to protect the personal information submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security. If you have any questions about security on our website, you can contact us at [privacy@act-on.com](mailto:privacy@act-on.com).

By using our Services or providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of our Services. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on our Services, by mail, or by sending an email to you.

### ***CANCELLATION OR TERMINATION OF THE ACCOUNT***



If your account is terminated for any reason, please contact us within 30 days of such termination at [privacy@act-on.com](mailto:privacy@act-on.com) with any requests to view your data. Please be aware that Act-On may for a time retain residual information in our backup and/or archival copies of our data stores and databases. We will make reasonable commercial efforts to delete your information as soon as reasonably practical.

### ***COMPLIANCE WITH CHILDREN'S ONLINE PRIVACY PROTECTION ACT***

As a business service, Act-On does not target its offerings toward, and does not knowingly collect any personal information from users under 13 years of age. If you believe that your child has provided us with personal information without your consent, you may contact us at [privacy@act-on.com](mailto:privacy@act-on.com). If we learn that we have collected any personal information in violation of applicable law, we will promptly take steps to delete such information and terminate the child's account.

### ***YOUR PRIVACY RIGHTS***

When we have a direct relationship with you and are processing your data as a "controller" or "business," you may have certain privacy rights that you can exercise directly with us as described below. When we do not have a direct relationship with you and are processing data as a "processor" or "service provider" on behalf of our business clients, including when we process your information as part of Customer Content, you must contact the relevant business client to exercise the privacy rights you that you may have.

When we have direct relationship with you, in accordance with applicable law, you may have the right to:

- **Access to and Portability of Your Personal Information**, including: (i) confirming whether we are processing your personal information; (ii) obtaining access to or a copy of your personal information; and (iii) receiving an electronic copy of personal information that you have provided to us, or asking us to send that information to another company in a structured, commonly used, and machine readable format (also known as the "right of data portability");
- **Request Correction** of your personal information where it is inaccurate or incomplete. In some cases, we may provide self-service tools that enable you to update your personal information;
- **Request Deletion** of your personal information;

- **Request Restriction of or Object to** our processing of your personal information where the processing of your personal information is based on our legitimate interest or for direct marketing purposes, including (i) the right to opt-out of the sharing of personal information for certain advertising, (ii) object to or restrict our use of or your sensitive personal information, including the right to opt-out of the sharing of sensitive personal information in some circumstances, and (iii) opt out of the processing of your personal information for purposes profiling in furtherance of decisions that produce legal or similarly significant effects concerning you; and

- **Withdraw your Consent** to our processing of your personal information for certain purposes. Please note that your withdrawal will only take effect for future processing and will not affect the lawfulness of processing before the withdrawal.

*You can submit a request to determine and exercise your privacy rights by contacting us as [privacy@act-on.com](mailto:privacy@act-on.com) or by contacting us using the information in the [“Questions”](#) section below.*

When you use the Act-On website or Service, we make good faith efforts to provide you with access to your personal information and either to correct this data if it is inaccurate or to delete such data at your request if it is not for legitimate business purposes. You may update your account information by logging into your account. When requests come to Act-On with regard to personal information, we ask individual users to identify themselves and the information requested to be accessed, corrected or removed before processing such requests, and we may decline to process requests that are unreasonably repetitive or systematic, require disproportionate technical effort, jeopardize the privacy of others, or would be extremely impractical (for instance, requests concerning information residing on backup tapes), or for which access is not otherwise required. We retain and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our agreements. In any case where we provide information access and correction, we perform this service free of charge, except if doing so would require a disproportionate effort. We will respond to these requests in accordance with applicable laws within a reasonable timeframe.

***SUPPLEMENTAL NOTICE FOR RESIDENTS OF CALIFORNIA AND CERTAIN  
OTHER US STATES***

This Supplemental Notice is for residents of states that have adopted comprehensive privacy legislation and others that may come into effect from time to time, including, but not limited to, California, Connecticut, Colorado, Utah and Virginia (collectively, “**Applicable State Laws**”). In some states, you may have the rights described in “[Your Privacy Rights](#)” above and be entitled to the following supplemental information:

### **Categories of Personal Information Collected and Sources**

The “[Data Collection](#)” section above identifies the categories of personal information we may have collected in the 12 past twelve months, and the sources from which we obtain such information.

### **Purposes for Collection**

We collect and use personal information for the business or commercial purposes described in the “[Data Uses and Sharing](#)” section above.

### **Categories of Personal Information Disclosed and Categories of Recipients**

We may have disclosed the following categories of personal information in the preceding 12 months for our business or commercial purposes to the Categories of Recipients listed below.

<b>Categories of Personal Information We Disclose</b>	<b>Categories of Recipients</b>
<b>Identifiers</b>	Affiliates, Service Providers, and Business Partners
<b>Professional Information</b>	Affiliates, Service Providers, and Business Partners
<b>User Content</b>	Affiliates, Service Providers, and Business Partners
<b>Preferences</b>	Affiliates, Service Providers, and Business Partners
<b>Internet or other electronic activity</b>	Affiliates, Service Providers, and Business Partners

For more details on how your personal information is disclosed and the purposes it’s disclosed for, please see the “[Data Uses and Sharing](#)” section above.

### **We Do Not Sell Personal Information**

Act-On does not provide your personal information to other companies for money, or otherwise “sell” personal information of consumers as that term is commonly understood, including information of consumers under 16 years of age.

We may, however, share information with third-party advertising partners for the purpose of promoting our Services as described above, such as for cross-context behavioral or targeted advertising. You can **opt-out of such sharing** by following the instructions found above in the section titled “Cookie Controls” or by clicking [here](#), or you can contact us as described in the “[Questions](#)” sections below.

### **Additional Privacy Rights and Choices**

In addition to the right to opt-out of sharing for certain advertising purposes, you may have the privacy rights described above in the section titled “[Your Privacy Rights](#).”

**Non-Discrimination.** Residents of certain states have the right not to receive discriminatory treatment by us for the exercise of their rights conferred by applicable law.

**Authorized Agent.** Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. To authorize an agent, provide written authorization signed by you and your designated agent and contact us as set forth in “[Questions](#)” below for additional instructions.

**Verification.** To protect your privacy, we will take steps to reasonably verify your identity before fulfilling your request. These steps may involve asking you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, or to answer questions regarding your account and use of our Services.

**Appeal.** When exercising your privacy rights, you may have the right to appeal a decision or response that we provide. You may exercise right by submitting a request to us as described in the “[Questions](#)” section, labeling it “Appeal,” and referencing our prior response or decision.

**De-Identified Information.** If we create or receive de-identified information, we will not attempt to reidentify such information, except to comply with applicable law.

**California Shine the Light.**

California residents may request information concerning the categories of personal information, if any, we share with third parties or affiliates for their direct marketing purposes. If you would like more information, please contact us as described in the [“Questions”](#) section below.

### ***DO NOT TRACK DISCLOSURES***

Some browsers offer a “Do Not Track” privacy preference. Generally, when a user turns on the Do Not Track Signal, their browser sends a message to websites requesting that the user not be tracked. Our websites currently do not respond to “Do Not Track” signals.

### ***INTERNATIONAL DATA TRANSFERS***

All information processed by us may be transferred, processed, and stored anywhere in the world, including, but not limited to, the United States or other countries, which may have data protection laws that are different from the laws where you live. We endeavor to safeguard your information consistent with the requirements of applicable laws.

If we transfer personal information which originates in the European Economic Area, Switzerland, and/or the United Kingdom to a country that has not been found to provide an adequate level of protection under applicable data protection laws, one of the safeguards we may use to support such transfer is the [EU Standard Contractual Clauses](#).

For more information about the safeguards we use for international transfers of your personal information, please contact us as set forth below.

### ***SUPERVISORY AUTHORITY***

If your personal information is subject to the applicable data protection laws of the European Economic Area, Switzerland, the United Kingdom, or Virginia, you have the right to lodge a complaint with the competent supervisory authority or attorney general if you believe our processing of your personal information violates applicable law:

- [EEA Data Protection Authorities \(DPAs\)](#)
- [Swiss Federal Data Protection and Information Commissioner \(FDPIC\)](#)
- [UK Information Commissioner’s Office \(ICO\)](#)
- [Virginia Attorney General](#)

## ***RETENTION OF PERSONAL DATA***

We store the personal information we collect as described in this Privacy Policy for as long as you use our Services, or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, and comply with applicable laws, or based upon other criteria, including, but not limited to, the sensitivity and volume of such data. Additionally, we endeavor to retain all such personal information in accordance with legal requirements.

## ***DATA PRIVACY FRAMEWORK***

Act-On Software, Inc. complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF), the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce. Act-On Software, Inc. has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (EU-U.S. DPF Principles) with regard to the processing of personal data received from the European Union in reliance on the EU-U.S. DPF and from the United Kingdom (and Gibraltar) in reliance on the UK Extension to the EU-U.S. DPF. Act-On Software, Inc. has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework Principles (Swiss-U.S. DPF Principles) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this privacy policy and the EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>.

## ***DPF INTERNAL COMPLAINTS MECHANISM***

In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF, Act-On Software, Inc. commits to resolve DPF Principles-related complaints about our collection and use of your personal information. EU and UK individuals and Swiss individuals with inquiries or complaints regarding our handling of personal data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. DPF should first contact Act-On Software, Inc. at: [privacy@act-on.com](mailto:privacy@act-on.com).

## ***INDEPENDENT RECOURSE MECHANISM***

In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF, Act-On Software, Inc. commits to refer unresolved complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF and the Swiss-U.S. DPF to TrustArc, an alternative dispute resolution provider based in the United States. If you do not receive timely acknowledgment of your DPF Principles-related complaint from us, or if we have not addressed your DPF Principles-related complaint to your satisfaction, please visit <https://feedback-form.truste.com/watchdog/request> for more information or to file a complaint. The services of TrustArc are provided at no cost to you.

### ***FEDERAL TRADE COMMISSION JURISDICTION***

The Federal Trade Commission has jurisdiction over Act-On Software's compliance with the EU-U.S. Data Privacy Framework (EU-U.S. DPF) and the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF).

An individual has the possibility, under certain conditions, to invoke binding arbitration for complaints regarding DPF compliance not resolved by any of the other DPF mechanisms. Additional information: [ANNEX I \(introduction\)](#)

### ***LIABILITY***

Act-On Software, Inc. shall remain liable under the DPF Principles if its agent processes such personal information in a manner inconsistent with the DPF Principles, except to the extent Act-On Software, Inc. is not responsible for the event giving rise to the damage.

### ***CHANGES TO THIS POLICY***

We may update this Privacy Policy to reflect changes to our information practices or due to changes in applicable law. If we make any material changes we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this website prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

### ***QUESTIONS***

Any questions about this Privacy Policy should be addressed to [privacy@act-on.com](mailto:privacy@act-on.com) or by postal mail:

Act-On Software, Inc.,

121 SW Morrison St.

Suite 1600

Portland, OR 97204

**UK Representative:**

Act-On Software, Ltd.

Part 3rd Floor

The White Building

33 King's Rd, Reading RG1 3AR [privacy@act-on.com](mailto:privacy@act-on.com)

**EU Representative:**

RIVACY GmbH

Mexikoring 33 22297

Hamburg [info@rivacy.eu](mailto:info@rivacy.eu)