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ICwhatUC

Privacy Policy

November 2018





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Introduction

At ICwhatUC your privacy is important to us. We are committed to maintaining the accuracy, confidentiality and security of your personal information.

On January 1, 2004, Alberta's Personal Information Protection Act (PIPA) became law in Alberta. The Federal Personal Information Protection and Electronic Documents Act (PIPEDA) and other provincial legislation also came into effect at that time.

ICwhatUC has operations both inside and outside of Canada. Privacy is an important part of the way we do business. ICwhatUC has always strived to maintain the confidentiality of personal information belonging to everyone we interact with therefore we have developed an ICwhatUC Privacy Commitment to guide these relationships.

This privacy notice explains how ICwhatUC collects, uses, processes, discloses, retains, and protects personal information i) when we provide Services to you; and ii) when we process personal video information when connecting to a service provider.

When this privacy notice refers to "ICwhatUC", "us", "we" or "our", it refers to ICwhatUC Inc. (a Canadian corporation).

ICwhatUC is committed to protecting the privacy of all individuals who:

- visit any of its websites or mobile sites, including icwhatuc.com, including all subdomains, present and future (the "Website");
- use any of its mobile video applications (the "Applications");
- use any of its Services including ICwhatUC Dashboard, ICwhatUC Admin Console, ICwhatUC Service Technicians Console and other ICwhatUC products and services made available from time to time (the "Platforms").

We call the Website, the Applications, the Platforms together the "Services".

To make this notice easier to read, any applicable ICwhatUC terms of service are referred to as the "Terms". If you see an undefined term in this Privacy Notice, it has the same definition as in our Terms.

It is ICwhatUC's policy to comply with the privacy legislation within each jurisdiction in which we operate. Sometimes the privacy legislation and / or an individual's right to privacy are different



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from one jurisdiction to another. This Privacy Commitment describes our privacy policies and practices only in respect of those activities that are subject to the provisions of Canada's federal and provincial privacy laws, as applicable. The rights and obligations described in this Privacy Commitment may not be available to all individuals or in all jurisdictions.

If you are unsure if this Privacy Commitment applies to you, please contact the office of our Privacy Officer for more information.

Our Services

ICwhatUC offers a suite of video engagement tools that connects the customer with the call agent through their mobile phone, allowing the agent to see what the customer sees, with the goal of solving the customer's issue without a physical appointment.

Personal information we collect

Personal information is information relating to an identified or identifiable natural person. An identifiable natural person is an individual that can be identified, directly or indirectly, be referenced to an identifier such as: a name, an identification number, specific location data, an online identifier, or other attributes specific to that natural person.

Personal information does not include information that has been anonymized or aggregated in such a way that it can no longer be used to identify a specific natural person, whether on its own or in combination with other information.

The personal information that we collect falls into two broad categories: Account Data and Content.

Account Data

Account data ("Account Data") is personal information you provide us, or that we collect from you and your devices in connection with your access to and use of our Services (such as when you provide us information to register for an account, or information we collect about your browser when you connect to one of our Services, etc.). In legal terms, we collect and use this Account Data as a data controller.

There are two general categories of Account Data we collect in order to provide you with the Services.



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1. Information you give us

- Account information. You may provide us with information in connection with the creation and management of your account for the Services, such as a name, email address and a password to create a ICwhatUC account.
- Billing information. If you have purchased a paid version of the Services, or if you make another financial transaction using our Services (such as purchasing a Third-Party App), we (and our third party payment processors) will collect information about the purchase or transaction. This includes billing details and credit card information, other account and authentication information.
- Other information. You may otherwise choose to provide us with information when you fill in a form, contact our customer support, respond to surveys or use other features of our Services.

2. Information we automatically collect from your use of the Services

- Log data and usage information. Like most websites, when you view content on or otherwise interact with our Services our servers automatically record information, including information that your browser sends whenever you visit a Website or that your Application sends when you are using it. This log data may include your IP address, the address of the web page you visited before using the Services, your browser type and settings, your device information, the date and time of your use of the Services, information about your browser configuration and plug-ins, language preferences, unique identifiers and cookie data.
- Location information. When you use our Services, we may collect information about your geographic location.

The content which you upload, download, or view on our Services (defined as “Content” in our Terms) may, but does not necessarily, contain personal information. When we refer to “Content” in this notice, we mean the personal information in Content that we process. We only process Content at your direction. In legal terms, we act as data processors for the personal information included in the Content. Our obligations and commitments as it relates to our processing of Content on behalf of our users is outlined in the section below called Content - ICwhatUC as a Data Processor

Account Data - How we use it

We use, store, and process Account Data as a data controller to provide, understand, improve and develop our Services, keep our Services safe and to comply with our legal obligations. More particularly, we use it to:



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- Identify our users: We use Account Data to identify you when you login to your account.
- Provide Services: We use Account Data to enable us to operate the Services and provide them to you, including to:
 - enable your access to our Services
 - allow you to communicate with us and with other users
 - verify your transactions, for purchase confirmation, billing, security, and authentication (including security tokens for communication with installed Third-Party Apps)
 - contact you about your account and provide customer service support, including responding to your comments and questions
 - keep you informed about the Services, features, surveys, newsletters, offers, contests and events we think you may find useful or which you have requested from us
 - sell or market ICwhatUC products and Services to you

We use Account Data to:

- better understand your needs and the needs of users in the aggregate, diagnose problems, analyze trends, perform analytics, conduct research and improve the features and usability of the Services, test and troubleshoot new products and better understand and market to our users
- analyze the Website or the other Services and information about our visitors and users, including research into our user demographics and user behaviour
- create aggregate (non-identifiable) statistics about users of the Services with a view to introducing improvements and improving usability of the Services

Keep our Services safe. We use Account Data to verify accounts and activity, maintain the integrity of our Services, and to keep the Services safe and secure.

Account Data - Legal basis for use

Our legal basis for collecting and using Account Data as a data controller will depend on the the specific context in which we collect it. However, as a data controller, we will collect personal information from you where:

- we have your consent to do so
- where we need the personal information to perform a contract with you (e.g. to deliver the ICwhatUC Services you have requested), or



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- where the processing is in our legitimate interests (and not overridden by your data protection interests or fundamental rights and freedoms)

In some cases, we may also have a legal obligation to collect personal information from you, or may otherwise need the personal information to protect your vital interests or those of another person.

Where we rely on your consent to process Account Data, you have the right to withdraw or decline your consent at any time. Please note that this does not affect the lawfulness of the processing based on consent before its withdrawal.

If we ask you to provide Account Data to comply with a legal requirement we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information). Similarly, if we collect and use your personal information in reliance on our legitimate interest which are not already described in this notice, we will make clear to you at the relevant time what those legitimate interests are.

Account Data - Access, control and correction of personal information and certain other important rights

As a user, you may update or correct most of your Account Data by logging in to your account to edit your profile or organization record. To make a request to have Account Data returned to you, removed, or to make additional corrections, please email [our privacy team](#). Requests to access, correct, or remove your information will be handled within thirty (30) days and may be subject to a fee as permitted by applicable law.

Depending on where you reside, you may have the right to exercise additional rights available to you under applicable laws with regards to the personal information ICwhatUC holds about you as a data controller, including:

- Right of erasure: In certain circumstances, you may have a broader right to erasure of personal information that we hold about you – for example, if it is no longer necessary in relation to the purposes for which it was originally collected. Please note, however, that we may need to retain certain information for as long as you maintain an account for our Services, or as needed to provide you with our Services, for record keeping purposes, to comply with our legal obligations, resolve disputes and enforce the Terms.



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- Right to object to processing: You may have the right to request that ICwhatUC stops processing your personal information and/or to stop sending you marketing communications.
- Right to restrict processing: You may have the right to request that we restrict processing of your personal information in certain circumstances (for example, where you believe that the personal information we hold about you is inaccurate or unlawfully held).
- Right to data portability: In certain circumstances, you may have the right to be provided with your personal information in a structured, machine readable and commonly used format and to request that we transfer the personal information to another data controller without hindrance.

If you would like to exercise such rights, please contact us. We will consider your request in accordance with applicable laws. To protect your privacy and security, we may take steps to verify your identity before complying with the request.

You also have the right to complain to a data protection authority about our collection and use of your personal information. For more information, please contact your local data protection authority.

Content - ICwhatUC as a Data Processor

You, as a ICwhatUC user, control our Services. When you use our Services, you may view, create, and analyze Content. The Content that flows through our Services may include personal information of all types, including but not limited to the following categories:

- user generated content (such as messages, posts, comments, pages, profiles, images, feeds or communications exchanged)
- contact details (such as name, email address, telephone number)
- additional individual information (such as age, gender, employer, profession, geographic location, education information, financial status, habits and preferences)
- information relating to an individual's real time location

If you are using the Services by invitation of a ICwhatUC customer, whether that customer is your employer, another organization, or an individual, that customer determines its own policies regarding storage, access, modification, deletion, sharing, and retention of Content, which may apply to your use of the Services. Please check with the customer about the policies and settings it has in place.



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Privacy Information that applies to both Account Data and Content

When we may share personal information

Except as provided in this privacy notice, ICwhatUC does not share any personal information gathered via the Services with third parties. We may however share Account Data or Content under the following circumstances:

- with your consent or at your direction, such as when you authorize a Third-Party App to access your account
- with service providers (including payment processors) we engage to perform functions or provide services to us, where those service providers are subject to obligations that are consistent with this privacy notice and to appropriate confidentiality and security measures
- where we believe that it is reasonably necessary to comply with a law, regulation or if we are otherwise legally required to do so, such as in response to court orders or legal process, or to establish, protect, or exercise our legal rights or to defend against legal claims or demands
- if we believe it is necessary in order to investigate, prevent, or take action against illegal activities, fraud, situations involving potential threats to our rights or property (or to the rights or property of those who use our Services), or to protect the personal safety of any person
- if we believe it is necessary to investigate, prevent, or take action regarding situations that involve the security of our Services, abuse of the Services infrastructure, or the Internet in general (such as voluminous spamming, denial of service attacks, or attempts to compromise the security of the Services)
- to a parent company, subsidiaries, joint venture, or other companies under common control with ICwhatUC
- if we are acquired by or merged with another entity (in which case we will require such entity to assume our obligations under this privacy notice), if we are involved in a bankruptcy, or if the ownership or control of all or part of our Services or their assets changes



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How long we keep personal information

We retain your Account Data for as long as necessary to provide the Services you have requested, or for other essential purposes such as complying with our legal obligations, resolving disputes, or enforcing our Terms.

We retain Content for as long as needed to provide the Services, or until you ask us to delete it pursuant to the Terms. We retain and use this Content as necessary to comply with our legal obligations, resolve disputes, and enforce the Terms.

Please note that certain personal information may need to be retained by ICwhatUC for a period of time following the cancellation of your account where this is necessary for our legitimate business purposes or required or authorized by applicable law. Our specific retention periods for personal information are documented in our internal retention policies and any applicable retention schedules that we maintain as required by applicable law.

After it is no longer necessary for us to retain your personal information, we will dispose of it in a secure manner, according to our data retention and deletion policies.

How we protect personal information

ICwhatUC follows industry best practices to protect personal information from loss, misuse, and unauthorized access or disclosure. These steps take into account the sensitivity of the Account Data and Content we collect, use, process and store, and the current state of technology.

International transfers

ICwhatUC which provides the Services, is a Canadian company with its head-office located in Calgary, Alberta. For the purposes of EU data protection law, Canada is considered a country which provides adequate protections for personal information, as confirmed by the European Commission in Commission Decision 2002/2/EC.

The Services are mainly provided from our offices in Canada. ICwhatUC uses third-party service providers (such as managed hosting providers, card processors, CRM systems, sub-processors of Content and technology partners) to provide the necessary software, networking, infrastructure and other services that we use to operate the Services. These third party



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providers may process, or store, personal information on servers outside of the EEA, including in Canada or the US.

Whenever we transfer personal information from data subjects located in the EEA to a third-party service provider located in a country that has been deemed inadequate, whether that personal information is contained in Account Data or in Content, we do so with and approved legal adequacy mechanisms in place. For any transfers of personal information to the US, we rely on either the third-party's registration in the EU-US Privacy Shield or on the implementation of the EU's Standard Contractual Clauses.

By using any of the Services, or submitting or collecting any personal information via the Services, you authorize ICwhatUC and its authorized service partners to use and process Content and Account Data (including any personal information) in these countries.

Cookies and similar technologies

When you visit or interact with our Services, we, Third-Party Apps or our authorized third party services providers may use cookies and other similar technologies to help us provide you with a better, faster, and safer experience, and for advertising and marketing purposes. We may collect some personal information via these Cookies.

Children

Our Services are not intended for use by children and should only be accessed by individuals of at least 18 years old.

Inquiries or Concerns

If you have any questions about this Privacy Commitment or concerns about how we manage your personal information, please contact the office of our Privacy Officer by telephone, in writing or by e-mail. We will endeavor to answer your questions and advise you of any steps taken to address the issues raised by you. If you are unsatisfied with our response, you may be entitled to make a written submission to the Privacy Commissioner applicable for your jurisdiction.

[Email the Privacy Officer](#)