

ONGAGE PRIVACY POLICY

[Last Updated: 22 December, 2022]

This privacy policy (“**Privacy Policy**” or “**Policy**”), describes how Ongage Ltd. (“**Ongage**”, “**we**”, “**us**”, or “**our**”), collect, use and discloses certain information, including your personal data and the choices you can make about that data.

Ongage provides an online email marketing platform, that enables our customers to manage their contacts, send certain email marketing campaigns and much more (“**Services**”).

This Privacy Policy which is incorporated by reference in our [Terms of Service](#) (“**Terms**”), governs the processing and transfer of data collected in connection with: (i) visitors our website, available at: <https://www.ongage.com/> or other official digital assets, such as our social media accounts (“**Visitors**” and “**website**” respectively); (ii) customers who sign up (or log-in) for and use our Services (“**Customer**”); (iii) our Customers’ end users (“**Recipients**”). Customers, Recipients and Visitors will be jointly be referred to as “**Users**” or “**you**”, “**your**”.

This Policy applies to all information about you that we collect in connection with the Services throughout the world, and explains what data we may collect from you, how such data may be used or shared with others, how we safeguard it, and how you may exercise your rights related to your Personal Data (as defined below) under the applicable privacy laws such as the EU General Data Protection Regulation (“**GDPR**”) and the California Consumer Privacy Act (“**CCPA**”).

California and Colorado residents, please review our [CCPA Privacy Notice](#). Under the CCPA, Ongage is considered as “service provider” (as defined therein).

POLICY AMENDMENTS

We reserve the right to amend this Policy from time to time, at our sole discretion. The most recent version of the Policy will always be posted on the website. The updated date of the Policy will be reflected in the “Last Updated” heading. We will provide notice to you if these changes are material, and, where required by applicable law, we will obtain your consent. Any amendments to this Policy will become effective within 30-days upon the display of the modified Policy. We recommend you review this Policy periodically to ensure that you understand our most updated privacy practices.

CONTACT INFORMATION

Ongage Ltd. is the controller entity, incorporated under the laws of Israel, its address: HaNechoshet St. 6, Tel Aviv-Yafo, 6971070, Israel.

You may contact our privacy team and our Data Protection Officer (“**DPO**”) as follows:

- By Email to our **DPO**: DPO@ongage.com
- By our “contact us” page available at: <https://www.ongage.com/contact-us/>
- For general inquires: support@ongage.com

DATA SETS WE COLLECT AND FOR WHAT PURPOSE

We may collect two types of information from you, depending on your interaction with us.

The first type of information is non-identifiable and anonymous information (“**Non-Personal Data**”). We are not aware of the identity of the individual from who we have collected the Non-Personal Data. Non-Personal Data which is being gathered consists of technical information, and may contain, among other things, the type of

operating system and type of browser, type of device, your action in the website or Services (such as session duration).

The second type of information is individually identifiable information, namely information that identifies an individual or may with reasonable effort identify an individual (“**Personal Data**”).

For the avoidance of doubt, any Non-Personal Data connected or linked to Personal Data shall be deemed as Personal Data as long as such connection or linkage exists.

The table below details the types of Personal Data we process, the purpose, lawful basis, and our processing operations (depending on your interaction with us):

VISITORS		
DATA SET	PURPOSE AND OPERATIONS	LAWFUL BASIS
<p><u>Online Identifiers and Usage Data</u></p> <p>When you access our website, and Platform, we collect certain online identifiers through first party cookies, which are strictly necessary for the operation of the website and Platform, and through third party cookies for analytics and marketing. Such identifiers include, IP address, log files, device identifiers, unique ID and other unique identifiers. A device identifier may remain persistently on your device, to help you log in and navigate the Services better (“Online Identifiers”).</p> <p>Through these cookies, we also collect information on how you use our website, such as click stream data, bugs and error data, duration of use, time and date you enter or exit the website or Platform (“Usage Data”).</p>	<p>The purposes of using first party cookies are operational and technical purposes, such as to enable the website to be uploaded, as well as fraud prevention and data security, to remember you when you re-enter the Services, enable the cart to upload, etc.</p> <p>The purposes of using third-party cookies are tracking technologies for analytic, marketing and advertising purposes.</p>	<p>First party cookies which are strictly necessary for operating the website and Platform are based on <u>our legitimate interest</u> to enable the operation of the website and the Services.</p> <p>Third-party cookies will be able to process data solely if you provided <u>consent</u> through the cookie notice and a consent management tool that is used on the website. You may withdraw consent at any time by using the cookie preference settings. For more information review our Cookie Policy</p>
<p><u>Booking a Demo</u></p> <p>In the event you choose to book a demo you may be requested provide us with your name, email address, phone number, company name.</p>	<p>We will use this information for the purpose of providing you with the information or Services that you have requested.</p>	<p>We process this information for the purpose of performing our <u>contract</u> with you.</p>
<p><u>Contact Information</u></p> <p>If you voluntarily contact us through any form available on the website or by email, you may be required to provide us with certain information such as your full name, email address, and any additional information you decide to share with us (“Contact Information”).</p>	<p>We will process the Contact Information to provide you with a response to your inquiry.</p> <p>We may also process the contents of our correspondence with you in order to improve our customer service.</p>	<p>We process Contact Information subject to <u>our legitimate interest</u>.</p> <p>We may keep such correspondence if we are legally required to.</p>

<p><u>Careers</u></p> <p>When you apply for a position, we will process your CVs as uploaded by you, your name, email address, phone number, your education and skills, employment history, and your photo (to the extent provided by you). Further, if we are required by law, we may process diversity and inclusion data regarding your candidacy, such as ethnicity, gender, or any disability. In addition, we may collect further information from public and online sources, referees, and former employers and combine such data with your other data (“Recruitment Information”). In addition, we may collect further information from public and online sources, referees, and former employers and combine such data with your other data.</p>	<p>We will collect Recruitment Information in order to process your application, for recruitment management purposes, for further recruitment steps (e.g., interview), and to enable us to comply with corporate governance and legal and regulatory requirements.</p> <p>If you are hired, your Recruitment Information may be stored with HR as part of your employee file, and subject to our corporate management.</p>	<p>We process Recruitment Information subject to our <u>legitimate interest</u>.</p> <p>In some cases, for example, where we will ask you to provide health related data or diversity and inclusion data, we will process your data based upon your <u>consent</u>. You may always withdraw consent at any time by contacting us.</p> <p>We will retain your data for records keeping and future defence from legal claims under <u>our legitimate interest</u>, or if you have provided <u>consent</u> to contact you in the future.</p> <p>Following the completion of the recruitment process, we may further retain and store the Recruitment Information as part of our internal record keeping, including for legal defence from any future claim, as well as, where we find applicable and subject to applicable law requirements, to contact you in the future for other job positions we believe will suit your qualifications.</p>
<p><u>Newsletter Registration</u></p> <p>In the event you sign up to receive our newsletter or other marketing materials, you will be requested to provide your contact details, such as your email address.</p>	<p>We will use your email address in order to send you our newsletter and other marketing materials.</p>	<p>We process such data subject to your <u>consent</u>. You may withdraw consent at any time through the “unsubscribe” link within the email or by contacting us directly.</p>
<p><u>Blogs</u></p> <p>In the event you choose to leave a comment on one of our blogs, you will be required to register with the comment platform GraphComment.</p>	<p>We will use such information to enable you to comment on our blogs.</p>	<p>Any information you provide is subject to GraphComment’s privacy policy which we recommend you review.</p>

CUSTOMERS		
DATA SET	PURPOSE AND OPERATIONS	LAWFUL BASIS

<p><u>Registration Information</u></p> <p>In order for you to access our Services, Platform or our 14-days free trial, you will need to register and create an account (“Account”).</p> <p>As part of the registration, you will be requested to provide us with certain information such as your name, company name, email address, a user name and password. To enable the Account, the Customer will be required to set the account admin and define the authorized users, which will be required to fill in certain contact information (i.e., email address, name), users name and assigned password (“Registration Information”).</p>	<p>We use the Registration Information to manage, support and to provide the Services, such as create your Account, verify your identity and enable the Services.</p>	<p>We process Registration Information for the purpose of performing our <u>contract</u> with you, subject to our Master Service Agreement.</p>
<p><u>Customer Support</u></p> <p>When our Customers contact us for customer support, we will process your Contact Information.</p>	<p>We will use Contact Information to provide the customer support needed. We will retain such correspondence for as long as needed, and to evidence the support was provided.</p>	<p>We process such information for the purpose of performing our <u>contract</u> with you.</p>
<p><u>Direct Marketing</u></p> <p>We will send you invoices, materials and marketing content through the email information you provided during your onboarding (“Direct Marketing”).</p>	<p>We will use this information to keep you updated with offers and content such as updates, new services offered by Ongage, and to send you invoices, insights and supporting documentation.</p>	<p>We process such information subject to <u>our legitimate interest</u>. You can opt-out at any time by using the “unsubscribe” option.</p> <p>However, certain content (such as invoices) will still be sent.</p>
<p><u>Payment Information</u></p> <p>For using the Services, you may be requested to provide customary billing information, such as name and billing address; however, we do not collect any credit card information, as we use Bluesnap as our payment processor pursuant to BlueSnap Privacy Policy (“Payment Information”).</p>	<p>We will process Payment Information to provide you with Services you purchased.</p>	<p>We process Payment Information as part of the performance of our <u>contract</u> with you.</p> <p>Subject to legal obligation, we may record transaction information, such as your payments and purchase history.</p>
<p><u>Recipient Contact Information</u></p> <p>When a Customer uses our Services, they upload to our system the Recipient’s email addresses and names, job title, geographical location, etc. (“Recipient Contact Information”).</p>	<p>We use Recipient Contact Information to technically enable our Services, specifically enabling our Customer to execute the applicable campaign.</p>	<p>As the Processor of this data, the lawful basis is established by the Controller, our Customers, Ongage acts in accordance to the Customers’ instructions and</p>

<p>Recipient Behavior Data Recipient’s use clicks and analytic behaviour and intent data, actions such as click and open the email, time and date of such action, and profiling the Recipient based on such actions from various Customers (“Recipient Behavior Data”).</p>	<p>We use Recipient Behaviour Data to provide our Customers with marketing and optimization tools, such as profile their users, detect the best time to send the campaign, etc. (“Optimization Services”)</p>	<p>subject to the Data Processing Agreement.</p>
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Please note that, the actual **processing operation** per each purpose of use and lawful basis detailed in the table above, may differ. Such processing operation usually includes set of operations, made by automated means, such as collection, storage, use, disclosure by transmission, erasure or destruction. Transfer of Personal Data to third party countries as further detailed in the Data Transfer section is based on the same lawful basis as stipulated in the table above.

In addition, we may use certain Personal Data to prevent potentially prohibited or illegal activities, fraud, misappropriation, infringements, identity thefts and any other misuse of the Services and to enforce the Terms, as well as to protect the security or integrity of our databases and the Services, and to take precautions against legal liability. Such processing is based on our legitimate interests.

We may collect different categories of Personal Data and Non-Personal Data from you, depending on the nature of your interaction with the Services provided through the website and Platform, as detailed above.

HOW WE COLLECT INFORMATION

- **Automatically** – we may use cookies or similar tracking technologies in connection with our website. The way in which we, and third parties placing cookies in connection with the Services, use cookies and collect data, is explained in our [Cookie Policy](#). We further automatically process and collect the Recipient Behaviour Data on behalf of our Customers.
- **Provided by you voluntarily** – we will collect information if and when you choose to provide us with the information, as through the Services, contact us communications, registration, etc.
- **Provided by Third Parties**- as detailed above, our Customers will provide Recipient Contact Information.

COOKIES & TRACKING TECHNOLOGIES

We use “cookies” (or similar tracking technologies) when you access the website or interact with the Services we offer. The use of cookies is a standard industry-wide practice. A “cookie” is a small piece of information that a website assigns and stores on your computer while you are viewing a website. You can find more information about cookies at <http://www.allaboutcookies.org/>.

Cookies can be used for various purposes, including allowing you to navigate between pages efficiently, for statistical purposes, as well as for advertising purposes. You can find more information about our use of cookies, as well as change your settings and preferences, as detailed under [Cookie Policy](#).

DATA SHARING– CATEGORIES OF RECIPIENTS WE SHARE PERSONAL DATA WITH

We share your Personal Data with third parties, including our partners or service providers that help us provide our Services. You can find in the table below information about the categories of such third-party recipients.

CATEGORY OF RECIPIENT	DATA THAT WILL BE SHARED	PURPOSE OF SHARING
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Customers	Recipients Behaviour Data.	We will share this information in order to provide our Services specifically the Optimization Services.
Service Providers	Online All types of Personal Data.	We employ other companies and individuals to perform functions on our behalf. Examples include: sending communications, processing payments, analysing data, providing marketing and sales assistance (including advertising and event management), identifying errors and crashes, conducting customer relationship management and data storage and hosting services. These third-party service providers have access to Personal Data needed to perform their functions, but they are prohibited from using your Personal Data for any purposes other than providing us with requested Services.
Any acquirer of our business	All types of Personal Data.	We may share Personal Data, in the event of a corporate transaction (e.g., sale of a substantial part of our business, merger, consolidation or asset sale). In the event of the above, our affiliated companies or acquiring company will assume the rights and obligations as described in this Policy.
Legal and law enforcement	Subject to law enforcement authority request.	We may disclose certain data to law enforcement, governmental agencies, or authorized third parties, in response to a verified request relating to terror acts, criminal investigations or alleged illegal activity or any other activity that may expose us, you, or any other user to legal liability, and solely to the extent necessary to comply with such purpose.

USER RIGHTS

We acknowledge that different people have different privacy concerns and preferences. Our goal is to be clear about what information we collect so that you can make meaningful choices about how it is used. We allow you to exercise certain choices, rights, and controls in connection with your information. Depending on your relationship with us, your jurisdiction and the applicable data protection laws that apply to you, you have the right to control and request certain limitations or rights to be executed. For additional information please review our [User Rights Policy](#).

For California and Colorado residents please review our [CCPA Privacy Notice](#).

For detailed information on your rights and how to exercise your rights, please see the Data Subject Request Form (“**DSR**”) available [here](#), and send it to our DPO at: dpo@ongage.com.

Certain rights can be **easily** executed independently by you without the need to fill out the DSR Form:

- As our Customer, you can correct certain data provided under your Account (such as contact information) through the account settings;
- You can opt-out from receiving our emails by clicking “unsubscribe” link;
- You can use the cookie settings tool on our website to change your preferences.

DATA RETENTION

In general, we retain the Personal Data we collect for as long as it remains necessary for the purposes set forth above, all under the applicable regulation, or until you express your preference to opt-out (where applicable), or terminate your use of the Services, or you request to delete your Personal Data.

Other circumstances in which we will retain your Personal Data for longer periods of time include: (i) where we are required to do so in accordance with legal, regulatory, tax, or accounting requirements; (ii) for us to have an accurate record of your dealings with us in the event of any complaints or challenges; or (iii) if we reasonably believe there is a prospect of litigation relating to your Personal Data. Please note that except as required by applicable law, we may at our sole discretion, delete or amend information from our systems, without notice to you, once we deem it is no longer necessary for such purposes.

SECURITY MEASURES

We design our systems with your security and privacy in mind. We have implemented physical, technical, and administrative security measures for the Services that comply with applicable laws and industry standards which you can review our [Security Policy](#) to learn more.

Note that we cannot be held responsible for unauthorized or unintended access beyond our control, and we make no warranty, express, implied, or otherwise, that we will always be able to prevent such access.

Please contact us at: dpo@ongage.com, if you feel that your privacy was not dealt with properly, in a way that was in breach of our Privacy Policy, or if you become aware of a third party's attempt to gain unauthorized access to any of your Personal Data. We will make a reasonable effort to notify you and the appropriate authorities (if required by applicable law) in the event that we discover a security incident related to your Personal Data.

INTERNATIONAL DATA TRANSFER

Our data servers in which we host and store the information are located in Ireland. The Company's HQ are based in Israel in which we may access the information stored on such servers or other systems such as the Company's ERP, CRM, Salesforce, and other systems. We will take appropriate measures to ensure that your Personal Data receives an adequate level of data protection upon its transfer. When Personal Data that was collected within the EEA is transferred outside the EEA, we will take necessary steps in order to ensure that sufficient safeguards are provided during the transferring of such Personal Data. You may exercise your rights, where applicable, to receive information regarding the transfer mechanism that was used during such transfer. Personal Data transferred outside the EEA is transferred, in all cases pursuant to standard contractual clauses approved by the European Union (“**SCCs**”). Additionally, following the withdrawal of the United Kingdom (“**UK**”) from the European Union on January 31, 2020, the UK is no longer considered to be a part of the EEA and therefore, the transferring of Personal Data from the EEA to the UK will also be subject to the SCCs or other contractual clauses

that will ensure the security of the Personal Data (pending an adequacy decision from the European Commission).

ELIGIBILITY AND CHILDREN PRIVACY

Ongage website an Services are not intended for use by children and we do not knowingly collect or maintain information about anyone under the age of 16. Please contact us at: dpo@ongage.com if you have reason to believe that a child has shared any data with us.