

WinMagic Privacy Policy

For any queries, please contact privacy@winmagic.com

This document was last updated on May 1st, 2018.

General

WinMagic is committed to safeguarding the privacy of your personal data. This privacy policy explains the rights available to you in respect of your personal data and explains how we collect and use your personal data.

Personal data

Personal data is provided voluntarily by you, is collected automatically from you during your interactions with us, or is obtained from third party sources.

Data that you provide voluntarily to us

In general, the personal data that you are asked to provide, and the reasons why you are asked to provide it, will be made clear to you when your personal data is requested. We may ask you to provide certain personal data, including but not limited to your name, company position, postal address, telephone number, mobile number, fax number, email address, payment details, account usernames, or passwords. For example, we may ask you to provide some or all of this personal data when you register an account with us, subscribe to our marketing communications, purchase products or services, and/or submit enquiries to us.

Data that is collected automatically

When you access our website, or use our products or services, we may collect certain data automatically from your computers or devices (including mobile devices). The data we collect automatically may include your IP address, geographic location and other technical information. We may also collect data about how your device has interacted with our website, including the pages or features accessed and links clicked and other similar information. Collecting this data enables us to better understand the visitors who use our website. We use this information to improve the quality and relevance of our website.

Some of the data may be collected automatically using tracking technologies, such as cookies. A cookie is a piece of text that gets entered into the memory of your browser by a website, allowing the website to store information on your machine and later retrieve it. Most browsers automatically accept cookies, but you can modify your browser setting to decline cookies by visiting the Help portion of your browser's toolbar. If you choose to decline cookies, please note that your ability to sign in, customize, or use some of the interactive features of our website may be impeded.

Data that we obtain from third party sources

We may also receive personal data about you from third party sources (including but not limited to credit check agencies, recruiters, agencies providing compliance checks such as criminal record checks, lead generation providers, and other partners who sell our products and services to you). We will only agree to receive such personal data these third parties have confirmed that they have your consent or are otherwise legally permitted or required to disclose your personal data to us.

The types of information we collect from third parties may include contact details, resumes, credit history, and order information, and we use the information we receive from these third parties to assess your suitability for a job position, carry out compliance checks required under applicable law (such as anti-bribery and corruption checks), make credit decisions, maintain and improve the accuracy of the records we hold about you, and market our products and services to you.

Data that is collected automatically

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Data collected through our products and services

Our products and services may collect further additional personal data about you beyond the data described in this privacy policy, or use your personal data in ways that are different to or in addition to those described in this privacy policy. Please refer to the following link for more detail by emailing privacy@winmagic.com on how our products collect and use personal data.

Your data protection rights

You have the following data protection rights:

- You can access, delete or request portability of your personal data by emailing privacy@winmagic.com.
- You may also ask us to correct or update your personal data, object to processing of your personal data, or ask us to restrict processing of your personal data using the contact details provided by emailing us at privacy@winmagic.com.
- You have the right to opt-out of marketing communications we send you at any time. You can usually exercise this right by clicking on the "unsubscribe" or "opt-out" link in the marketing e-mails we send you. You may also request this by communicating to us as follows privacy@winmagic.com
- If we have collected your personal data with your consent, then you can withdraw your consent at any time by this by communicating to us as follows privacy@winmagic.com.
- You have the right to complain to a data protection authority about our collection and use of your personal data. For more information, please contact your local data protection authority.
- We will respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

Collection and use of your personal data

If you are making a job application or inquiry, you may provide us with a copy of your resume or other relevant information. We may use this information for the purpose of assessing your application or inquiry. We may also keep this information on file to contact you about future opportunities, unless you ask us not to do this.

Our resellers, distributors, and other partners may visit our partner portal Site. We may use the information provided on that Site for partner relationship management, billing, forecasting, trend analysis, renewal management, marketing, and in order to sell and provide the products and services.

If you obtain products or services from us, we may use your contact details and (where applicable) payment information for the purposes of (a) contacting you regarding license expiry, renewal, and other related notices, (b) maintaining our company accounts and records (c) providing training and customer support, (d) order processing and (e) verifying your usage of the products and services in accordance with the terms and conditions of your agreement with us.

We may occasionally use surveys. In that effort, we may use your personal data for our internal business analysis and training purposes in order to improve our understanding of our users' demographics, interests and behavior to improve our products and services.

Our website may provide you with the use of a chat room for discussions regarding our products and services, which could allow you the opportunity to voluntarily disclose information (including personal data) to such chat rooms. You understand that such information can be viewed publicly and may be collected and used by third parties without our knowledge or consent.

We (or third parties acting on our express authorization) may contact you from time to time in order to provide you with information about products and services that may be of interest to you. Such communications may contain tracking technology that tells us whether you opened the communication and whether you followed the included hyperlinks. We will respect any marketing preferences you have expressed to us and any consent obligations required under applicable privacy and anti-spam rules. You have the right to ask us not to process your personal data for certain or all marketing purposes, but if you do so, we may need to share your contact information with third parties for the limited purpose of ensuring that you do not receive marketing communications from them on our behalf.

Sharing of your personal data

Whenever we are to share personal data, we will take all reasonable steps to ensure that it is treated securely and in accordance with this privacy policy. This may include without limitation aggregating or de-identifying information so that it is not intended to be used by the third party to identify you.

We may transfer or disclose your personal data as follows:

- to our authorized resellers, distributors, and other channel partners in order to process your order or sales enquiry, manage your subscription, provide technical or customer support, advise of upcoming product or service subscription expiry and renewal dates, or as otherwise notified to you when we collect your personal data;
- to our affiliates within the WinMagic group, third party services providers, suppliers, agents, and other organizations who provide services to us in order to support the delivery of and provide functionality to our products or services;
- to any government body where we believe disclosure is necessary (a) as a matter of applicable law or regulation (such as in response to a subpoena, warrant, court order, or other legal process), (b) to exercise, establish, participate in, or defend our legal rights, or limit the damages we sustain in litigation or other legal dispute, or (c) to protect your vital interests, privacy, or safety, or those of our customers or any other person;
- to a potential or actual buyer or transferee (and its agents and advisers) in connection with any proposed or actual transfer of control, purchase, merger, reorganization, consolidation, or acquisition of all or any part of our business, provided that we inform the buyer or transferee it must use your personal data only for the purposes disclosed in this privacy policy; or
- to any other person with your express consent to such disclosure.

Except as set out above, we will not disclose your personal data except where we need to do so in order to enforce this privacy policy, our Software License and Support Agreement, our rights generally, or where required or permitted by applicable local or foreign law.

International transfers of data

WinMagic is based in Canada. However, WinMagic operates all over the world and our website, products and services are accessed from all over the world. When you give us or we obtain personal data, that data may be used, processed, or stored anywhere in the world, including in countries that have data protection laws that are different to the country in which you reside.

WinMagic will ensure your personal data will remain protected in accordance with this privacy policy.

Data retention

We retain personal data we collect from you for as long as necessary for the purposes for which the personal data was collected or where we have an ongoing legitimate business need to do so (for example, to provide you with a product or service you have requested, to ensure that transactions can be processed, settled, refunded, charged back, or to identify fraud), or to comply with applicable legal, tax, or regulatory requirements. Even if you close your account, we will retain certain information in order to meet our obligations.

When we have no ongoing legitimate business need to process your personal data, we will either securely destroy, erase, delete or anonymize it, or if this is not possible (for example, because your personal data has been stored in backup archives), then we will securely store your personal data and isolate it from any further processing until deletion is possible.

Security

We endeavor to protect all personal data using reasonable and appropriate measures, and in accordance with our internal security procedures and applicable law. If you have been given or have created log-in details to provide you with access to certain parts of our website, you are responsible for keeping those details confidential in order to prevent unauthorized access to your accounts.

Links

This privacy policy only applies to personal data collected by us. If we provide a link to a third party website in any manner, WinMagic is not responsible for the content or privacy practices of such third party website. We encourage our users to read the privacy policy of other third party websites that collect personal data. We are not liable for any disputes, loss, or damage that may arise from or in connection with your use of such third party sites.

Notification of changes

This privacy policy may be amended from time to time to reflect evolving legal, regulatory, or business practices. When we update our privacy policy, we will take appropriate measures to inform you. Please check this page periodically for changes. We will obtain your consent to any material privacy policy changes if and where this is required by applicable data protection laws.

Contact

If you have any questions, comments, concerns, grievances, or complaints about this privacy policy or the manner in which we treat your personal data, or if you want to request any information about your personal data or believe that we are holding incorrect personal data on you, please contact us at privacy@winmagic.com. If you wish to unsubscribe from marketing communications, please email contact us at unsubscribe@winmagic.com.

