

# Peritus.AI - Privacy Notice

Effective: December 31, 2020

Please read this Privacy Notice carefully. It provides important information about your personal information. It also tells you about your rights under applicable privacy laws.

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## 1. Introduction

Peritus.AI, Inc. ("**Peritus**") owns and operates (i) the Peritus website located at [www.peritus.ai](http://www.peritus.ai) (the "**Site**"), and (ii) the Peritus proprietary software platform that enables better management of community forums, technical support teams and IT resources (the "**Platform**"). When we refer to the "**Services**" throughout this Privacy Notice, we mean, collectively, the Platform and any related services, content and/or materials provided and/or made available by Peritus in connection with the Platform.

Please note that the Peritus Terms of Service Agreement available at <https://peritus.ai/termservice>, or a separate agreement (the "**Customer Agreement**"), governs the processing of any data, content and/or information (including any personally identifiable information therein) submitted to us in connection with the use of the Services (collectively, "**Customer Data**") by the organization (e.g., your employer or another entity or person) that entered into the Customer Agreement with Peritus ("**Customer**") and its authorized employees, contractors, and agents ("**Authorized Users**"). For the avoidance of doubt, "Customer Data" does not include Peritus Data (as defined [here](#)).

When Peritus collects or processes Customer Data, it does so on behalf of the 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 Customer Data, including, without limitation, any personally identifiable information included in the Customer Data. **If you access and/or use the Services as an Authorized Users or you believe that we have received Customer Data that includes your personally identifiable information, please check with the Customer about the policies and settings it has in place with respect to Customer Data that we may collect and/or receive in connection with the Customer's use of the Services.**

Please note that if you contact us or submit a request regarding any of your personally identifiable information that is included in Customer Data, we will forward your request to the applicable Customer, after which we will have no further obligation to you except to the extent required by applicable law, and the Customer, not Peritus, will be solely responsible for responding to your request.

BY ACCESSING OR USING THE SITE AND/OR SERVICES (OR ANY PART THEREOF), OR SUBMITTING INFORMATION IN CONNECTION WITH YOUR USE OF THE SITE AND/OR SERVICES, YOU ACKNOWLEDGE AND AGREE THAT YOU HAVE READ THIS PRIVACY NOTICE.

## 2. Changes to this Privacy Notice

Peritus reserves the right to update or modify this Privacy Notice at any time. The revised Privacy Notice will be posted on our Site at <https://peritus.ai/privacynotice>. All updates and modifications to Privacy Notice will be effective from the day they are posted online (except as stated below). If we make any material changes to Privacy Notice, we will notify you of these changes by posting a notice of the changes on the main page of the Site and through the user interface of the Platform. It is your responsibility to regularly visit and review the Privacy Notice. If you do not agree to any updates or modifications to the Privacy Notice, simply do not use or access the Site and/or Services (or any part thereof). Your continued use of the Site and/or Services after we have posted the updated Privacy Notice, or, in the event of material changes, ten (10) days following the date we posted the notice of such changes on the Site and/or through the Platform, as applicable, signifies to us that you acknowledge and agree to be bound by the revised Privacy Notice.

## 3. Information we Collect

How and what personal information we collect in connection with the use of the Site and/or Services depends on how and why you use the Services.

The term “personal information” or “personal data” means any information about an individual from which that person may be identified. For example, it may include your name, telephone number, email address, or payment information, and in some jurisdictions your IP address. It does not include data from which the identity of an individual has been definitively removed along with any identifiers connected to such individual (also known as anonymous or anonymized data).

Generally, Peritus may collect personal information when you:

- Visit and/or interact with the Site;
- Register an account (“**Account**”) as a Customer for the Services;
- Invite an Authorized User to access and use the Services;
- Register as an Authorized User of the Services;
- Access and use the Platform;
- Register for and/or install the Peritus Assistant (Chrome browser-based extension)
- Interact with and/or use support and other services provided by us as part of or in connection with the Platform; and/or
- Communicate with us directly.

### a. Information Peritus Collects Directly

The personal information we collect directly from you depends on how and why you use the Services. For instance, the information that you provide when you visit our Site or request to receive marketing materials is more limited than the information you provide if you have registered to use the Services as a Broker or Landlord, or access and use the Services as an Authorized User. We have divided this section into multiple parts in order to better explain the circumstances where personal information may be collected, as well as the types of data collected:

- i. [Registration and Account Information](#)
- ii. [Subscribing to our Newsletter and other Marketing Communications](#)
- iii. [Use of the Peritus Assistant](#)
- iv. [Other Information](#)
- v. [Information Peritus Collects from Other Sources](#)

Please be advised that we may ask you to update your information from time to time in order to keep it accurate. **Additionally, if you provide personal information to us about someone else, you must ensure that you are entitled to disclose that information to us and that, without us taking any further steps required by data protection laws, we**

may collect, use and disclose such information for the purposes described in this Privacy Notice. For example, you should ensure the individual concerned is aware of the terms detailed in this Privacy Notice.

#### *i. Registration and Account Information*

When you register an Account, either as the Customer and/or an Authorized User of the Customer, and/or access the Services through your Account, Peritus may collect the following personal information directly from you:

- Your identity (including your first name and last name);
- Your email address;
- Your username, password and/or other login credentials;
- Your profession and/or employer; and/or
- Information about your transactions with Peritus (however, payment transaction information only includes partial payment or credit card information, which is processed and stored exclusively by our third-party payment processor).

#### *ii. Subscribing to our Newsletter and other Marketing Communications*

Peritus may collect the following personal information directly from you when you subscribe to our newsletter and/or to receive other marketing materials and/or communications:

- Your identity (including your first name and last name);
- Your profession and/or employer; and
- Your email address.

#### *iii. Use of the Peritus Assistant*

The Peritus Assistance is a Chrome browser based extension. If you install the Peritus Assistant, it will keep track of your activity on community forums that are supported by Peritus to assist you in locating recommendations, information or answers to question that you have relevant to that community forum. You may opt-out of this activity by deleting the Peritus Assistant and emailing us a request to opt-out at [help@peritus.ai](mailto:help@peritus.ai).

#### *iv. Other Information*

In addition to the above scenarios, there may be certain features of the Services which allow you to provide additional information to us directly, which may include:

- Information you choose to provide, submit or upload in connection with your use of the Services, including, messages, communications, content, documents or other materials you may share via the interactive communication and/or chat features of the Services; and/or
- Information you may provide by filling out forms or by contacting us (such as your feedback or other communications with us).

#### *v. Information Peritus Collects from Other Sources*

Peritus may collect certain data, content and information that is publicly available through websites, forums or other sources that Peritus makes available to Customer in connection with the Services ("**Peritus Data**").

#### *b. Information Peritus Collects and Receives from Third Parties*

In some instances, we process personal information from third parties, which consists of:

- Data from our partners, such as transactional data from providers of payment services;
- Data and information from third party products and services, including, without limitation data products, services and integrations, that Customer enables for use or otherwise uses in connection with the Services. (collectively, "**Third Party Integrations**"); and
- Customer Data from Customers and their Authorized Users.

#### *c. Information Collected Indirectly*

##### Usage Information

When you use or interact with the Site and/or Services we, or our authorized third-party service providers, automatically collect information about how you use them (collectively, “**Usage Information**”).

Usage Information that we collect consists of information about your interactions with the Site and/or Services, including information about the device used by you to interact with and/or access the Site and/or Services, including, without limitation, IP address, access dates and times, information about your approximate location (as determined through your IP address), mobile device information, device event information, crash data, and log data when you access and use the Site and/or Services.

This information allows Peritus to understand how you’ve used the Site and/or Services (which may include administrative and support communications with us or whether you have clicked on third-party links), and other actions you have taken in connection with your use of the Site and/or Services. We use this information for our internal purposes, specifically to operate, maintain, secure and improve the Site and/or Services. We may also use this information to provide you with notifications, recommendations, and information about specific features of the Site and/or Services and/or additional products, services, or features we believe may be of interest to you.

### Cookies and Similar Technologies

We or authorized third parties collect certain information by automated means using cookies, web beacons, and server logs for analytic purposes. Peritus tracks users use of the Site and/or Services. A cookie is a small text file that is stored on a user's computer for record-keeping purposes. When you visit or access the Site and/or Services, we may by means of cookies, beacons, tags, scripts, and/or similar technologies automatically collect technical information about the devices and software you use to access the Site and/or Services, such as the type of Internet browser or mobile device you use, the website or source that linked or referred you to the Site and/or Services, your IP address or device ID (or other persistent identifier that uniquely identifies your computer or mobile device on the Internet), the operating system of your computer or mobile device, and other similar technical information. Typically, all technical, analytics, and usage information is gathered by Peritus in anonymous form and does not identify you personally.

We use both session ID cookies and persistent cookies. These technologies (or a combination of them) are used to help us:

- Compile statistics and analytics about your use of and interaction with the Site and/or Services, including details about how and where the Site and/or Services are accessed, how often you visit or use the Site and/or Services, the date and time of your visits, your actions on the Site and/or Services, and other similar traffic, usage, and trend data, which allow us to better understand the functionality of our Site and software on your device and gain insights about how they are used in order to improve your experience;
- Gather important functionality, testing, and performance data about the Site and/or Services, including performance data related to the Platform, such as network activity, CPU load, and resource usage, among other relevant data;
- Moderate user behavior on the Site and/or Services, such as protecting against fraud and other inappropriate activities;
- Gather demographic information about our user base; and
- Perform other similar functions.

We may use third party tools and technologies to help us gather this information discussed above. For instance, we use, Google Analytics to collect and process certain analytics data and security with technologies such as tracking pixels. For information on your choices regarding cookies, please see [Your Choices](#).

### d. Aggregated Data

With the personal information and other data (including, Usage Information) collected by us, we process “*Aggregated Data*”, such as statistical or demographic data. Aggregated Data may be derived from personal information, but is not considered personal information under the law if it does not directly or indirectly reveal an individual’s identity. If we combine or connect Aggregated Data with personal information so that it can directly or indirectly identify an individual, we treat the combined data as personal information, which will be processed in accordance with this Privacy Notice.

## 4. Using Personal Information

Depending on how you use the Site and/or Services, we use your personal information in the following instances:

- To host and provide the Site;
- To perform and provide the Services to the Customer pursuant to the Customer Agreement;
- To enable Third Party Integrations connected to the Services;
- To invite Authorized Users to access the Services;
- Deliver direct marketing communications to you, if you are a Customer or have otherwise opted-in to receive marketing communications, regarding our products and services that we may think are of interest to you;
- Respond to your queries and requests, or otherwise communicate directly with you;
- Detect any fraudulent or illegal activity against you, Peritus, or its other customers and users of the Site and/or Services;
- Perform system maintenance and upgrades, and enable new features;
- To comply with a legal or regulatory obligation (for example, keeping records of our sales for tax compliance); and
- Provide information to regulatory bodies when legally required, and only as outlined below in [Legal Obligations and Security](#).

## 5. Sharing Personal Information

Aside from disclosing personal information to those of our personnel who are authorized to process the information in order to provide the Site and/or Services and who are committed to confidentiality, we disclose personal information only to the third parties as described below.

### a. Third-Party Service Providers

We share personal information with third parties that provide services to help us provide the Site and/or Services, and to otherwise operate our business. Depending on how you use the Site and/or Services, the following categories of third parties collect data on our behalf or receive personal information:

- Hosting services providers;
- Analytics providers;
- Providers of business operations and communication tools;
- Other third-party service providers that help us provide features and functions for the Site and/or Services (e.g., customer support providers); and
- Professional service providers, such as auditors, lawyers, consultants, accountants and insurers.

For a list of all third-party service providers we use, please [contact us](#). We require all third parties to respect the security of your personal information and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal information for their own purposes and only permit them to process your personal information for specified purposes and in accordance with our instructions, unless the data is rendered fully anonymous.

### b. Third Party Integrations

When you choose to use, enable and/or connect Third Party Integrations to interact with the Services, certain data and information may be exchanged between us and the provider of the applicable Third Party Integration. Note that Third Party Integrations with whom you choose to share your information with are not the Services providers. The applicable providers of Third Party Integrations may use your personal information differently than we do and we do not control their use of your information. Please review the privacy notices of any Third Party Integrations you decide to enable in connection with the use of the Services.

### c. To Customer

We will share and disclose personal information of Authorized Users with the Customer and otherwise in accordance with the Customer's instructions, including any applicable terms in the Customer Agreement, and in compliance with applicable law and legal process. If you are an Authorized User, please consult with the Customer to learn more about how your information may be used, shared and/or disclosed by us on behalf of the Customer.

In addition, we share Peritus Data with Customers as part of the Services pursuant to the Customer Agreement. Customers are required to protect the confidentiality of Peritus Data and may only use the Peritus Data in connection with the Services and in accordance with the terms of the Customer Agreement.

#### d. To Authorized Users

If you request to designate an Authorized User to access and use the Services, or otherwise share your data and/or information with Authorized Users through the Services, we will share your information with such Authorized Users.

Note that Authorized Users with whom you choose to share your information may use your personal information differently than we do, and we do not control their use of your information. Please make your choice to share your information carefully.

Peritus will not be able to contain or retrieve personal information once it has been shared or disclosed, and Peritus will have no responsibility or liability for any consequences that may result because you have released or shared personal information with others.

#### e. Interactive Communication Tools and Features

We offer users the ability to use forums and similar means of discussion to communicate and interact with other users of the Services, either in public forums and/or through the interactive communication functionality and features.

If you use any messaging, posting or chat functions through the Services, any personal information submitted there will be available to anyone who has access to that content, and can be read, collected, or used by other users of these forums, and could be used to send unsolicited messages. Please make your choice to share your information carefully.

#### f. Business Transfers

We may also share data with third parties to whom we choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this Privacy Notice.

#### g. Affiliates and Subsidiaries

Personal information that we collect about you through the Site and/or Services may be shared with the employees, contractors, and agents of Peritus and our affiliated and subsidiary entities ("**Affiliates**") who are involved in providing or improving the Site and/or Services that we offer to you. We obligate the employees, contractors and agents of Peritus and our Affiliates to ensure the security and confidentiality of your personal information and to act on that personal information only in a manner consistent with this Privacy Notice.

#### h. Legal Obligations and Security

If we are required to disclose personal information by law, such as pursuant to a subpoena, warrant or other judicial or administrative order, our policy is to respond to requests that are properly issued by law enforcement within the United States. Under such circumstances, unless prohibited by applicable law, we will attempt to provide you, or the Customer if you are an Authorized User of, or your personally identifiable information is controlled by, such Customer, with prior notice that a request for your information has been made in order to give you an opportunity to object to the disclosure. We will attempt to provide this notice by email, if you have given us an email address. However, government requests may include a court-granted non-disclosure order, which prohibits us from giving notice to the affected individual. In cases where we receive a non-disclosure order, we notify the user when it has expired or once we are authorized to do so.

Note that if we receive information that provides us with a good faith belief that there is an exigent emergency involving the danger of death or serious physical injury to a person, we may provide information to law enforcement trying to prevent or mitigate the danger (if we have it), to be determined on a case-by-case basis.

If you are an Authorized User or a Customer otherwise controls Customer Data that includes your personally identifiable information, please consult with the Customer to learn more about how Customer responds to requests for information pursuant to legal orders.

## 6. Marketing Communications

If you are a Customer and have not otherwise opted out, or if you have opted in to receive direct marketing emails from us, we may use your personal information to send you marketing information about the Site and/or Services, other Peritus products and services, new product releases, and new feature releases of the Site and/or Services that we think may interest you. We carry out direct marketing by email.

If you no longer wish to receive marketing communications, you have the right at any time to opt out as further explained in [Your Choices](#).

## 7. Your Choices

### *Updating and Correcting Personal information*

If you would like to correct or update certain personal information (such as your contact information) please contact us at [help@peritus.ai](mailto:help@peritus.ai) and we will use reasonable efforts to correct and/or update such information. If you are an Authorized User or a Customer otherwise controls Customer Data that includes your personally identifiable information, contact the Customer if you wish to request the correction of personal information under their control.

### *Direct Marketing*

You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of any of our marketing e-mails. We will use commercially reasonable efforts to process such requests in a timely manner. You cannot opt out of receiving transactional e-mails related to the Site and/or Services (e.g., requests for support).

### *Cookies*

With respect to your choices regarding cookie and other tracking technologies, most web and mobile device browsers automatically accept cookies, but if you prefer, you can change your browser to prevent that or to notify you each time a cookie is set. You can also learn more about cookies by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org) which includes additional useful information on cookies and how to block cookies using different types of browsers or mobile devices. Please note, however, that by blocking or deleting cookies used on the Site and/or Services, you may not be able to take full advantage of the Site and/or Services.

Google provides some additional privacy options described at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/) with respect to Google Analytics cookies. To opt out from Google Analytics, you can download a plug-in from <https://tools.google.com/dlpage/gaoptout>.

Please note that Peritus does not process or respond to web browsers' "do not track" signals or other similar transmissions that indicate a request to disable online tracking of users who use the Site and/or Services.

## 8. Sensitive Data

Peritus does not require you to provide any sensitive data about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic, and biometric data to use the Site or Services.

## 9. Children’s Privacy

Peritus does not target its Service to persons under the age of 16 and does not knowingly collect personal information from minors. Therefore, we ask you not to provide us with personal information of persons under the age of 16. If we learn that personal information of persons under 16 years of age has been collected on or through the Site and/or Services, then we may deactivate the account or otherwise terminate access to the Site and/or Services and/or make the user content inaccessible.

## 10. Payment Processing

We do not directly collect or store any payment information. We use third-party, PCI-compliant, payment processors, which collect payment information on our behalf in order to complete transactions. Our administrators are only able to view limited transaction information via our payment processors' portals. Please review the applicable payment processor's privacy statement more about how that payment processor collects, processes and protects your personal information

## 11. Third Party Social "Share" Buttons

On or through the Site and/or Services, we provide third-party "share" buttons which enable you to share certain content via social media sites (e.g., LinkedIn and Twitter). These "share" buttons may function as web beacons when you interact with the button. Please note that when you "share" using the buttons, you may send to the third party provider of the "share" button the information that you are viewing. If you are not logged into your account with the third party provider, then the third party may not know your identity. If you are logged in to your account with the third party, then the third party may be able to link information or actions about your interactions with the Services to your account with the applicable third party provider. Please refer to each third party's privacy policies to learn more about its data practices.

## 12. External Websites

On or through the Site and/or Services, we may provide or make available, for informational purposes only, links to other websites or resources with which we do not have a contractual relationship and over which we do not have control ("**External Websites**"). Such links are not paid advertisements, nor do they constitute an endorsement by Peritus of those External Websites, and are provided only as a convenience. By clicking on links to External Websites, the operators of the External Websites may collect personal information. We are not responsible for the content or data collection practices of those External Websites, and the use of External Websites is subject to their respective terms of use and privacy policies.

## 13. Data Retention

Personal information is processed for the period necessary to fulfill the purposes for which it is collected (for example, in connection with the Services provided to Customer pursuant to the Customer Agreement), to comply with legal and regulatory obligations and for the duration of any period necessary to establish, exercise or defend any legal rights.

In order to determine the most appropriate retention periods for your personal information, we consider the amount, nature and sensitivity of your such information, the reasons for which we collect and process your such personal information, and applicable legal requirements.

In some instances, we may choose to anonymize your personal information instead of deleting it, for statistical use, for instance. When we choose to anonymize, we make sure that there is no way that the personal information can be linked back to you or any specific individual.

If you are an Authorized User or a Customer otherwise controls Customer Data that includes your personally identifiable information, contact the Customer if you wish to request the removal of personal information under their control.

## 14. Data Security and Protection

We have put in place reasonable and appropriate security measures designed to prevent your personal information from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. For example, we use encryption, secure socket layer, firewalls, and password protection. In addition, we limit access to personal information to those employees, agents, contractors and the third parties who have a business need-to-know.

We also have procedures in place to deal with any suspected data security breach; however, no method of transmission over the Internet, or method of electronic storage, is 100% secure. While we take reasonable steps to provide secure services, by using the Site and/or Services, you understand and assume the risks associated with your activities on the internet.

In addition, you have responsibility and control over protecting your personal information. For example, you, and not Peritus is responsible for safeguarding your password, and other authentication information you use to access the Site and/or Services. You should not disclose your authentication information to any third party and should immediately notify Peritus of any unauthorized use of your password.

In addition, as described in this Privacy Notice, Peritus cannot secure, and has no responsibility for, any personal information that you share or release on your own or that you request us to share or release.

## 15. Notice to Users Outside the United States

The Site and Services, and Peritus's servers, are operated in the United States. If you are located outside of the United States, please be aware that your information, including your personal data, may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside the United States and choose to use the Site and/or Services, you hereby irrevocably and unconditionally consent to such transfer, processing, and use in the United States and elsewhere.

## 16. Contact Us

If you have any questions about this Privacy Notice, have additional questions, you can contact us as follows [help@peritus.ai](mailto:help@peritus.ai).

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