

# PRIVACY NOTICE

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Effective November 19, 2017

The privacy notice is part of the use of the website [www.xmartclock.com](http://www.xmartclock.com) and the XmartClock® Platform.

XmartClock LLC Newark, DE, USA

One of the priorities of XmartClock® is to respect the privacy of its users and keep the information and personal data it collects secure.

## PERSONAL, COMPANY AND EMPLOYEE DATA

Information must be true and complete. The user will respond at all times for the data provided and in no case XmartClock® will be responsible for the veracity of the same.

XmartClock® records Personal Data, that is, information that identifies you or makes you identifiable. These Personal Data are: name, email, home address, telephone

number, payment information, billing information, employee and company data. This personal data You provide them voluntarily when deciding to open an account with us and / or buy online through our website; to get our services such as: payroll administration, employee clocking times, shifts and days, technical assistance and support, guarantees, etc ,. through the XmartClock® Platform.

## WHAT ARE COOKIES AND HOW ARE THEY USED?

Cookies are small pieces of information that are sent by the website to your browser and stored on the hard drive of your computer and used to determine your preferences when connected to the services of our sites, as well as to track certain behaviors or activities carried out by you within our sites.

In some sections of our site we require the client to have cookies enabled since some of the functionalities require them to work. Cookies allow us to: a) recognize you when entering our sites and offer you a personalized experience, b) know the personal configuration of the site specified by you, for example, cookies allow us to detect the bandwidth you have selected when entering the home page of our sites, so that we know what type of information is advisable to download, c) calculate the size of our audience and measure some traffic parameters, since each browser that obtains access to our sites acquires a cookie that is used to determine the frequency of use and the sections of the sites visited, thus reflecting their habits and preferences, information that is useful to improve the content, headlines and promotions for users. Cookies also help us track some activities, for example, in some of the surveys we do online, we can use cookies to detect if the user has already filled out the survey and avoid doing it again, in case he has done so. However, cookies will allow you to take advantage of the most beneficial features we offer, so we recommend that you leave them activated.

The use of cookies will not be used to identify users, with the exception of cases where possible fraudulent activities are investigated.

## USE OF INFORMATION

The Personal Data that you provide to XmartClock® will be treated, along with complying with the obligations derived from the relationship that could be created with you, with the following purposes:

- Provide information about products, services, promotions, contests or other activities or proposals of interest of XmartClock® and its subsidiaries and affiliates.
- Request information for market research purposes.
- To follow up on a problem that has arisen regarding products and services.
- To enroll in Loyalty Programs when they are applicable.
- In general, for communication, marketing and service provision purposes offered by XmartClock®.

In the event that your personal data is intended to be used for a purpose other than the above, XmartClock® will notify you on the website, by email or telephone, in order to obtain your consent for the processing of your personal data according to the new purposes. If we do not receive your consent, in cases where it is necessary, XmartClock® will not use your personal data.

It is important that you know that XmartClock® has adopted the relevant security measures to protect the data provided and that they will never be compromised or vulnerable to theft, loss, sale or commercialization.

## LIMITATION OF USE AND DISCLOSURE OF INFORMATION

In our notification program of promotions, offers and services via email, only XmartClock® has access to the information collected. This type of advertising is carried out through notices and promotional emails, which will only be sent to you and to those contacts registered for this purpose, this registration may be modified by you at any time. In these sent emails, offers from third parties that are our business partners may occasionally be included.

In the case of the use of cookies, the "help" button found in the toolbar of most browsers will tell you how to avoid accepting new cookies, how to make the browser notify you when you receive a new cookie or How to disable all cookies.

Requests, questions and comments go to:

Customer Service Department

Email: [info@xmartclock.com](mailto:info@xmartclock.com)

## TRANSFER OF DATA TO THIRD PARTIES

XmartClock® will not share, without your prior consent, your personal data with third parties, nationals or foreigners, unless (a) the law or a court order requires it; (b) that the information must be shared with employees or entities that have been hired by XmartClock® to carry out internal operations and fulfill the purposes described (for example to send you a promotional newsletter requested by you, store the information physically or electronically ); (c) to protect the rights or property of, XmartClock® or its customers; (d) that said transfer is contemplated in the Law on Protection of Personal Data Held by Private Parties. We have required or will require that our contractors agree to use your personal data only for the purpose of carrying out the operations for which they were hired.

## PROTECTION

The security and confidentiality of the data that users provide when hiring a service or buying a product online will be protected by a secure server under the Secure

Socket Layer (SSL) protocol, so that the data sent will be transmitted encrypted to ensure it is safe.

However, despite having safer tools every day, the protection of data sent over the Internet cannot be guaranteed 100%; So once received, every effort will be made to safeguard the information.

## CHANGES TO THE PRIVACY NOTICE

We reserve the right to make modifications or updates to this privacy notice at any time, for the attention of legislative or jurisprudential developments, internal policies, new requirements for the provision or offering of our services or products and market practices.

These modifications will be available to the public through our website [www.xmartclock.com](http://www.xmartclock.com)

## ACCEPTANCE OF THE TERMS

This statement of Confidentiality / Privacy is subject to the terms and conditions of the XmartClock® website described above, which constitutes a legal agreement between the user and XmartClock®.

If the user uses the services of the XmartClock® site, it means that they have read, understood and agreed to the terms set forth above. If you do not agree with them, the user must not provide any personal information or use the services of the XmartClock® site.