

CyberNite Privacy Policy

We at CyberNite Ltd. (“**CyberNite**”, “**we**”, “**our**” or “**us**”) develop and operate tools designed to help organizations increase the cyberdefense of their employees (the “**Services**”).

This Privacy Policy describes how we collect, store, use and disclose data which relates to identified or identifiable individuals (“**personal data**” and “**data subjects**”, respectively) who are:

1. **Admins** relating to individuals who operate and enable our Services on behalf of our corporate Customers (“**Admin(s)**” and “**Customer(s)**” respectively);
2. **Users** data relating to individuals who use the Services subject to Customer’s instructions (“**Users(s)**”);
3. **Site visitors, Prospect & CRM Data** relating to visitors of our website, participants at our events, Customers, partners, and any prospective Customers or partners who visit or otherwise interact with any of our websites, online ads and content, emails or other communications under our control (“**Visitors**” and “**Site**” respectively).

Specifically, this Privacy Policy describes our practices regarding:

1. [Data Collection](#)
2. [Data Uses](#)
3. [Data Location](#)
4. [Data Retention](#)
5. [Data Sharing](#)
6. [Cookies and Tracking Technologies](#)
7. [Communications](#)
8. [Data Security](#)
9. [Data Subject Rights](#)
10. [Data Controller/Processor](#)
11. [Additional Notices & Contact Details](#)

If you are an Admin, User, Customer or a Visitor (Collectively “you”), please read this Privacy Policy carefully and make sure that you fully understand and agree to it.

You are not legally required to provide us with any personal data. If you do not wish to provide us with your personal data, or to have it processed by us or any of our Service Providers (defined below), please refrain from accessing, using or registering to our Services. If you have been registered to our Services by one of our Customers or partners, we suggest that you contact your organizational account administrator with any questions or to let them know that you would not like to be registered by them to the Services.

1. Data Collection

(i) Admins CyberNite collects the following personal data relating to individuals who operate and enable our Services on our Customers’ behalf (such as IT managers, Information security officers, etc.):

- **Account Data** full name, email address, job title, and any other information relevant for providing the Services.
- **Usage Information** connectivity, technical and aggregated usage data and activity logs, log-in and log-out time, IP addresses, device and mobile app data (such as type, OS, device ID, app version, browser version, locale, time-zone and language settings used), session recordings and analytics, and the cookies and pixels installed or utilized on the device.

(ii) Users CyberNite collects the following personal data relating to individuals who use our Services on company issued software (such as organisational email address).

- **User Profile** full name, email address, job title and any other information relevant for the provision of the Services.

- **Correspondence information** email header, subject and recipients, activity logs, IP address, device and mobile app data (such as type, OS, device ID, app version, browser version, locale, time-zone and language settings used).
- **Correspondence content** meta-data related to the content of Customer's users' correspondence through organizational issued software.

We process User data on behalf of our Customers as their "Data Processor". For more information please see Section 10 below.

(iii) Visitors & Customers we may collect and generate the following types of personal data concerning our Visitors & Customers:

- **Site Usage Data** connectivity, technical and aggregated usage data, such as user agent, IP addresses, device data (like device type, OS, device ID, browser version, locale and language settings used), activity logs, session recordings, and the cookies and pixels installed or utilized on our Sites and/or a User's device;
- **Business Account Data** contact details, contractual and billing details relating to our Customers and partners, which may also contain the details of their internal focal persons who directly engage with CyberNite on behalf of their organization (e.g. account administrators, billing contacts and authorized signatories on behalf of the Customer or partner, as well as the needs and preferences of the Customer or partner, as identified to us or recognized via our engagement with them);
- **CRM & Prospective Customers Data** contact and business details, our communications with Customers and prospective Customers (correspondences, call and video recordings, call transcripts, and analyses thereof), as well as any needs, preferences, attributes and insights relevant to our potential engagement.

We collect the above Visitors & Customer data either automatically, through the data subject's interaction with us or with our Sites or Services; or through third party services, social media, analytics tools, events we organize or participate in, and other business initiatives.

To the extent that any of the above-mentioned data pertains only to a non-human entity (e.g., the phone number or bank account of a company or business), we will not regard it as "personal data" and this Privacy Policy will not apply to it.

2. Data Uses

We use personal data as necessary for the following purposes and in reliance on the following legal bases:

User Data	
Purpose	Legal basis for processing
Providing our Customers with our Services	Customer assumes the role of a 'data controller' and CyberNite that of a 'data processor'. As such the legal basis is established by the Customer.
To create aggregated data, anonymized or pseudonymized data and/or De-identified Data.	Data processing instructions as provided by the Customer as the 'data controller'.
De-identified User data	
Purpose	Legal basis for processing
To improve the analysis and insights provided by CyberNite.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract
To support and enhance our data security measures, including for preventing and mitigating the risks of fraud, error or any illegal or prohibited activity.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Compliance with legal obligations

To create aggregated data, inferred non-personal data or anonymized or pseudonymized data (de-identified data), which we or our business partners may use to provide and improve our respective services, conduct research, or for any other purpose.	<ul style="list-style-type: none"> ▪ Legitimate Interest
To comply with applicable laws and regulations.	Compliance with legal obligations
Admins, Site, CRM & Prospect Data	
Purpose	Legal basis for processing
To facilitate, operate, and provide our Service.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract
To authenticate the identity of our Admins, and to allow them to access our Service.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract
To provide our Visitors, Admins and Customers with assistance and support.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract
To evaluate and develop new features, technologies, and improvements to the Service.	<ul style="list-style-type: none"> ▪ Legitimate Interest
To facilitate and optimize our marketing campaigns, ad management and sales operations, and to manage and deliver advertisements for our products and Services more effectively, including on other websites and applications.	<ul style="list-style-type: none"> ▪ Legitimate Interest
To contact our Visitors, Admins and Customers (whether existing or prospective) with general or personalized service-related messages, as well as promotional messages that may be of specific interest to them.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Consent
To facilitate, sponsor and offer certain events, contests and promotions.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Consent
To support and enhance our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error or any illegal or prohibited activity.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract
To create aggregated data, inferred non-personal data or anonymized or pseudonymized data (de-identified data), which we or our business partners may use to provide and improve our respective services, conduct research, or for any other purpose.	<ul style="list-style-type: none"> ▪ Legitimate Interest ▪ Performance of a Contract ▪ Compliance with legal obligations
To comply with applicable laws and regulations.	<ul style="list-style-type: none"> ▪ Compliance with legal obligations

If you reside or are using the Services in a territory governed by privacy laws under which "consent" is the only or most appropriate legal basis for the processing of personal data (in general, or specifically with respect to the types of personal data you expect or elect to process or have processed by or via the Services, e.g. 'special categories' under the GDPR), your acceptance of our Privacy Notice and this Privacy Policy will be deemed as your consent to the processing of your personal data for all purposes detailed in this Policy. If you wish to revoke your consent, please contact us at privacy@cybernite.ai.

We do not sell your personal information for the intents and purposes of the California Consumer Privacy Act (CCPA).

3. Data Location

Data Location: Your personal data may be maintained, processed and stored by us and our authorized Service Providers (defined below) in multiple locations, including in Israel and Europe, as reasonably necessary for the proper performance and delivery of our Services, or as may be required by law.

While privacy laws may vary between jurisdictions, CyberNite and its Service Providers are each committed to protect personal data in accordance with this Privacy Policy, customary industry standards, and such appropriate lawful mechanisms and contractual terms requiring adequate data protection, regardless of any lesser legal requirements that may apply in the jurisdiction to which such data is transferred. These may include transferring your personal data to a country which is considered to provide an 'adequate' level of protection to your personal data, or putting in place standard contractual clauses and additional security measures to ensure your personal data is protected.

CyberNite Ltd. is headquartered in Israel, a jurisdiction which is recognized by the European Commission and the UK Information Commissioner's Office (ICO) as offering an adequate level of protection for the personal data of UK and EEA residents. We transfer personal data from the EEA and the UK to Israel on this basis. For data transfers from the EEA or UK to countries which are not considered to be offering an adequate level of data protection, we rely on appropriate data transfer mechanisms as established under applicable law, such as the standard contractual clauses adopted by the EU, the UK or Switzerland.

4. Data Retention

We will retain your personal data for as long as it is reasonably necessary for us to maintain our relationship with you and provide you with our Services and offerings; in order to comply with our legal and contractual obligations; or to protect ourselves from, or defend, any potential or actual disputes (i.e. as required by laws applicable to log-keeping, records and bookkeeping, and in order to have proof and evidence concerning our relationship, should any legal issues arise following your discontinuance of use), all in accordance with our contractual terms and data retention policy.

Please note that except as required by applicable law or our specific agreements with you, we will not be obligated to retain your personal data for any particular period, and we are free to securely delete it or restrict access to it for any reason and at any time, with or without notice to you. If you have any questions about our data retention policy, please contact us by e-mail at privacy@cybernite.com.

5. Data Sharing

Legal Compliance: In exceptional circumstances, we may disclose or allow government and law enforcement officials access to your personal data, in response to a subpoena, search warrant or court order (or similar requirement) and where such disclosure is necessary to comply with applicable laws and regulations. Such disclosure or access may occur if we believe in good faith that: (a) we are legally compelled to do so; or (b) disclosure is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing; or (c) such disclosure is required to protect the security or integrity of our Services. Furthermore, amongst our Customers are municipalities and councils. Such entities may be required, due to local laws (e.g. freedom of information laws) to disclose certain information. Such requests may cover information held by us. If we receive such a request we will take reasonable steps to ensure no personal data is included in the provided information.

Service Providers: We engage selected third-party companies and individuals to perform services complementary to our own. Such service providers hosting and server co-location services, communications and content delivery networks ("CDNs"), billing and payment processing services, data and cyber security services, fraud detection and prevention services, web and mobile analytics, e-mail, text messages and web/mobile notification distribution, monitoring and analytics services, data optimization and marketing services, social and advertising networks, content providers, e-mail, voicemails, support and customer relation management systems, call and session recording services, and our legal, financial and compliance advisors (collectively, "**Service Providers**").

These Service Providers may have access to your personal data, depending on each of their specific roles and purposes in facilitating and enhancing our Services, and may only use it for such limited

purposes as determined in our agreements with them. Should you decide to directly engage with any of our Service Providers, please note that such engagement is beyond the scope of our Terms and Conditions and Privacy Policy and will therefore be covered by our Service Provider's terms and policies.

Our Service Providers are "data processors" in circumstances where we assume the role of "data controller"; and where we act as the "data processor" for our business Customer, the Service Provider is our "sub-processor" (as further described in Section 10 below).

Third Party Websites and Services: Our Services may also include links to third-party websites, and integrations with third party services. These websites and third-party services, and any information you process, submit, transmit or otherwise use with such websites and third-party services, are governed by the third party's terms and privacy practices and policies, and not by this Privacy Policy. We encourage you to carefully read the terms and privacy policies of such website and third-party services.

Sharing Personal Data with our Customers: We may share User's personal data with the Customer who owns the account with which a User is associated, including data and communications, concerning the use of the Services or other interactions with us. In such cases, sharing this data means that the Admin may access it on behalf of our Customer, and will be able to monitor and review data concerning your interaction with our Services, as well as access any personal data that you submitted to the Service.

Protecting Rights and Safety: We may share your personal data with others if we believe in good faith that this will help protect the rights, property or personal safety of CyberNite, any of our Users or Customers, or any members of the general public.

Our Subsidiaries and Affiliated Companies: We may share personal data internally within our group of companies, for the purposes described in this Privacy Policy. In addition, should we or any of our subsidiaries or affiliates undergo, or propose to undergo, any change in control or ownership, including by means of merger, acquisition or purchase of substantially all or part of our assets, your personal data may be shared with the parties involved in such an event. If we believe that such change in control might materially affect your personal data then stored with us, we will notify you of this event and the choices you may have via e-mail or prominent notice on our Services.

For the avoidance of doubt, we may share your personal data in additional manners, pursuant to your explicit approval, or if we are legally obligated to do so, or if we have successfully rendered such data non-personal and anonymous. We may transfer, share or otherwise use non-personal data at our sole discretion and without the need for further approval.

6. Cookies and Tracking Technologies

Cookies are packets of information sent to your web browser and then sent back by the browser each time it accesses the server that sent the cookie. Some cookies are removed when you close your browser session. These are "Session Cookies". Some last for longer periods and called "Persistent Cookies". We use both types.

We use Persistent Cookies to remember your log-in details and make it easier for you to log-in the next time you access the Services. We may use this type of cookies and Session Cookies for additional purposes, to facilitate the use of the Services' features and tools.

Every browser allows you to manage your cookies preferences. Please bear in mind that disabling cookies may complicate or even prevent you from using certain parts of features of the Services.

For more information, please review our Cookie Policy.

We also use analytics tools such as Google Analytics. These tools help us understand your behavior on our Services, including by tracking page content, and click/touch, movements, scrolls and keystroke activities. Further information about the privacy practices of our google analytics is available at: www.google.com/policies/privacy/partners/;

Further information about your option to opt-out of google analytics services is available at: <https://tools.google.com/dlpage/gaoptout>.

Please note that if you get a new computer or device, install a new browser, erase or otherwise alter your browser's cookie file (including upgrading certain browsers), you may also clear the opt-out cookies installed once you opt-out, so an additional opt-out will be necessary to prevent additional tracking.

7. Communications

Service Communications: We may send you notifications (through any of the means available to us, including by email, SMS and mobile notifications) of changes or updates to our Services, billing issues, service changes, etc. You can control some of these notifications' settings. However, please note that you will not be able to opt-out of receiving certain service communications which are integral to the operation of our Services and their use (like billing notices).

Promotional Communications: We may also notify you about new features, additional offerings, better ways to use the Services, events and special opportunities or any other information we think you will find valuable. We may provide such notices through any of the contact means available to us (e.g. phone, SMS, mobile notifications or e-mail), through the Services, or through our marketing campaigns on any other sites or platforms.

If you do not wish to receive such promotional communications, you can notify us at any time by writing to privacy@cybernite.com, or by following the "unsubscribe", "stop", "opt-out" or "change e-mail preferences" instructions contained in the promotional communications you receive.

8. Data Security

We and our Service Provides implement systems, applications and procedures to secure your personal data, and to reduce the risks of theft, damage, loss of data, or unauthorized access or use of personal data. These measures provide sound industry standard security. However, although we make efforts to protect your privacy, we cannot guarantee that the Services will be immune from any wrongdoings, malfunctions, unlawful interceptions or access, or other kinds of abuse and misuse.

9. Data Subject Rights

If you wish to exercise your privacy rights under any applicable law, including the EU General Data Protection Regulation ("**GDPR**") or the California Consumer Privacy Act ("**CCPA**"), such as the right to request access to, and rectification or erasure of your Personal Data held by CyberNite, or to restrict or object to your personal data's processing, or to exercise your rights to portability with respect to your personal data or your right to equal services and prices (each to the extent available to you under the laws which apply to you) – please contact us at: privacy@cybernite.com.

Please note that when you ask us to exercise any of your rights under this policy or applicable law, we may require additional information, including certain personal data, in order to authenticate and process your request. Such additional information may be then retained by us for legal purposes (e.g., as proof of the identity of the person submitting the request), in accordance with Section 4 above, we may redact from the data which we will make available to you, any personal data related to others.

10. Data Controller/Processor

Certain data protection laws and regulations, such as the GDPR or the CCPA, typically distinguish between two main roles for parties processing Personal Data: the "**data controller**" (or under the CCPA, "**business**"), who determines the purposes and means of processing; and the "**data processor**" (or under the CCPA, "**service provider**"), who processes the data on behalf of the data controller (or business). Below we explain how these roles apply to our Services, to the extent that such laws and regulations apply.

CyberNite is the "Data Controller" or "Business" of Admin, Customer and Visitors Data, and assumes the responsibilities of a data controller (solely to the extent applicable under law), as set forth in this Privacy Policy. In such instances, our Service Providers processing such data will assume the role of "**data processor**".

CyberNite is the "Data Processor" or "Service Provider" of User Data, which we process on behalf of our Customer (who is the "data controller" of such data); and our Service Providers and our affiliated

companies who process such Customer Data on our behalf are the “**sub-processors**” of such data. Our activity is conducted strictly in accordance with our Customer’s reasonable instructions and commercial agreements with such Customer. The Customer, as controller of such data, will be responsible for meeting any legal requirements applicable to data controllers (such as establishing a legal basis for processing and responding to Data Subject Rights requests concerning the data they control).

11. Additional Notices & Contact Details

Updates and Amendments: We may update and amend this Privacy Policy from time to time by posting an amended version on our Services. The amended version will be effective as of the date it is published. We will provide prior notice if we believe any substantial changes are involved via any of the communication means available to us or via the Services. After such notice period, all amendments shall be deemed accepted by you.

External Links: While our Services may contain links to other websites or services, we are not responsible for their privacy practices. We encourage you to pay attention when you leave our Services for the website or application of such third parties, and to read the privacy policies of each and every website and service you visit. This Privacy Policy applies only to CyberNite’s Services.

Our Services are not designed to be used by children under the age of 18: We do not knowingly collect personal data from children and do not wish to do so. If we learn that a person under the age of 13 is using the Services, we will attempt to prohibit and block such use and will make our best efforts to promptly delete any personal data stored with us regarding such child. If you believe that we might have any such data, please contact us by e-mail at privacy@cybernite.com.

Questions, concerns or complaints: If you have any comments or questions regarding our Privacy Policy, or if you have any concerns regarding your personal data held with us, please contact us at: privacy@cybernite.com.

Effective Date: 28 December, 2021