

Privacy Policy

Content Square SaaS (“**Contentsquare**”, “**we**”, “**our**” or “**us**”) develops and provides customer experience analytics services.

Such services allow our customers to recreate a web or app session showing their website and app visitors’ interactions on their website or mobile app, to gain meaningful insights into such interactions, and use them to create exceptional experiences.

We provide such services through the Contentsquare website (available at www.Contentsquare.com, “**Site**”), and the Contentsquare platform available therein (“**Platform**”; and collectively – “**Services**”).

We respect the privacy of our Site visitors (“**CS Visitors**”), our customers and their personnel (“**Customer**”; and collectively - “**you**”), as well as our Customer’s Customer Visitor website and app visitors (“**Customer Visitors**”), and are strongly committed to making our practices regarding their personal data transparent and fair.

This Privacy Policy describes how we collect, store, use and disclose such personal data, our roles as “Data Controller” and “Data Processor” of such data (as well as any other personal data we might process on our Customers’ behalf). It applies whenever you visit, interact with us or otherwise access or use any of our Services.

Specifically, this Privacy Policy describes our practices regarding:

1. [Data Collection](#)
2. [Data Uses](#)
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Please read this Privacy Policy carefully and make sure that you fully understand and agree to it. If you do not agree to this Privacy Policy, please discontinue and avoid using our Services.

You are not legally required to provide us with any Personal Data (defined below), but without it we will not be able to provide you with the full range of Services or with the best user experience when using our Services.

1. Data Collection

We collect Personal Data regarding our CS Visitors and Customers. We also collect Personal Data of other individuals, on our Customers’ behalf as they use our Services. Such data is typically collected and generated through the CS Visitor’s or Customer’s interaction with or

use of our Site, Platform or Services, directly from such CS Visitor or Customer, from our Customers regarding their Customer Visitors, or from other third parties.

In the below, we specify categories of data (which, to the extent it relates to an identified or identifiable individual, will be deemed as "**Personal Data**") we collect through our Services:

1.1. Data Collection from Customers and CS Visitors via the Contentsquare Site, Platform and other means

Data Collected or Generated

When you visit, interact with or use our Site or Platform, we may collect or generate certain technical data about you. We collect or generate such data either independently or with the help of third-party services (as detailed in Section 4 below), including through the use of "cookies" and other tracking technologies (as further detailed in Section 5 below).

Such data mainly consists of connectivity, technical and aggregated usage data, such as IP addresses, non-identifying data regarding a device, operating system, browser type, locale and language settings, the cookies and pixels installed on such device, session logging, heatmaps and scrolls, screen resolution, ISP, referring or exit pages, and date/time stamps, and the activity (clicks, browsing, zooms and other interactions) of CS Visitors and Customers in connection with our Site or Platform.

Data Received from Customers or CS Visitors

You may provide us with Personal Data such as your name, workplace and position, contact details (such as e-mail, phone and address), and account login credentials (usernames and hashed passwords) (collectively, "**Account Data**"), as well as any other data you choose to provide when you use our Platform, create a user account or contact us through our Site. To the extent that such data concerns a non-human entity (e.g. the bank account of a company or business), we will not regard it as "Personal Data" and this Privacy Policy shall not apply to it.

Data Received from Third Parties

We may receive your Personal Data from other sources. For example, if you participate in an event or webinar that we sponsor or participate in, we may receive your Personal Data from the event organizers. We may also receive your contact and professional details (e.g., your name, company, position, contact details and professional experience, preferences and interests) from business partners or services providers, and through the use of tools and channels commonly used to connect between companies and individuals in order to explore potential business and employment opportunities, such as LinkedIn.

1.2. Data Collection from Customer Visitors via the Contentsquare Services

Customers may use our Services and in doing so transfer Customer Visitor data to our cloud based Services, and analyze such data via our Services. This includes:

- a. Unique Identification Information (e.g., IP addresses, cookie ID's and other similar unique identifiers);

- b. Website and mobile app technical information (e.g., pages of a website or app a visitor visited, visitor's type of computer operating system, visitor's type of web browser, JS error, other backend technical data, etc.);
- c. Behavioral Information (e.g. how a visitor has interacted with the website or app, mouse or touch movements, scrolls, mouse clicks, screen taps or zoom information; time of engagement, etc.).

Except for the foregoing, and , unless otherwise agreed with Contentsquare in writing, Customers are not to provide Contentsquare with any Personal Data regarding their Customer Visitors. In particular, Customers must refrain, and are contractually prohibited from providing Contentsquare with any Personal Data of children under the age of 16; any health, financial, or insurance data; or other data which is subject to specific regulatory or statutory protection regimes (including "special categories" of data under the EU GDPR).

It is each Customer's sole responsibility to block the fields and instances in its website or application which may include Personal Data, to take into account the sensitivity of the applicable Customer Visitor data which may be made available by Customer's Customer Visitors in any such field or instances in its webpage, and the nature of our Services. The Customer Visitor data will be available to Contentsquare for the duration of the determined retention period and up to 13 months.

Customer is aware that it shall use of the Contentsquare Services in accordance with all applicable laws, including any applicable privacy or data protection laws. It is Customer's responsibility to ensure that Customer's use of the Contentsquare Services complies with all data protection laws applicable to Customer, including, but not limiting to: (i) providing the appropriate notice to Customer Visitors (e.g., privacy policy conspicuously posted on the Customer website(s)) that clearly and accurately discloses its privacy practices (including how data is collected and used); (ii) its placement and use of cookies relating to the Contentsquare Services and its use of the Contentsquare Services with respect to the collection of Customer Visitor data; and (iii) if required by law, obtaining and maintaining a record of consent. Customer shall be responsible for determining and recording a valid lawful basis for the collection and processing of Customer Visitor data.

The Services do not track the Customer Visitor's activity across applications/services that do not use the Services and will not collect any passwords entered to unlock the Customer Visitor's device.

2. Data Uses

We use Personal Data as necessary for the performance of our Site, Platform and Services; to comply with applicable law; and to support our legitimate interests in maintaining and improving our Services and sales offerings, understanding how our Site, Platform and Services are used, optimizing our marketing and advertising services, customer service and support operations, and protecting and securing our CS Visitors, our Customers, ourselves and our Services.

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

Specifically, we use Personal Data for the following purposes:

2.1. Data collected from Customers and CS Visitors via the Contentsquare Site and Platform

- a. To authenticate the identity of our Customers, and to allow them access to our Platform and Services;
- b. To provide our CS Visitors and Customers with assistance and support;
- c. To manage and deliver advertisements more effectively, including contextual, behavioral, and interests-based advertising based on the CS Visitor's or Customer's activity, preferences or other data available to us or to our business partners, including for retargeting purposes;
- d. To create audience-related insights for optimizing ad performance;
- e. To contact our CS Visitors and Customers with general or personalized messages and communications, as further described under Section 6 below;
- f. to facilitate, sponsor and offer certain events and promotions;
- g. 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;
- h. To create aggregated statistical data, inferred non-personal data or anonymized or pseudonymized data (rendered non-personal), which we or our business partners may use to provide and improve our respective services; and
- i. To comply with any applicable laws and regulations.

2.2 Data collected from Customer Visitors via the Contentsquare Services

- a. To facilitate, operate, and provide our Services;
- b. To support, maintain, and fix the Services provided.
- c. If agreed under the agreement with the customer, to further develop, customize and improve the Services and general user experience, based on common or personal preferences, experiences and difficulties;
- d. To support our data security measures, including for the purposes of preventing and mitigating the risks of fraud, error or any illegal or prohibited activity as required by law;
- e. To comply with any applicable laws and regulations.

Contentsquare may use statistical **non-personal data** (in an aggregated and anonymized form), to provide and improve our respective services.

3. Data Location and Retention

Data Location: Your Personal Data may be maintained, processed and stored by our authorized affiliates and Service Providers (defined below) in the United States of America (U.S.), the State of Israel, France, UK and other jurisdictions, including the European Union, as necessary for the proper delivery of our Services, or as may be required by law.

Contentsquare has operations in Israel, which offers an adequate level of protection for the Personal Data of EU Member State residents.

Contentsquare may be required to transfer Personal Data to countries other than the country in which the data originated. Any such transfers shall be done in compliance with all applicable laws. While privacy laws may vary between jurisdictions, Contentsquare and its affiliates and Service Providers are each committed to protect Personal Data in accordance with this Privacy Policy and customary industry standards, regardless of any lesser legal requirements that may apply in their jurisdiction.

Data Retention: We retain CS Visitors' and Customers' Personal Data for as long as reasonably necessary in order to maintain and expand our relationship with them and to provide them with our Services.

We retain our Customer personnel's Account Data in accordance with the instructions of their organization (our Customer), or for as long as their account is active, and we have not been notified otherwise, or as long as we consider necessary for the purposes described herein.

We will also retain your Personal Data for as long as is required in order to comply with our legal and contractual obligations, or to protect ourselves from any potential disputes (i.e. as required by laws applicable to log-keeping, records and bookkeeping, and to have proof and evidence concerning our relationship, should any legal issues arise following your discontinuance of use), in accordance with our data retention policy.

Please note that except as required by applicable law, we will not be obligated to retain your Personal Data for any particular period, and we are free to securely delete 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 email at privacy@Contentsquare.com.

4. Data Sharing

Legal Compliance: 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), or in compliance with applicable laws and regulations. Such disclosure or access may occur if we believe in good faith that we are legally compelled to do so, or that it is appropriate in connection with efforts to investigate, prevent, or take action regarding actual or suspected illegal activity, fraud, or other wrongdoing.

Service Providers: We may engage selected third party companies and individuals to perform services complementary to our own, namely - hosting, data analytics, consulting, development, support, marketing and advertising, data and cyber security, payment processing, user engagement, e-mail distribution and monitoring, text messaging and session recording; as well as our business, legal and financial 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 purposes.

Currently, we use the Service Providers listed at <https://contentsquare.com/privacy-center/subprocessors/> as sub-processors as part of the services provided to our customers.

Sharing Personal Data with our Customers: We may share the Personal Data (including Account Data) of our Customer's personnel, and Personal Data of our Customer's Customer

Visitors, with such Customer. Contentsquare is not responsible for and does not control any further disclosure, use or monitoring by or on behalf of the Customer, that itself acts as the "Data Controller" of such data (as further described in Section 10 below).

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 Contentsquare, any of our Customers or their Customer Visitors, or any members of the general public.

Contentsquare Subsidiaries and Affiliated Companies: We may share Personal Data internally within Contentsquare's group of subsidiaries and affiliates for the purposes described in this Privacy Policy. In addition, should Contentsquare or any of its subsidiaries or affiliates undergo any change in control or ownership, including by means of merger, acquisition or purchase of all or part of its assets, your Personal Data may be shared with the parties involved in such 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, Contentsquare may share your Personal Data in additional manners, such as pursuant to your explicit approval, 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.

5. Cookies and Tracking Technologies

Our Services and some of our Service Providers utilize "cookies", anonymous identifiers and other tracking technologies which help us provide, secure and improve our Services, personalize your experience and monitor the performance of our activities and campaigns.

A cookie is a small text file that is placed, for example, to collect data about activity on our Site and Platform. Some cookies and other similar technologies serve to recall Personal Data, such as an IP address, that was previously indicated by the CS Visitor.

A list of the cookies we use can be found here: <https://contentsquare.com/privacy-center/cookie-policy/>

While we do not change our practices in response to a "Do Not Track" signal in the HTTP header from a browser and recommend the use of cookies for an optimal user experience of our Services, most browsers allow you to control cookies, including whether to accept them or to remove them. You may set most browsers to notify you if you receive a cookie, or you may choose to block cookies with your browser.

6. Communications

Service Communications: We may contact Customers with important information regarding our Services. For example, we may notify you (through any of the means available to us) of changes or updates to our Services, billing issues, service changes, password-reset notices, etc. We may also send you notifications, messages and other updates. Typically, you will not be

able to opt-out of receiving such service communications while using our Services, as they are integral to such use.

Notifications and Promotional Communications: We may also contact CS Visitors and Customers with promotional messages (such as newsletters, special offers and sales, new product announcements, etc.) or any other information we think they will find valuable. We may provide such notices through any of the contact means available to us (e.g. phone or e-mail), through the Services, or through our marketing campaigns on any other sites.

If you do not wish to receive such promotional communications, you may notify us at any time by completing the webform provided in our Data Subject Request Portal at: <https://contentsquare.com/privacy-center/data-subject-request-portal/>, changing your communications preferences in your account, or by following the "unsubscribe", "stop", "opt-out" or "change e-mail preferences" instructions contained in the promotional communications you receive.

7. Data Security

In order to protect your Personal Data held with us and our Service Providers, we use industry-standard physical, procedural and electronic security measures. However, please be aware that regardless of any security measures used, we cannot and do not guarantee the absolute protection and security of any Personal Data stored with us or with any third parties as described in Section 4 above.

8. Data Subject Rights

8.1 Data collected from Customers and CS Visitors via the Contentsquare Site and Platform

If you wish to exercise your 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 with Contentsquare, or to restrict or object to such Personal Data's processing, or to port such Personal Data, or the right to equal services and prices (each to the extent available to you under the laws which apply to you) – please complete the webform provided in our Data Subject Request Portal at: <https://contentsquare.com/privacy-center/data-subject-request-portal/>.

Please note that as part of your data subject request, we may require additional information and documents, including certain Personal Data, in order to authenticate and validate your identity and to process your request. Such additional data will 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 3 above.

8.2 Data collected from Customer Visitors via the Contentsquare Services

Contentsquare requests that all Customers provide adequate notice (for example through a privacy policy) to their Customer Visitors using a website or mobile application analyzed through the Services – including sufficient reference to the processing of such Customer Visitors' Personal Data for such purposes, and any other information necessary to comply with all applicable laws.

Contentsquare provides all Customers with the ability to publish on their website or through their mobile application an option for their Customer Visitors to exclude themselves from tracking by the Services. For more information on a Contentsquare Customer's privacy practices, please visit the Customer's website and privacy policy.

If a Customer Visitor would like to make any requests or queries regarding Personal Data which we process on our Customer's behalf, we encourage them to contact such Customer directly. Contentsquare will cooperate with any such instructions received from our Customers in compliance with all applicable laws. Should such requests or queries be made to Contentsquare instead, we may forward them to the Customer we believe to be relevant.

9. Children's Privacy

Our Services are not designed to attract children under the age of 16. 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 16 is using the Services, we will prohibit and attempt to block such use and will make reasonable efforts to promptly delete any Personal Data stored with us with regard to such child. If you believe that we might have any such data, please contact us [via](https://contentsquare.com/privacy-center/data-subject-request-portal/) our Data Subject Request Portal at <https://contentsquare.com/privacy-center/data-subject-request-portal/>.

10. Data Controller/Processor

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

Contentsquare is the "Data Controller" of its CS Visitors', Customers' and prospective Customers' Personal Data, and with respect to which, assumes the responsibilities of Data Controller (solely to the extent applicable under law), as set forth in this Privacy Policy. Contentsquare furthermore acts as Data Controller with regard to Account Data as submitted within the creation of a Customer profile or account on the Platform.

Any recordings of an Customer Visitor's session on a Customer's website or mobile application shall be processed by Contentsquare on behalf of our Customer, and may be shared with such Customer in accordance with this Privacy Policy and in accordance with their reasonable instructions, subject to our Terms of Service and other commercial agreements. Such Customer shall be deemed the "Data Controller" of its Customer Visitors' Personal Data and

Contentsquare will process such data on this Customer's behalf, as its "Data Processor". The Customer 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).

If and Customer Visitor would like to make any requests or queries regarding Personal Data (see Section 8) we process on our Customer's behalf, please contact such Customer directly.

11. Additional Notices

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 so published. We will provide a 10-day prior notice if we believe any substantial changes are involved via any of the communication means available to us or via the Site and Platform. After such notice period, all amendments shall be deemed accepted by you.

External Links: While our Site and Platform may contain links to other websites or services, we are not responsible for their privacy practices, and 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 or service you visit. This Privacy Policy applies only to our Site, Platform and Services.

Questions, Concerns or Complaints: If you have any comments or questions about this Policy or if you have any concerns regarding your Personal Data, please contact Contentsquare's appointed DPO at privacy@Contentsquare.com.

Content Square SAS been designated as Contentsquare's representative in the European Union for data protection matters pursuant to Article 27 of the GDPR. Contentsquare may be contacted only on matters related to the processing of Personal Data. To make such an inquiry, please send an email to privacy@Contentsquare.com, or by postal mail to 5 boulevard de la Madeleine, 75001 Paris, France. If you are a GDPR-protected individual, you also have the right to lodge a complaint with an EU supervisory authority.

Effective Date: December, 2020