

Privacy and Cookies Policy – FastNetMon Ltd

1 Introduction

- 1.1 FastNetMon Ltd respects your privacy and is committed to protecting your personal data. This policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from), including any data you may provide through this website when you purchase a software program from our website, and tell you about your privacy rights and how the law protects you. Please read these Terms carefully before you start using our site, as these will apply to your use of our site. We recommend that you print a copy of this for future reference.
- 1.2 This website is not intended for children and we do not knowingly collect data relating to children.
- 1.3 It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.
- 1.4 We use cookies on our website. Insofar as those cookies are not strictly necessary for the provision of our website and services, we will ask you to consent to our use of cookies when you first visit our website.

2 Controller

- 2.1 FastNetMon Ltd is the controller and responsible for your personal data (collectively referred to as “we”, “us” or “our” in this privacy policy).
- 2.2 If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us as follows:
- (a) using our website contact form; or
 - (b) by email, using the email address sales@fastnetmon.com.
- 2.3 You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK regulator for data protection issues (www.ico.org.uk). We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.
- 2.4 FastNetMon Ltd respects your privacy and is committed to protecting your personal data. This policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from), including any data you may provide through this website when you purchase a software program from our website, and tell you about your privacy rights and how the law protects you. Please read these Terms carefully before you start using our site, as these will apply to your use of our site. We recommend that you print a copy of this for future reference.

3 The data we collect about you and for what purposes we such data

3.1 Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

In this Section 3 we have set out:

- (a) the general categories of personal data that we may process;
- (b) the purposes for which we may process personal data; and
- (c) the legal bases of the processing.

3.2 We may process data about your use of our website and services ("**usage data**"). The usage data may include your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths, as well as information about the timing, frequency and pattern of your service use. The source of the usage data is our analytics tracking system. This usage data may be processed for the purposes of analysing the use of the website and services. The legal basis for this processing is our legitimate interests, namely monitoring and improving our website and services.

3.3 We may process your account data ("**account data**"). The account data may include your name and email address. The source of the account data is you or your employer. The account data may be processed for the purposes of operating our website, providing our services, ensuring the security of our website and services, maintaining back-ups of our databases and communicating with you. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business.

3.4 We may process information contained in any enquiry you submit to us regarding goods and/or services ("**enquiry data**"). The enquiry data may be processed for the purposes of offering, marketing and selling relevant goods and/or services to you. The legal basis for this processing is consent.

3.5 We may process information relating to our customer relationships, including customer contact information ("**customer relationship data**"). The customer relationship data may include your name, your employer, your job title or role, your contact details, and information contained in communications between us and you or your employer. The source of the customer relationship data is you or your employer. The customer relationship data may be processed for the purposes of managing our relationships with customers, communicating with customers, keeping records of those communications and promoting our products and services to customers. The legal basis for this processing is our legitimate interests, namely the proper management of our customer relationships.

- 3.6 We may process information relating to transactions, including purchases of goods and services, that you enter into with us and/or through our website ("**transaction data**"). The transaction data may include your contact details, your bank card details and the transaction details. The transaction data may be processed for the purpose of supplying the purchased goods and services and keeping proper records of those transactions. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract and our legitimate interests, namely the proper administration of our website and business.
- 3.7 We may process information that you provide to us for the purpose of subscribing to our email notifications and/or newsletters ("**notification data**"). The notification data may be processed for the purposes of sending you the relevant notifications and/or newsletters. The legal basis for this processing is the performance of a contract between you and us and/or taking steps, at your request, to enter into such a contract.
- 3.8 We may process information contained in or relating to any communication that you send to us ("**correspondence data**"). The correspondence data may include the communication content and metadata associated with the communication. Our website will generate the metadata associated with communications made using the website contact forms. The correspondence data may be processed for the purposes of communicating with you and record-keeping. The legal basis for this processing is our legitimate interests, namely the proper administration of our website and business and communications with users.
- 3.9 We may process any of your personal data identified in this policy where necessary for the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure. The legal basis for this processing is our legitimate interests, namely the protection and assertion of our legal rights, your legal rights and the legal rights of others.
- 3.10 We may process any of your personal data identified in this policy where necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, or obtaining professional advice. The legal basis for this processing is our legitimate interests, namely the proper protection of our business against risks.
- 3.11 In addition to the specific purposes for which we may process your personal data set out in this Section 3, we may also process any of your personal data where such processing is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.
- 3.12 We do not collect any special categories of personal data about you (this includes details 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). Nor do we collect any information about criminal convictions and offences.

3.13 **If you fail to provide personal data.** Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

4 Disclosure of your personal data

4.1 We may disclose your personal data to our insurers and/or professional advisers insofar as reasonably necessary for the purposes of obtaining or maintaining insurance coverage, managing risks, obtaining professional advice, or the establishment, exercise or defence of legal claims, whether in court proceedings or in an administrative or out-of-court procedure.

4.2 Financial transactions relating to our website and services are handled by our payment services providers, listed at our site <https://fastnetmon.com/fastnetmon-ltd-subprocessors-and-subcontractors/>. We will share transaction data with our payment services providers only to the extent necessary for the purposes of processing your payments, refunding such payments and dealing with complaints and queries relating to such payments and refunds. You can find information about the payment services providers' privacy policies and practices at their official sites.

4.3 We may disclose your personal data to one or more of those selected third party suppliers of goods and services identified on our website <https://fastnetmon.com/fastnetmon-ltd-subprocessors-and-subcontractors/> for the purpose of running our business and site.

4.4 We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

5 International transfers of your personal data

5.1 To deliver services to you, it is sometimes necessary for us to share your personal data outside the United Kingdom (UK), for example:

- to Netherlands, Germany and the United States in relation to our hosting facilities for our website.
- to United States in relation to our payment system, our site performance measurement software and our subscription and support system.

5.2 Under data protection law, we can only transfer your personal data to a country or international organisation outside the UK and European Economic Area (EEA where:

- a) the UK government or, where the EU GDPR applies, the European Commission has decided the particular country or international organisation ensures an adequate level of protection of personal data (known as an 'adequacy decision');

- b) there are appropriate safeguards in place, together with enforceable rights and effective legal remedies for data subjects; or
- c) a specific exception applies under data protection law.

5.3 **Adequacy decision.** We may transfer your personal data to certain countries, on the basis of an adequacy decision. These include:

- all European Union countries, plus Iceland, Liechtenstein and Norway (collectively known as the 'EEA');
- Gibraltar; and

Andorra, Argentina, Canada, Faroe Islands, Guernsey, Israel, Isle of Man, Japan, Jersey, New Zealand, Switzerland and Uruguay.

5.4 The list of countries that benefit from adequacy decisions will change from time to time. We will always seek to rely on an adequacy decision, where one exists.

5.5 Other countries or international organisations we are likely to transfer personal data to do not have the benefit of an adequacy decision. This does not necessarily mean they provide poor protection for personal data, but we must look at alternative grounds for transferring the personal data, such as ensuring appropriate safeguards are in place or relying on an exception, as explained below.

5.6 **Transfers with appropriate safeguards.** Where there is no adequacy decision, we may transfer your personal data to another country or international organisation if we are satisfied the transfer complies with data protection law, appropriate safeguards are in place, and enforceable rights and effective legal remedies are available for data subjects.

- a) The safeguards will usually include using legally-approved standard data protection contract clauses.
- b) To obtain a copy of the standard data protection contract clauses and further information about relevant safeguards please contact us by following this link <https://fastnetmon.com/contact/>.

5.7 **Transfers under an exception.** In the absence of an adequacy decision or appropriate safeguards, we may transfer personal data to a third country or international organisation where an exception applies under relevant data protection law, e.g.:

- you have explicitly consented to the proposed transfer after having been informed of the possible risks;
- the transfer is necessary for the performance of a contract between us or to take pre-contract measures at your request;
- the transfer is necessary for a contract in your interests, between us and another person; or
- the transfer is necessary to establish, exercise or defend legal claims

- 5.8 We may also transfer information for the purpose of our compelling legitimate interests, so long as those interests are not overridden by your interests, rights and freedoms. Specific conditions apply to such transfers and we will provide relevant information if and when we seek to transfer your personal data on this ground.
- 5.9 If you would like further information about data transferred outside the UK and EEA, please consult the [UK's Information Commissioner's Officer website](#) or contact us by following this link <https://fastnetmon.com/contact/>.

6 Data retention

- 6.1 We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.
- 6.2 All personal data requested during checkout process will be retained for a minimum period of 3 years following date when you close your account and cancel all active subscriptions, and for a maximum period of 5 years following date when you close your account completely.
- 6.3 In some cases, it is not possible for us to specify in advance the periods for which your personal data will be retained. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.
- 6.4 In some circumstances you can ask us to delete your data: see Section 9 below for further information.

7 Data security

- 7.1 We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions and they are subject to a duty of confidentiality.
- 7.2 We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

8 Changes to the privacy policy and your duty to inform us of changes

- 8.1 We may update this policy from time to time by publishing a new version on our website.
- 8.2 You should check this page occasionally to ensure you are happy with any changes to this policy.

8.3 We may notify you of significant changes to this policy by email or through the private messaging system on our website.

8.4 It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your relationship with us.

9 Your legal rights

9.1 In this Section 9, we have summarised the rights that you have under data protection law. Some of the rights are complex, and not all of the details have been included in our summaries. Accordingly, you should read the relevant laws and guidance from the regulatory authorities for a full explanation of these rights.

9.2 Your principal rights under data protection law are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

9.3 You have the right to confirmation as to whether or not we process your personal data and, where we do, access to the personal data, together with certain additional information. That additional information includes details of the purposes of the processing, the categories of personal data concerned and the recipients of the personal data. Providing the rights and freedoms of others are not affected, we will supply to you a copy of your personal data. The first copy will be provided free of charge, but additional copies may be subject to a reasonable fee.

9.4 You have the right to have any inaccurate personal data about you rectified and, taking into account the purposes of the processing, to have any incomplete personal data about you completed.

9.5 In some circumstances you have the right to the erasure of your personal data without undue delay. Those circumstances include:

- a) the personal data are no longer necessary in relation to the purposes for which they were collected or otherwise processed;
- b) you withdraw consent to consent-based processing;
- c) you object to the processing under certain rules of applicable data protection law;

- d) the processing is for direct marketing purposes; and
- e) the personal data have been unlawfully processed.

However, there are exclusions of the right to erasure. The general exclusions include where processing is necessary:

- a) for exercising the right of freedom of expression and information;
- b) for compliance with a legal obligation; or
- c) for the establishment, exercise or defence of legal claims.

9.6 In some circumstances you have the right to restrict the processing of your personal data. Those circumstances are:

- a) you contest the accuracy of the personal data;
- b) processing is unlawful but you oppose erasure;
- c) we no longer need the personal data for the purposes of our processing, but you require personal data for the establishment, exercise or defence of legal claims; and
- d) you have objected to processing, pending the verification of that objection.

Where processing has been restricted on this basis, we may continue to store your personal data. However, we will only otherwise process it:

- a) with your consent;
- b) for the establishment, exercise or defence of legal claims;
- c) for the protection of the rights of another natural or legal person; or
- d) for reasons of important public interest.

9.7 You have the right to object to our processing of your personal data on grounds relating to your particular situation, but only to the extent that the legal basis for the processing is that the processing is necessary for:

- a) the performance of a task carried out in the public interest or in the exercise of any official authority vested in us; or
- b) the purposes of the legitimate interests pursued by us or by a third party.

If you make such an objection, we will cease to process the personal information unless we can demonstrate compelling legitimate grounds for the processing which override your interests, rights and freedoms, or the processing is for the establishment, exercise or defence of legal claims.

9.8 You have the right to object to our processing of your personal data for direct marketing purposes (including profiling for direct marketing purposes). If you make such an objection, we will cease to process your personal data for this purpose.

9.9 To the extent that the legal basis for our processing of your personal data is:

- a) consent; or
- b) that the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract, and such processing is carried out by automated means,

you have the right to receive your personal data from us in a structured, commonly used and machine-readable format. However, this right does not apply where it would adversely affect the rights and freedoms of others.

9.10 To the extent that the legal basis for our processing of your personal information is consent, you have the right to withdraw that consent at any time. Withdrawal will not affect the lawfulness of processing before the withdrawal.

9.11 For further information on each of those rights, including the circumstances in which they apply, see the Guidance from the UK Information Commissioner's Office (ICO) on individuals' rights under the General Data Protection Regulation.

9.12 If you wish to exercise any of the rights set above please contact us by following this link <https://fastnetmon.com/contact/>.

- a) **What we may need from you.** We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- b) **Time limit to respond.** We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

10 Third party websites

10.1 Our website may include links to third party websites, plug-ins and applications.

10.2 Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We have no control over, and are not responsible for, the privacy policies and practices of these third parties.

10.3 When you leave our website, we encourage you to read the privacy policy of every website you visit.

11 About cookies

- 11.1 A cookie is a file containing an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server.
- 11.2 Cookies may be either "persistent" cookies or "session" cookies: a persistent cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date; a session cookie, on the other hand, will expire at the end of the user session, when the web browser is closed.
- 11.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from cookies.

12 Cookies that we use

- 12.1 We use cookies for the following purposes:
- a) authentication - we use cookies to identify you when you visit our website and as you navigate our website;
 - b) status - we use cookies to help us to determine if you are logged into our website;
 - c) shopping cart - we use cookies to maintain the state of your shopping cart as you navigate our website;
 - d) personalisation - we use cookies to store information about your preferences and to personalise our website for you;
 - e) security - we use cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials, and to protect our website and services generally;
 - f) advertising - we use cookies to help us to display advertisements that will be relevant to you;
 - g) analysis - we use cookies to help us to analyse the use and performance of our website and services; and
 - h) cookie consent - we use cookies to store your preferences in relation to the use of cookies more generally.

13 Cookies used by our service providers

- 13.1 Our service providers use cookies and those cookies may be stored on your computer when you visit our website.
- 13.2 We use Google Analytics to analyse the use of our website. Google Analytics gathers information about website use by means of cookies. The information gathered relating to our website is used to create reports about the use of our website. Google's privacy policy is available at: <https://www.google.com/policies/privacy/>.

- 13.3 We use Yandex Metrika to web site analytics. This service uses cookies for web site visitor reports. You can view the privacy policy of this service provider at https://yandex.com/legal/metrika_agreement/.

14 Consent to use cookies and changing settings

- 14.1 We will ask for your permission to place cookies or other similar technologies on your device, except where they are essential for us to provide you with a service that you have requested (for example, to enable you to put items in your shopping basket and use our check-out process).

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. It may be necessary to refresh the page for the updated settings to take effect. However, if you use your browser settings to block all cookies (including essential cookies), please be aware that you may lose some of the functionality of our website.

Except for essential cookies, all cookies will expire after a reasonable period.

Most browsers allow you to refuse to accept cookies and to delete cookies. The methods for doing so vary from browser to browser, and from version to version. You can however obtain up-to-date information about blocking and deleting cookies via these links:

- a) <https://support.google.com/chrome/answer/95647?hl=en> (Chrome);
- b) <https://support.mozilla.org/en-US/kb/enable-and-disable-cookies-website-preferences> (Firefox);
- c) <http://www.opera.com/help/tutorials/security/cookies/> (Opera);
- d) <https://support.microsoft.com/en-gb/help/17442/windows-internet-explorer-delete-manage-cookies> (Internet Explorer);
- e) <https://support.apple.com/kb/PH21411> (Safari); and
- f) <https://privacy.microsoft.com/en-us/windows-10-microsoft-edge-and-privacy> (Edge).

- 14.2 Blocking all cookies will have a negative impact upon the usability of many websites.

- 14.3 If you block cookies, you will not be able to use all the features on our website.

15 Further information about cookies

- 15.1 If you wish to contact us to find more information about the individual cookies we use and the purposes for which we use, please contact us by following this link <https://fastnetmon.com/contact/>

- 15.2 For further information on cookies generally, including how to control and manage them, visit the [guidance on cookies](#) published by the UK Information Commissioner's Office, or check <https://www.aboutcookies.org/> or <https://www.allaboutcookies.org/>.