

Privacy Notice

Last Updated: April 25, 2024

BusinessOptix, Inc. and its affiliates and subsidiaries (“**BusinessOptix**,” “**we**,” “**us**,” or “**our**”) respect your privacy. This Privacy Notice describes the processing of Personal Information (defined below) that is provided, collected, or disclosed in the course of providing our products or services to you (“**Services**”) and on the websites, applications, social media pages, and other platforms that link to this Privacy Notice. It also describes rights you may have under applicable laws. This Privacy Notice is available to consumers with disabilities.

1. Personal Information We Collect

We may collect a range of Personal Information. “**Personal Information**” means information that uniquely identifies, relates to, describes, or is reasonably capable of being associated with or linked to you.

The types of Personal Information we collect may include:

- *Contact/Professional Information* – If you submit an inquiry or provide information on or through our Services or the website, we may collect your contact information and certain information related to your professional affiliation. This may include your name, email address, demographic information, company name, title/role, and phone number.
- *Login Credentials* – When you use the Services, we may collect certain Personal Information related to your access to the Services, which may include your username, user ID, password, IP address, email address, and profile details.
- *Usage Information* – When you use the Services or our website, we may automatically record information, including Usage Data (as defined in our Terms of Service), your Internet Protocol address (IP Address), device and network information (e.g., type/model of device, mobile network information, Wi-Fi network information, geolocation of your device and cellular/Wi-Fi signal strength), browser type, referring URLs (e.g., the website you visited before coming to our website), domain names associated with your internet service provider, and any other information regarding your interaction with the Services or our website.
- *Communication Information* – We may collect Personal Information contained within your communications with us, including audio, electronic, or visual information, screen sharing views, and any files provided to us via email, chat functionality, social media, telephone, or otherwise. Where permitted by applicable law, we may collect and maintain records of calls and chats with our agents, representatives, or employees via message, chat, post, or similar functionality.

2. How We Collect Personal Information

- *Directly From You* – We collect Personal Information that you provide to us, for example, if you choose to contact us or sign up for a webinar through BusinessOptix Academy.
- *From Third Parties* – We may collect Personal Information from third parties including, business partners, subcontractors, advertising networks, analytics providers, and search information providers, who may provide us with Personal Information about you.
- *Through Online Tracking Technologies* – We use cookies and similar technologies to collect Personal Information related to activity on the Services and our website. For additional information regarding our use of these technologies, see the Cookies and Tracking Technologies section below.

We may also collect and/or generate anonymized and aggregated information from your use of our website and Services. We use anonymized and aggregated information in various ways, including to measure your interest in and use of portions or features of our website and Services. Anonymized or aggregated information will not personally identify you or any other user.

3. How We Use Personal Information

To the extent permitted by applicable law, we use Personal Information:

- *To provide and personalize our Services*, such as providing our Services, providing customer service, verifying customer information, creating and maintaining business records, and maintaining any applicable user accounts.
- *For internal research and development*, such as testing and verifying the quality of our Services, improving the quality of our Services, training purposes, and creating new Services.
- *For marketing*, such as sending information about our Services, including using your information to send you messages, notices, newsletters, surveys, promotions, or news about events.
- *For communicating with you*, such as responding to your questions and comments.
- *For legal, security, or safety reasons*, such as protecting our and our users' safety, property, or rights; complying with legal requirements; enforcing our terms, conditions, and policies; detecting, preventing, and responding to security incidents; and protecting against malicious, deceptive, fraudulent, or illegal activity.
- *As part of a corporate transaction*, such as in connection with the sale of part or all of our assets or business, the acquisition of part or all of another business or another business' assets, or another corporate transaction, including bankruptcy.

4. How We Disclose Personal Information

We may disclose your Personal Information in the following circumstances:

- *Service Providers* – We disclose your Personal Information with third party service providers as necessary to enable them to support our Services or other aspects of our business.
- *Affiliates and Subsidiaries* – We may disclose your information to the BusinessOptix family of companies for their and our business purposes and for marketing purposes, including to provide you information about the products or services we think may interest you.
- *Business Partners* – We may disclose Personal Information with trusted business partners, such as resellers. For example, we may disclose your Personal Information with a company whose products or services we think may be of interest to you.
- *Legal Obligation or Safety Reasons* – We may disclose Personal Information to a third party when we have a good faith belief that such disclosure of Personal Information is reasonably necessary to (a) satisfy or comply with any requirement of law, regulation, legal process, or enforceable governmental request, (b) enforce or investigate a potential violation of any agreement you have with us, (c) detect, prevent, or otherwise respond to fraud, security or technical concerns, (d) support auditing and compliance functions, or (e) protect the rights, property, or safety of BusinessOptix, its employees and clients, or the public against harm.
- *Merger or Change of Control* – We may disclose Personal Information to third parties as necessary if we are involved in a merger, acquisition, or any other transaction involving a change of control in our business, including but not limited to, a bankruptcy or similar proceeding. Where legally required, we will give you prior notice prior to such disclosure.

5. Cookies and Other Tracking Technologies

We and our service providers may use cookies and similar technologies to collect usage and browser information about how you use our website. We process the information collected through such technologies, which may include or be combined with Personal Information, to help operate certain features of the Services and our website, to enhance your experience through personalization, and to help us better understand the features of our website that you and other users are most interested in.

We may allow or enable third parties to collect Personal Information in order to provide their interest-based advertising services, and we may use Google Ads and other third parties to serve ads for our Services across various websites. To opt-out of this type of advertising by Google, to customize your ad preferences, or to limit Google's collection or use of your data, visit [Google's Safety Center](#) and [Google's Ad Settings](#) and follow [Google's personalized ad opt-out instructions](#). Opting out will not affect your use of our Services.

We use analytics services, including Google Analytics and HubSpot, to assist us with analyzing our website traffic. These services utilize cookies and other technologies that collect your Personal Information. To learn more about how Google uses data, visit [Google's Privacy Policy](#) and Google's page on "[How Google uses data when you use our partners' websites or apps.](#)" You may download the [Google Analytics Opt-out Browser Add-on](#) for each web browser you use, but this does not prevent the use of other analytics tools. To learn more about Google Analytics cookies, visit [Google Analytics Cookie Usage on Websites](#).

Depending on your jurisdiction, you may be presented with a cookie banner, which will provide you with the ability to adjust your cookie settings. Additionally, most browsers provide you with the ability to block, delete, or disable cookies, and your mobile device may allow you to disable transmission of unique identifiers and location data. If you choose to reject cookies or block device identifiers, some features of our Services may not be available, or some functionality may be limited or unavailable. Please review the help pages of your browser or mobile device for assistance with changing your settings. We do not respond to Do Not Track (“DNT”) signals sent to us by your browser at this time.

6. How Long We Keep Your Personal Information

We will retain each category of your Personal Information for as long as necessary to fulfill the purposes described in this Privacy Notice, unless otherwise required by applicable laws. Criteria we will use to determine how long we will retain your Personal Information include whether we need your Personal Information to provide you with our Services you have requested; we continue to have a relationship with you; you have requested information or Services from us; we have a legal right or obligation to continue to retain your Personal Information; we have an obligation to a third party that involves your Personal Information; our retention or recordkeeping policies and obligations dictate that we retain your Personal Information; we have an interest in providing you with Personal Information about our Services; or we have another business purpose for retaining your Personal Information.

7. How We Protect Personal Information

We use commercially reasonable efforts to protect the confidentiality and security of Personal Information. However, despite these efforts to store Personal Information in a secure environment, we cannot guarantee the security of Personal Information during its transmission or its storage on our systems.

8. International Use of our Services

Your Personal Information may be stored and processed in any country where we have facilities or in which we engage third parties. Your use of the Services may involve the collection, processing, and transfer of information to or from countries outside of your country of residence, including the United States, which may have different data protection rules than those of your country.

9. Children’s Privacy

We do not knowingly collect or solicit any Personal Information from children under the age of 18 without verified written parental consent. In the event that we learn that we have collected Personal Information from a child under the age of 18, we will promptly take steps to delete that information. If you are a parent or legal guardian and think your child has given us their Personal Information, you can email us at notifications@businessoptix.com.

10. Links to Third-Party Websites

We are not responsible for the practices employed by any websites or services linked to or from our Services, including the information or content contained within them. We encourage you to investigate and ask questions before disclosing Personal Information to third parties, since any Personal Information disclosed will be handled in accordance with the applicable third party's privacy notice.

11. Individuals in the European Union, European Economic Area, Switzerland, and the United Kingdom

This section provides additional information regarding BusinessOptix's processing of personal data of people located in the European Union ("EU"), European Economic Area ("EEA"), Switzerland, and the United Kingdom ("UK") in accordance with the EU Data Protection Regulation, UK Data Protection Regulation, and the Swiss Federal Data Protection Act. For purposes of this section, "**Personal Data**" has the definition set forth in the foregoing data protection laws.

Legal Basis for Processing

Our legal basis for processing Personal Data depends on the Personal Data concerned and the context in which we process it. We process Personal Data from you where we need it to perform a contract with you, where the processing is in our legitimate interests (including the purposes described in this Privacy Notice), where the processing is necessary for us to meet our applicable legal obligations, or if we otherwise have your consent.

Special Category Data

BusinessOptix does not intend to collect any Special Category Data, which is any data that reveals your racial or ethnic origin, political opinions, religious, moral or philosophical beliefs, trade union membership, political views, the processing of genetic data, biometric data for the purpose of identifying a person, and data concerning health or a person's sex life and/or sexual orientation. Please refrain from sending us any Special Category Data.

Automated Decision Making

BusinessOptix does not make any automated decisions on your behalf or about you without first obtaining your express, opt-in consent. In the event we secure your consent to do so, you have the right to object to the processing of Personal Data via automated decision making at any time by contacting us at notifications@businessoptix.com.

Transfers to Third Parties and Countries

Personal Data that we collect or receive may be transferred to and/or processed by third parties that are located outside of the EU, EEA, Switzerland or the UK, some of which applicable authorities may not consider to have an adequate level of protection for Personal Data. BusinessOptix will only transfer Personal Data to third parties located outside of the EU, EEA, Switzerland, and the UK when it has ensured appropriate safeguards for such Personal Data through use of the standard contractual clauses or other lawful and approved methods.

12. Your Privacy Rights and How to Exercise Them

Depending on where you live, you may have the following rights with respect to your Personal Information under applicable data protection laws:

- *Access* – You may have the right to know what Personal Information we have collected about you and to access such data.
- *Data portability* – You may have the right to receive a copy of your Personal Information in a portable and readily usable format.
- *Deletion* – You may have the right to delete your Personal Information that we have obtained, subject to certain exceptions.
- *Correction* – You may have the right to correct inaccuracies in your Personal Information.
- *Opt out of certain processing* – You may have the right to: (a) opt out of the processing of your Personal Information for purposes of targeted advertising, (b) opt out of the sale of your Personal Information, and (c) opt out of the processing of your Personal Information for profiling in furtherance of decisions that produce legal or similarly significant effect concerning you.
- *Objection/Restriction of Processing* – You may have the right to object or restrict us from processing your Personal Information in certain circumstances.
- *Withdraw Consent* – You may have the right to withdraw your consent where we are relying on your consent to process your Personal Information.
- *Lodge a Complaint* – You may have the right to lodge a complaint with a supervisory authority or other regulatory agency if you believe we have violated any of the rights afforded to you under applicable data protection laws. We encourage you to first reach out to us, so we have an opportunity to address your concerns directly before you do so.

To opt out of marketing emails, please email us at notifications@businessoptix.com or by following the instructions included in the email or text correspondence. Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important transactional or administrative information, as permitted by law. Additionally, if you withdraw your consent or object to processing of your Personal Information, or if you choose not to provide certain Personal Information, we may be unable to provide some or all of our Services to you.

To exercise any of the privacy rights afforded to you under applicable data protection laws, please submit a request to us by e-mailing us at notifications@businessoptix.com.

You will not be discriminated against in any way by virtue of your exercise of the rights listed in this Privacy Notice which means we will not deny goods or Services to you, provide different prices or rates for goods or Services to you, or provide a different level or quality of goods or Services to you. Only you, or an authorized agent that you authorize to act on your behalf, may make a request related to your Personal Information. You may also make a request on behalf of your minor child.

We must verify your identity before fulfilling your requests, and if we cannot verify your identity, we may request additional information from you. If you are an authorized agent making a request on behalf of another person, we will also need to verify your identity, which may require proof of your written authorization or evidence of a power of attorney. We endeavor to respond to requests within the time period required by applicable law. If we require more time, we will inform you of the reason and extension period in writing.

We do not charge a fee to process or respond to your requests unless they are excessive or repetitive. If we determine that a request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request. We may deny certain requests, or only fulfill some in part, as permitted or required by law. If you are not satisfied with the resolution of your request and you are afforded a right to appeal such decision, you will be notified of our appeal process in our response to your request.

13. Changes to this Privacy Notice

Please note that we may modify or update this Privacy Notice from time to time, so please review it periodically. We will provide you notice if material changes are made. Unless otherwise indicated, any changes to this Privacy Notice will apply immediately upon posting to our websites.

14. Contact Us

If you have any questions about our practices or this Privacy Notice, please contact us at notifications@businessoptix.com. You may also write to us at:

BusinessOptix
1201 NW Briarcliff Parkway, Suite 350
Kansas City, MO 64116, USA

About BusinessOptix

BusinessOptix is a leading business process management and transformation suite that provides total operational visibility of how business processes, people and technology interact. This allows clients to create a digital copy of their enterprise with holistic models linking strategy to key processes. Clients around the world use our process discovery, modeling and simulation tools to identify improvement opportunities and navigate change confidently. Serving a diverse customer base across sectors including finance, healthcare and manufacturing, BusinessOptix collaborates with a world-class network of technology providers, Business Process Outsourcers (BPOs) and consulting firms. This partnership approach empowers clients to become highly competitive and resilient in today's complex business landscape.

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