

Privacy Policy

Updated: April 10, 2020

This Privacy Policy has been adopted by Botguard OÜ, a private limited company established under the laws of the Republic of Estonia, located at Pärnu mnt 22, 3.korrus Tallinn 10141, Estonia, and registered in the Estonian Commercial Register under code 14847036.

This Privacy Policy governs our Botguard's information collection, processing and usage practices in connection with the use of the website botguard.net, and all related web sites, downloadable software, mobile applications, and other services provided by us and on which a link to this Policy is displayed. To protect your privacy, Botguard has adopted these principles in accordance with the legal requirements of the General Data Protection Regulation of the European Union.

This Privacy Policy is a part of and subject to our Terms of Service ("TOS"). Accordingly, when you enter into the TOS, you agree that you have read, understand, and agree that we can collect, use, and disclose your information in accordance with this Privacy Policy. If you do not agree or are not comfortable with any part of this Privacy Policy, you should not agree to the TOS (including this Privacy Policy) and you may not use our websites and services.

1. DEFINITIONS

In this Privacy Policy the following capitalized terms shall have the following meanings:

"Customer"	any private individual or legal entity other than Provider that uses the Service as an end user, and not for the purposes of distribution or resale.
"Customer Data"	all data, content, and information including personal information owned, held, used or created by Customer or on Customer's behalf that is stored using, or inputted into, the Service.
"Provider"	Botguard OÜ, a private limited company established under the laws of the Republic of Estonia, located at Pärnu mnt 22, 3.korrus Tallinn 10141, Estonia, and registered in the Estonian Commercial Register under code 14847036, any of its subsidiaries or parent undertakings.
"Portal"	the Provider's website or any other website operated by Provider as a portal relating to Service.
"Service"	the Portal based website cloud bot traffic management and protection service including software technology.

2. COLLECTION AND PROCESSING OF DATA

Provider processes your data to the minimum extent necessary for the purposes set out in these Terms. Generally Provider processes your data i) for the performance of a contract entered into (or prior to entering into a contract) between you and Provider, ii) based on your consent or iii) to fulfil a legal obligation, but may process your data also for other reasons outlined in the applicable law to ensure lawfulness of data processing. Where the Provider processes your data based on your consent, you may withdraw the consent at any time for any reason, or no reason at all, but this will not affect the lawfulness of processing your data by the Provider before the withdrawal. Provider may also process your data under Provider's legitimate interests.

User-provided information. When you use the Service, as a registered user or as a visitor (i.e. an individual other than a User, who uses the public area, but has no access to the restricted areas of the Portal or the Service), you may voluntarily provide, and Provider may collect your personal data. Examples of Personal Data include name, email address, mailing address, mobile phone number, and credit card or other billing information. Personal Data also includes other information, such as geographic area or preferences, when any such information is linked to information that identifies a specific individual. You may provide the Provider with personal data in various ways using the Service, e.g. when you register for an account, use the Service, post Customer Data, or send us customer Service-related requests.

Information collected by Customers. A Customer may store or upload into the Service user data. Provider has no direct relationship with the individuals whose personal data it hosts as part of user data. Each Customer is responsible for providing notice to third persons concerning the purpose for which User collects their personal data and how this personal data is processed in or through the Service as part of the Customer Data.

Automatically collected information. When a user or visitor uses the Service, Provider may automatically record certain information from the user's or visitor's device by using various types of technology, including cookies, "clear gifs" or "web beacons." This "automatically collected" information may include IP address or other device address or ID, web browser and/or device type, the web pages or sites visited just before or just after using the Service, the pages or other content the user or visitor views or interacts with on the Service, and the dates and times of the visit, access, or use of the Service. Provider also may use these technologies to collect information regarding a visitor or user's interaction with email messages, such as whether the visitor or user opens, clicks on, or forwards a message. In such cases this information is gathered from all users and visitors.

Integrated services. You may be given the option to access or register for the Service through the use of your user name and passwords for certain services provided by third parties, such as through the use of your Google account, or otherwise have the option to authorize an integrated service to provide personal data or other information to Provider. By authorizing Provider to connect with an integrated service, you authorize Provider to access and store your name, email address(es), date of birth, gender, current city, profile picture URL, and other information that the integrated service makes available to Provider, and to use and disclose it in accordance with these Terms. You should check your privacy settings on each integrated service to understand what information that integrated service makes available to Provider, and make changes as appropriate. Please review each integrated service's terms of use and privacy policies carefully before using their services and connecting to the Service.

Information from other sources. Provider may obtain information, including personal data, from third parties and sources other than the Service, e.g. from partners, advertisers, credit rating agencies. If the Provider combines or associates information from other sources with personal data that Provider collects through the Service, Provider will treat the combined information as personal data in accordance with these Terms.

The Service features are constantly evolving and new features are added regularly. So it is not possible to provide a complete list of data that Provider processes about you. The data that Provider processes depends on the Service you use and may differ between Users and Customers.

3. USE OF THE COLLECTED DATA

Operations. Provider uses the information other than Customer Data to operate, maintain, enhance and provide all features of the Service, to provide the services and information that you request, to respond to comments and questions and to provide support to users of the Service. Provider processes Customer Data solely in accordance with the directions provided by the applicable Customer.

Improvements. Provider uses the information to understand and analyze the usage trends and preferences of the Portal visitors and the Service users, to improve the Service, and to develop new products, services, features, and functionality. Should this purpose require Provider to process client data, then the data will only be used in anonymized or aggregated form.

Communications. Provider may use a visitor's or user's email address or other information to contact that visitor or user for administrative purposes such as customer service, to address intellectual property infringement, right of privacy violations or defamation issues related to the Customer Data or personal data posted on the Service or with updates on promotions and events, relating to products and services offered by us and by third parties Provider works with. You have the ability to opt-out of receiving any promotional communications.

Cookies and other tracking technologies. Provider may use automatically collected information and other information collected on the Service through cookies and similar technologies to personalize the Service, such as remembering a user's or visitor's information so that the user or visitor will not have to re-enter it during a visit or on subsequent visits; provide customized advertisements, content, and information; monitor and analyze the effectiveness of Service and third-party marketing activities; monitor aggregate Portal usage metrics such as total number of visitors and pages viewed; and track your entries, submissions, and status in any promotions or other activities on the Service.

Analytics. Provider use may third party services, e.g. Google Analytics, to measure and evaluate access to and traffic on the public area of the Portal, and create user navigation reports for the Portal administrators. The providers of such services operate independently from Provider and have its own privacy policy, which Provider strongly suggests you review. Provider takes measures to protect the technical information collected by use of such services. The data collected will only be used on a need to know basis to resolve technical issues, administer the Portal and Service and identify visitor preferences; but in this case, the data will be in non-identifiable form. Provider does not use any of this information to identify visitors or users.

Provider may process your data by automated means, but you will not be subjected to a decision based solely on automated processing.

Provider may use your data to offer or advertise to you Service offered by Provider, or contractors of Provider, if you have granted such consent. You may opt out at any time.

Provider does not collect, share or process your sensitive personal data (e.g. religious or political views, health related data etc.) in any manner. Provider does not knowingly provide Service to, or process personal data of, children under the age of 16. If you believe that Provider has unintentionally processed sensitive personal data or data of a child under the age of 16, please contact us.

4. DISTRIBUTION OF DATA

Provider may share your data when: (1) permitted or required by law or to fulfil a contract with you; or (2) trying to protect against, prevent, investigate actual or potential fraud, security issues, technical issues, unauthorized transactions or other violations; or (3) trying to enforce the applicable terms of service or other contracts; or (4) protecting against violations to the rights, property or safety of Provider, its employees, Customers or the public as required or permitted by applicable laws; (5) related to a merger, acquisition, bankruptcy, dissolution, reorganization, sale of some or all of Provider's assets or stock, financing, public offering of securities, acquisition of all or a portion of Provider's business, a similar transaction or proceeding, or steps in contemplation of such activities (e.g. due diligence), subject to standard confidentiality arrangements; or (6) you have given your consent to do so; or (7) necessary to provide you the Service as stipulated below.

Provider may disclose your data to contractors of Provider to process it for Provider, for the purposes of managing transactions, providing content, assessing your creditworthiness, collecting fees and debts, identifying you, but also for improving your user experience, performing business support functions, providing customer support, marketing, communication, courier and postal services or other related tasks, based on Provider's instructions and in compliance with these Terms and any other applicable confidentiality and security requirements.

Provider may disclose your data to auditors, legal and financial consultants under a confidentiality obligation. Some recipients of your data may be based outside of the European Union, therefore Provider cannot guarantee that they follow the same regulations with regard to personal data as required by European Union legislation or provide the same level of protection of personal data as required under European Union legislation, however, Provider shall apply relevant contractual protections to protect your data in such cases.

Provider may share non-personally identifiable data (e.g. general payment trends, statistics) publicly or with third parties.

5. COOKIES

Provider stores cookies on your computer in order to collect certain aggregate data about Provider's users and to customize certain aspects of your Service experience. Provider may use cookies to perform tasks such as: monitoring aggregate site usage metrics, storing and remembering your passwords (if you allow Provider to do so), storing account and advertising preferences that you have set, and personalizing the services that Provider makes available to you. Cookies enable Provider to customize and personalize your experience on the Portal, including the products and promotions that are offered to you. Provider may use cookies to identify you and access your information stored on our computers in order to deliver you a better and more personalized experience. Upon request, Provider may save your "user name" so that you do not have to re-enter it every time you visit the Portal. In providing you with this service, Provider uses cookies. Provider may use cookies to estimate Provider's customer base and customer usage patterns. Each browser accessing the Portal may use a unique cookie that is then used to determine the extent of repeat visits and the customer activity during those visits. Provider may use the historical information to help target promotions based on your interests and behavior, both specifically to you individually and on an aggregate basis with respect to all Portal visitors. To find out which specific cookies the Portal uses at any given time, please perform a cookie check on the Portal.

Third Party Cookies. Business partners that offer co-branded services and jointly-sponsored sweepstakes, contests and promotions on the Portal, may use their own cookies. Provider has no control over those cookies, nor does these Terms cover how your personal information contained in those cookies may be used or protected. If you have any questions about the cookies of such third parties, or about the use of your personal information by such third parties, you should contact the site administrator or web-master of the third party site.

You have a choice about cookies. In the event you do not wish to receive cookies, you may configure your web browser, device or app to not accept cookies, to delete existing cookies or to notify you if a cookie is sent to your device. You are free to decline cookies, but you may not be able to use all the features and the functionality of the Portal if you do.

6. COMMITMENT TO DATA SECURITY

Your data is maintained and kept secure by applying physical, electronic and procedural measures conforming to industry standards and applicable law. Provider has implemented privacy by design and privacy by default principles in the Service. Only authorized employees, agents and contractors (who have agreed to keep data secure and confidential) of Provider have access to your data on a need to know basis.

Provider will not retain your data for longer than necessary for the purpose of processing. The applicable retention period will depend on your contracts, Provider's legitimate interests for data processing and applicable laws.

If you believe that Provider processes your data in violation of applicable law, you have the right to lodge a complaint with the Estonian Data Protection Inspectorate or a competent court.

Estonian Data Protection Inspectorate
Address: Väike-Ameerika 19, Tallinn 10129, Estonia
Phone: +372 56202341; +372 6274135
E-mail: info@aki.ee
Webpage: www.aki.ee/en

For further information regarding the Policy and related practices, and to contact Botguard's data protection officer, please write to support@botguard.net.