



## **ACTIV Privacy Policy**

ACTIV places great importance on protecting your privacy. ACTIV will process any personal data it collects in accordance with the EU General Data Protection Regulation (“**GDPR**”).

‘Processing’ means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. ‘Personal data’ means any information relating to an identified or identifiable natural person.

### **Contact details of the data controller**

Data controller for the purposes of the General Data Protection Regulation (GDPR):

ACTIV Financial Systems, Inc.

120 E. Liberty Drive, Suite 200

Wheaton, IL 60187

Phone: 630-682-5700

Email: [support@activfinancial.com](mailto:support@activfinancial.com)

Website: [www.activfinancial.com](http://www.activfinancial.com)

### **Data Collection and Processing**

We provide a number of web-based services to ACTIV clients, including:

- Our corporate web site at [www.activfinancial.com](http://www.activfinancial.com)
- Our support site at [support.activfinancial.com](http://support.activfinancial.com).
- Our permissioning portal site.
- Our server management / monitoring portal site (CIDB).

These websites are intended solely to provide information and management capabilities in the context of ACTIV’s market data services. They are not e-commerce sites, and they do not offer any way to purchase goods or services or collect payment information of any kind, nor do we use these websites to target marketing or advertising to you or sell your data to third parties.

Information may be stored and used in the following ways:

- Our web servers may log source IP addresses and ports.
- Our websites may use cookies, as further discussed below.
- We may use Google Analytics, as further discussed below.
- Some of our services (e.g. the support site) permit you optionally to enter additional personal information such as your time zone, location and Instant Messenger address, which we are in the process of eliminating from these sites.

When you enter into a contract with ACTIV, you may be asked to submit personal information about yourself in order to receive or use ACTIV’s products or services. This information may include, for example, your name, address, job title, telephone number, email address and financial information necessary to conclude the contract and enable administration and management of such products or services. Our market data APIs may collect information about its server host for troubleshooting / support purposes only.

ACTIV will only process personal data for legitimate business purposes necessary to provide you with the product or service that you have requested . The type of information that ACTIV may collect will depend on the nature of that product or service.

### **Data Retention and Access to Personal Data**

ACTIV will only retain your personal data for as long as your business relationship/association with ACTIV is active and there is a need for the data to continue to administer the services. ACTIV uses appropriate methods to secure any personal data we store, including encryption of all sensitive data at rest, and network and physical security measures to prevent unauthorized access.

ACTIV may retain personal data for a longer period if required under applicable law.

You have the right to request access or rectification of your personal data held by ACTIV. If you wish to request for ACTIV to no longer hold your personal data or delete them, then please contact [support@activfinancial.com](mailto:support@activfinancial.com).

### **Third parties and Transfer of Data Abroad**

In some cases ACTIV may need to provide your information to a relevant third party such as regulatory agencies or to comply with laws. ACTIV may also transfer data between itself and certain other parties outside of the EEA. ACTIV will only grant access to personal data where absolutely necessary. Such access will be strictly limited to personal data necessary for ACTIV to perform its business functions and the contracted services.

Where your Personal Data is transferred to a third party or outside the EEA, ACTIV will ensure that the recipient agrees to keep this information confidential and hold it securely in accordance with the requirements of the GDPR. For data transfers outside of the EEA to third parties, ACTIV relies on appropriate EC-approved safeguards as defined in Article 46 of the GDPR to provide an adequate level of protection.

### **Website**

ACTIV's websites ("website") are owned and operated by, or managed on behalf of, ACTIV Financial Systems, Inc., a company incorporated in Illinois, and its office is located at 120 East Liberty Drive, Suite 200, Wheaton, IL 60187 ("ACTIV").

### **Terms of Use**

By accessing and using this website you agree to be bound by all terms and conditions contained and/or referenced herein, as they may be amended from time to time by ACTIV ("Terms of Use") and such Terms of Use shall be deemed accepted by you. If you do not agree to all the Terms of Use, please exit the website.

Any information provided on the website ("Content") is for general information only, does not take account of any individual circumstances, may not reflect recent changes in the law and does not constitute professional advice.

References or links to other sites that are not owned by ACTIV are only included for the information of the user of this website. ACTIV does not give any guarantees or accept any liability regarding the content of these sites.

You may not frame or link this website to any other website without prior written consent from ACTIV. Any third party that wishes to link to this website should contact [support@activfinancial.com](mailto:support@activfinancial.com) prior to doing so. ACTIV reserves the right to deny permission for any such links to this website.

Although care is taken to ensure that the information on the website is accurate and up to date, ACTIV cannot accept any responsibility for mistakes or omissions. ACTIV does not enter into any express or implied conditions, warranties, terms or representations regarding the quality, accuracy or completeness of the information. To the extent lawfully permitted, ACTIV excludes all liability for loss or damage, whether direct, indirect or consequential (including, without limitation, loss suffered as a result of breach of these Terms of Use which is not a foreseeable consequence of the breach, lost profits, lost opportunity, lost business, loss of goodwill, loss of contracts, increased overheads or administrative expenses or management time) arising out of your use of or inability to use this website, or from any information or omission contained in this website.

ACTIV does not warrant or make representations as to the security of this website. You acknowledge that any information sent may be intercepted. ACTIV does not warrant that the website or the servers which make this website available or electronic communications sent by ACTIV are free from viruses or any other harmful elements.

### **Website Service Providers**

In addition to the information that ACTIV collects as described above, ACTIV uses service providers for elements of its website. Such service providers have provided ACTIV with their GDPR compliance statements.

### **Data protection provisions about the application and use of Google Analytics**

We may use third party analytics services, such as Google Analytics, to grow our business, to improve and develop our services, to monitor and analyze traffic patterns and use of our services, to aid our technical administration, to increase the functionality and user-friendliness of our services, and to verify that users have the authorization needed for us to process their requests. These services may collect and retain some information about you. Google Analytics collects the IP address assigned to you on the date you use the services, but not your name or other personally identifying information. We do not combine the information generated through the use of Google Analytics with your Personal Information. We do not sell this data to any third party. Although Google Analytics plants a persistent cookie on your web browser to identify you as a unique user the next time you use the services, the cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your use of the services is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

You may find additional information about Google Analytics at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). Finally, you can opt out of Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout/>.

### **Cookies**

Most web browsers accept cookies by default, however if you do not wish to have cookies placed on your computer, you can change the settings of your web browser to decline cookies.

You can find out more about cookies and how to remove them from your browser by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org). The Google Analytics security and privacy principles can be viewed at [www.google.com/analytics/learn/privacy.html](http://www.google.com/analytics/learn/privacy.html).

Our sites may use cookies:

- . to store session state (session cookies) which is deleted when your browser is closed.
- . to save logon information such as a user's logon ID between one session and the next.
- . to save configuration choices such as view options on a site between one session and the next.

### **Children**

People under 18 (or the legal age in your jurisdiction) are not permitted to use ACTIV's websites on their own. ACTIV does not knowingly collect any personal information from children under the age of 13 and children under 13 are not permitted to register for an account or use our services.

If you believe that a child has provided us with personal information, please contact us at [support@activfinancial.com](mailto:support@activfinancial.com). If we become aware that a child under age 13 has provided us with personally identifiable information, we'll delete it.

### **Contacts**

If you have any questions about the Terms of Use, Privacy and Cookies Policy, please contact us at [support@activfinancial.com](mailto:support@activfinancial.com) or by writing to ACTIV Financial Systems, Inc., 120 East Liberty Drive, Suite 200, Wheaton, IL 60187.