

## Privacy Policy

### 1. General

We at Winn.AI Ltd. (the “**Company**”, “**We**”, “**Us**” or “**Our**”), are committed to securing your Personal Data and your privacy. This privacy policy (the “**Policy**” and the “**Website**”) provides you information regarding the types of information that We collect about the users of our solution (the “**Services**”) and website, how We use it, store it, process it and share it with third parties.

We process the Personal Data in the following circumstances:

- **Customer Data:** personal data that we collect, process and manage on behalf of our customers (“**Customers**”), submitted to us by our customers. We process such data as a Processor on behalf our Customers. These are the details of the Data Processing Activities we perform on behalf of our Customers – <https://www.winn.ai/dpa>

**This Privacy Policy does not apply on such Processing.** This Policy describes the Company’s independent processing as Controller (or a business under the CCPA)

- **User Data:** personal data concerning our Customers’ employees who directly engage with our Services and the Company;
- **Prospect Data:** data relating to prospective customers or user, including users of our on-line channels such as the website [www.winn.ai](http://www.winn.ai) (the “**Website**”).

In this Policy, “Personal Data” refers to any information relating to an identified or identifiable natural person. An identifiable natural person is one who can be identified, directly or in combination with additional information that We have or that We have access to.

### 2. When do We collect Personal Data about You?

We may collect Personal Data about You in the following circumstances:

- When you access or use the Website;
- When Users use the Services;
- When Prospects interact with Us in any manner, including by our various services channels – email, social networks, direct messaging channels.

### 3. No Obligation To Provide Personal Data To The Company And Its Implications

You are not obligated to provide Us with any Personal Data about you. However, in some instances, not providing such Personal Data will prevent Us from providing you with the Services you requested Us to provide you, will prevent your use of the Services or a part thereof.

#### **4. What types of Personal Data do We collect?**

We (or others on Our behalf) may collect the following types of Personal Data about You:

##### When you are a User

- 4.1. Registration information and personal data** – upon creation of an account with Us, You provide Us with certain information, including your name, email address, position with our Customer, as well as any other information as the Company may deem necessary to collect at the point of registration. While some of the details mentioned above are required fields in pages of registration, others are not required, but We recommend that You complete them so that We can provide You with the best services We can;
- 4.2. Information we receive from third party platforms** – the Services are built on the Zoom services (and may be extended to additional video call providers and we collect call information, call transcript and recording as part of our Services, as well as, username, email address, profile picture, location). This information is collected by such third party and shared with Us pursuant to their respective privacy policy, including <https://explore.zoom.us/en/privacy/>.
- 4.3. Communication information** - when You contact Us, including via Our Website, social media networks or any other User support channels, You may provide Us with Your name, certain contact information (such as email address and telephone number) and the content of Your communication with Us.
- 4.4. Service activity information**: whenever You use the Services, we monitor Your use of the Services and record Your activity. The information that We gather about You in this context includes any activity that You perform through the Services, including any text, images or videos that you upload or provide to us in the context of the Services;

##### When you are a Prospect or while using our Website

- 4.5. Website usage information**: this information includes online activity log, traffic information (including, without limitation, IP address, time of access, date of access, web and mobile page(s) visited, language used, software crash reports and type of browser used, information regarding the device You used. Some of this information may not identify You personally, and therefore not constitute Personal Data;
- 4.6. Communication information** - when You contact Us, including via Our Website, social media networks or any other communications channel, You may provide Us with Your name, certain contact information (such as email address and telephone number) and the content of Your communication with Us.

##### Aggregate Information

4.7. We will also create statistical, aggregated and anonymized data relating to our Users and the Service for analytical purposes, including business development and services improvements. Aggregated data is derived from Personal Information and User Data but in its aggregated form it does not relate to or identify any particular client or individual or any specific user's data. This data is used to understand our customer base and to develop, improve and market our services.

## 5. **The Purposes Of The Processing Of Personal Data And Their Legal Basis**

The Company processes your Personal Data for one or more of the purposes outlined in this section and according to the appropriate legal basis.

The Company will not process Personal Data about you unless there is a legal basis for such processing.

The legal bases according to which the Company may process Personal Data about you are as follows:

- **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.** This refers to all the information required for us to provide you with the Services and grant you access thereto as well as Our use of the call and conversation information collected as part of the Services;
- **Processing is necessary for the purposes of the legitimate interests pursued by the Company or by a third party.** By way of example, for the purpose of improving Our Services will we use the data collected during the conversation and the content thereof to improve our Services; or for the exercise or defence of legal claims.
- **Your consent that the Company will process Personal Data about you for one or more specific purposes.** By way of example, for the purpose of sending marketing materials to you.

Where the legal basis for the processing of the Personal Data about you is consent, you may at any time withdraw your consent for the purposes for which you provided your consent by sending a notice free of charge to the following email address: support@winn.ai.

Where you withdraw your consent for the processing of Personal Data about you, We might not be able to provide you with some or all of the Services you requested or in the form intended to be provided to you, and you will have no claim in respect of that.

At any time, you may approach Us by sending a notice to the email address support@winn.ai, in order to receive information concerning the review performed by Us. This is so you can conclude that We may process the Personal Data about you on account of such processing being necessary for

the purposes of the legitimate interests pursued by the Company or by a third party.

## **6. Your Right To Object To The Processing of Personal Data About You For Direct Marketing Purposes**

- 6.1. The Company may provide you with offers that are tailored for you specifically, in order to connect you to brands, products and services in ways that are important to you. This may include ads, offers and other sponsored content related to products and services of Ours or of third parties. This is done following the processing of Personal Data about you, in order to adjust the materials presented to you, on the basis of your preferences, behaviour, characteristics and interests. For this purpose, We use Personal Data automated analysis techniques that provide Us with analysis and conclusions concerning you in various aspects, including profiling.
- 6.2. Similar analysis and conclusions are used to the extent that you agreed to receive marketing materials from Us, as such materials are tailored to offer you products and services which We think may be of more interest to you.
- 6.3. Where Personal Data about you is processed for direct marketing purposes, you shall have the right to object at any time to such processing for this purpose, including profiling to the extent that it is related to such direct marketing, by sending a notice to the following email address: support@winn.ai, in which case We shall cease to process Personal Data about you for such direct marketing purposes.
- 6.4. In addition, you may withdraw your consent from receiving marketing materials via email at any time, by sending an email free of charge with the title “unsubscribe” to the following email address: support@winn.ai or by clicking the unsubscribe option in any marketing material sent to you. You can withdraw your consent from receiving marketing materials via push notifications in your mobile device’s settings page.
- 6.5. Please note that if you opt out of receiving marketing communications from Us, We may still communicate with you from time to time if We need to provide you with non-marketing information about Our Services or for other legitimate non-marketing reasons.

## **7. Transfer Of Personal Data To Third Parties**

- 7.1. We will not disclose Personal Data about You to third parties except as detailed in this Policy.
- 7.2. We may transfer Personal Data to entities that control Us, entities that are under Our control and/or to entities under common control or ownership with Us, as shall be from time to time (collectively the “**Group**”). Such entities may use the Personal Data to support the needs of the Group.

7.3. The Company may also share Personal Data about you with third parties that provide Us with the following services:

- Storage and hosting providers, including cloud computing services and data security services;
- IP address information;
- Analysis of user experience;
- Support;
- Marketing;
- CRM data management;
- Accounting and legal services; and
- Research, analytical, technical, and diagnostic services.

7.4. We may share Personal Data about You with the following third parties or for the following purposes:

- *With respect to Users*

We may share your Personal Data with the Customer and other Users associated with that Customer. Your personal data and activity within the Services may also be monitored, processed and analyzed by the designated person(s) by the Customer.

- *Integration*

The Customer may integrate our Services with his other system and in such case the Personal Information collected by Us may be shared with such third parties and subject to their respective privacy policies and terms of engagement with the Customer.

- Upon Your consent or instruction;
- Third parties providing Us services related to the offering of the Services, including the Website (e.g. cloud service providers, support providers, integrated third party platforms providers);
- If we are involved in a merger, acquisition, bankruptcy, reorganization, partnership, asset sale or other transaction, we may disclose your Personal Information as part of that transaction
- In the event that We involve in a merger, change of control, acquisition, reorganization, liquidation, insolvent, assets sale, or other transaction, We may disclose Your Personal Information as part of such process;
- To protect Our rights, property and interest or those of third parties;

- To fulfil Our legal or regulatory requirements or to comply with a court order.

## **8. Transfer of Personal Data abroad**

Personal Data about you may be transferred to a third country (i.e. jurisdictions other than the one you reside in) or to international organizations. In such circumstances, the Company shall take appropriate safeguards to ensure the protection of Personal Data about you and to provide that enforceable data subject rights and effective legal remedies for data subjects are available.

If you are an EEA resident, please note that these safeguards and protection will be available if any of the following are met:

- a. The transfer is to a third country or an international organization that the EU Commission has decided provides an adequate level of protection to the Personal Data that is transferred to it pursuant to Article 45(3) of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 ("**GDPR**");
- b. The transfer is according to a legally binding and enforceable instrument between public authorities or bodies pursuant to Article 46(2)(a) of the GDPR; or
- c. The transfer is in accordance with standard data protection clauses adopted by the EU Commission pursuant to Article 46(2)(c) of the GDPR.

You may request that the Company provide you with details concerning the safeguards employed by it to protect the Personal Data about you that are transferred to a third country or an international organization, by sending an email to the following address: support@winn.ai.

## **9. Retention of Personal Data**

We will retain Personal Data about You only for as long as necessary for the fulfillment of the purposes for which such Personal Data is collected. We may retain Personal Data about You for longer periods, if We find it necessary to comply with legal requirements applicable to Us.

## **10. Cookies and Trackers**

We may use certain third party services, such as analytics companies or companies delivering advertisements, which may also use cookies or other technologies, and those practices and providers are subject to their own policies.

Cookie (which is a small text file) is installed on the device via which you visit or access the Platform. The cookies allow Us to collect information about you and your behavior, in order to improve your user experience, to remember your preferences

and settings, and to customize and offer you products and services that may interest you. Cookies are also used to collect statistics and perform analytics.

Some of the cookies We use are session cookies, which are downloaded temporarily to your device and last until you close your web browser, while others are persistent cookies, which last on your device after you cease browsing the Service and are used to help the Service remember you as a returning visitor when you return to the Service.

**Types of cookies:**

The cookies We may use have been classified according to their functionality, as follows:

<b>Type of Cookie</b>	<b>Purpose</b>	<b>Additional Information</b>
Strictly Necessary Cookies	These cookies are strictly necessary to enable you to navigate the Platform and use features you have requested. They are used to provide you with Our content, products, and services that you have requested.  Such cookies are essential to help your device download or stream information so that you can navigate around the Platform, use its features, and return to pages you have previously visited.	These cookies collect Personal Data about you, such as user name and last login date, and identify you as being logged in to the Platform.  These cookies are deleted when you close your web browser (session cookies).
Functionality Cookies	These cookies are used to recognize you when you return to the Platform and allow Us to remember your choices and preferences and measure how you use our website.	These cookies survive the closing of your web browser, and last until their applicable expiry time.

Performance Cookies	These cookies are used to provide aggregated statistics in respect of the performance of the Platform and to test and improve such performance, in order to provide better user experience. In addition, they allow Us to carry out analytical functions on the Platform.	These cookies collect anonymized data that is not related to an identified or identifiable natural person. These cookies are valid for varying periods; some are deleted once you close your browser, while others have an indefinite validity period.
Third Party Marketing/Targeting Cookies	These cookies are used to deliver ads and marketing communications, and to display the Platform in a manner that is more relevant to you. They are also used to measure the effectiveness of an advertising campaign. These cookies record your visit to the Platform and the pages you have visited.	Some of these cookies are provided and used by third parties. These cookies are valid for varying periods; some are deleted once you close your browser, while others have an indefinite validity period.

The Cookies incorporated in our Platform are as follows:

<b>Third Party</b>	<b>Name</b>	<b>Type</b>	<b>Function</b>
No	winnToken	Strictly Necessary Cookies	Authorization in the platform.
No	currentWorkspace, redirectUrl	Strictly Necessary Cookies	Caching state of your use and requests in the platform.



No	_hjSession_2818230, _hjSessionUser_2818230, _hjUserAttributesHash, _hjCachedUserAttributes, _hjFirstSeen, _hjIncludedInPageviewSample, _hjAbsoluteSessionInProgress, _hjIncludedInSessionSample	Functionality Cookies	Enabling the website to provide enhanced functionality and personalization .
No	G_AUTHUSER_H, G_ENABLED_IDPS	Performance Cookies	Used by Google to accelerate login.
No	UserMatchHistory	Marketing Cookies	Used to track visitors on multiple websites, in order to present relevant advertisement based on the visitors preferences.
No	_gcl_au, _ga, _gat, _gid	Functionality Cookies	Registers a unique ID that is used to generate statistical data on how the visitor uses the website

No	Collect	Functionality Cookies	Used to send data to Google Analytics about the visitor's device and behavior. Tracks the visitor across devices and marketing channels.
No	Hubspotutk	Marketing Cookies	Keeps track of the visitor's identity. This cookie is passed to the marketing platform Hubspot on form submission and used when de-duplication contacts.
No	Tr	Marketing Cookies	Used by Facebook to deliver a series of advertisement products such as real time bidding from third party advertisers.

No	_hssrc	Marketing Cookies	Collects statistical data related to the user's website visits, such as the number of visits, average time spent on the website and what pages have been loaded. The purpose is to segment the website's users according to factors such as demographics and geographical location, in order to enable media and marketing agencies to structure and understand their target groups to enable customized online advertising.
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### Blocking and removal of cookies

You can change your browser settings to block and delete some or all cookies. Please see below links to instructions on how to do this in respect of some of the most popular web browsers:

- **Firefox**
- **Edge**
- **Internet Explorer**
- **Google Chrome**
- **Safari**

Please note, however, that if you do so, some or all of the Service's features and functionalities might not perform as intended.

#### **ONLINE TRACKING NOTICE**

**AT THIS TIME, THIS SERVICE DOES NOT SUPPORT DO-NOT-TRACK SIGNALS.**

#### **11. Security**

We have implemented suitable security policies, rules and technical measures to protect and safeguard the Personal Data under Our control from unauthorized access, improper use or disclosure, unauthorized modification, or unlawful destruction. However, any storage of Personal Data and especially, the transfer thereof via the internet cannot be fully secured, and therefore We cannot promise absolute protection of Your Personal Data.

#### **12. Disclaimer**

We cannot guarantee, nor do We represent, that there will be error-free performance regarding the privacy of Your Personal Data, and We will not be liable for any indirect, incidental, consequential, or punitive damages relating to the use or release of Personal Data about You including, but not limited to, disclosure of Personal Data due to errors in transmission, unauthorized third-party access, or other causes beyond Our reasonable control.

#### **13. Links to Other Websites**

13.1. The Services may contain links to websites and/or applications of third parties. Other websites and applications may also reference or link to Our Website. We do not control such websites and applications, nor the collection and/or processing of Personal Data about You by such websites and applications, and thus We are not responsible for the privacy practices. This Policy does not apply to any actions taken via such websites and/or applications.

13.2. Whenever You access such third parties' websites and/or applications, We recommend that You carefully review their privacy policies prior to using such websites and/or applications and prior to disclosing any Personal Data about You.

## **14. Your Rights In Respect Of The Personal Data About You**

- 14.1. Generally, you have the right to request that We provide you with confirmation as to whether Personal Data about you is being collected by Us, to ask to review such data, to rectify the content if applicable and to erase the Personal Data no longer required by Us. You may also restrict your consent to certain processing of your Personal Data.
- 14.2. When We act as a processor on behalf of our Customers, Our Customers are solely responsible for determining whether and how they wish to use our Services and for their use of the Personal Data collected on their behalf. If a User wishes to exercise his rights regarding personal data processed by us as a processor, he should contact the Customer directly.

*If you are an EEA resident, please read this section below:*

- 14.3. You are entitled to the following rights in respect of the Personal Data about you. To exercise such rights, you may send a request to exercise your rights to the following email address: legal@winn.ai.
- 14.4. We will grant your right to receive information how Personal Data about you is processed by Us; to rectify any inaccuracy in your Personal Data; to erase your Personal Data processed and stored by Us; to restrict the processing thereof or object thereto if applicable under the circumstances; the right to receive the Personal Data about you, which you have provided to the Company, in a structured machine readable manner and the right to withdraw your consent when such is the legal basis of our processing.
- 14.5. We may reject your requests where the request harms the rights and freedoms of others or comply with legal requirements applicable to Us. We may also charge a reasonable fee where applicable.
- 14.6. You will also have the right to lodge a complaint with a supervisory authority established by a Member State to protect the fundamental rights and freedoms of natural persons in relation to the processing of Personal Data within the European Union.

*If you reside in California, please read below with respect to the California Consumer Privacy Act (CCPA) rights you have:*

**Right**

**Scope**

- |   |   |   |
|---|---|---|
| 1 | Right to know   | <p>You have the right to receive the following information:</p> <ul style="list-style-type: none"> <li>• What types of Personal Data collected;</li> <li>• What are the types of sources of the Personal Data collected;</li> <li>• To what end We collect the Personal Data;</li> <li>• Types of third parties with whom We share Personal Data, if any; and</li> <li>• The specific pieces of Personal Data We have collected about you.</li> </ul>               |
| 2 | Right of Erasure  | <p>You may ask Us to delete your Personal Data and direct Our service providers to do so.</p> <p>Please note that We may not delete your Personal Data if it is necessary to complete Our legal obligation to you to provide the Services or otherwise protect Our legal rights, comply with an existing legal obligation; or use your Personal Data, internally, in a lawful manner that is compatible with the context in which you provided the information.</p> |
| 3 | Right to Non-Discrimination for the exercise of your privacy rights           | <p>You have the right to not be discriminated against by Us because you exercised any of your rights under the CCPA.</p>  |
| 4 | Right to designate an authorized agent to submit CCPA requests on your behalf | <p>You may designate an authorized agent to make a request under the CCPA on your behalf. To do so, you need to provide the authorized agent written permission to do so and the agent will need to submit to Us proof that such agent has been authorized by you. We will also require that you verify your own identity, as explained below.</p>  |

In order to exercise your CCPA right, please contact us using the following details:  
[legal@winn.ai](mailto:legal@winn.ai).

Please note that We may need to receive Personal Data from you in order to verify your identity prior to allowing you to exercise your rights.

## **15. Changes to the Policy**

We may amend, from time to time, the terms of this Policy. Whenever We amend this Policy, we will notify you of such amendments by publishing the updated Policy on the Platform. In addition, when We make significant amendments to this Policy, we will strive to inform you about such amendments via means of communication We believe are reasonably appropriate to inform you of such amendments and by publishing a notice about such amendments on the Platform. Unless stated otherwise, all amendments will enter into force upon publication of the updated Policy on our website or the designated page in the Services.

Last updated: September 13th, 2022.