

 Information Technology Standard	No: 002
IT Standard: GDPR Privacy Policy	Effective: 29 July 2024 Issued By: Brian Gietzen Owner: Brian Gietzen

OmniByte Technology, Inc. GDPR Privacy Policy

OmniByte Technology, Inc. (“OmniByte”, “we”, “us”, “our”) is strongly committed to protecting your privacy and complying with your choices. We strive to safeguard personal and non-personal data according to high privacy and data protection standards. We aim to have a robust and effective data protection program in place which complies with applicable law and abides by the data protection principles.

This Privacy Policy is directed at data subjects in the European Economic Area, Switzerland, and the United Kingdom whose personal data we may receive through our website when they inquire about our company or products and in our hosted applications and information systems which may process personal data. In addition, our customers may use our hosted technology platform to store and process data of their own customers at their own discretion. In this circumstance, we act only as a storage and service provider, without any interest or knowledge about what is being stored, and in general shall only access such data at our customer’s request in connection with customer support or account administration matters, as is reasonably necessary in order to provide the services that our customer has directed us to provide, or as may be required by law.

Our Commitment

- Your information will not be shared, rented or sold to any third party, except as stated in this Privacy Policy.
- We use state-of-the-art security measures to protect your information from unauthorized users.
- We give you the possibility to control the information that you shared with us (opt-out).

OmniByte is committed to processing data in accordance with its responsibilities under applicable law, including the EU’s General Data Protection Regulation (the GDPR). Article 5 of the GDPR requires that personal data shall be:

- a. processed lawfully, fairly and in a transparent manner in relation to individuals;
- b. collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- c. adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d. accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay;
- e. kept in a format which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes subject to implementation of the appropriate technical and

organizational measures required by the GDPR in order to safeguard the rights and freedoms of individuals; and

- f. processed in a manner that ensures appropriate security of the personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organizational measures.

1. Notice and Choice

We will inform you when information that personally identifies you ("personal information") is asked for and you will have the choice to provide it or not. Generally, this information is required when you purchase OmniByte applications or wish to subscribe to newsletters or other online services. We may not be able to provide certain services or fulfil our obligations to you if you choose not to provide your personal information. You will also have the opportunity to choose (i.e., opt out) whether your personal information is: (i) to be disclosed to a third party or (ii) to be used for a purpose that is materially different from the purpose(s) for which it was originally collected or subsequently authorized by the individuals.

2. Categories of personal information

We collect the following categories of personal information:

- Name
- Job title
- Company address and work location
- Email address
- Phone number
- Account settings including operating systems used, language, purchase history, and currency
- Login credentials such as your username and password
- Billing information.

3. Usage

We use your personal data for the following purposes:

- To respond and contact you during the sales process
- To automatically customize documents with your information
- To enable us to provide services and support
- To respond to your inquiries and provide a better product support experience
- To email informational communications about products and services and promotional offers
- To alert you of software upgrades, updates, or other services from OmniByte
- To contact you about your account, order confirmations, and transactional information for the product(s) and/or service(s) you have purchased.

4. Access to your information

You are entitled to review the personal data you have provided us and ensure that it is accurate and current at all times. To review or update this information please contact us by using the information in the "Contact" section below.

5. Security of information

OmniByte is committed to protecting your information and ensuring that your choices are honored. We have taken strong security measures to protect your personal data from loss,

misuse, unauthorized access, disclosure, alteration, or destruction. All sensitive data is stored behind multiple firewalls on secure servers with restricted employee access. To secure e-commerce transactions, we employ robust security measures and technologies. Secure Sockets Layer (SSL) technology is employed when you place online orders or transmit sensitive information.

While we use industry recognized standards to secure any personal data in our possession, and to secure it from unauthorized access and tampering, as is true with all online actions, it is possible that third parties may unlawfully intercept transmissions of personal information, or other users of the website may misuse or abuse your personal data that they may collect from the website.

6. Retention of information

We retain information as long as it is necessary to provide the services requested by you and others, subject to any legal obligations to further retain such information. Information associated with your account will generally be kept until it is no longer necessary to provide the services or until you ask us to delete it or your account is deleted whichever comes first. Additionally, we may retain information from deleted accounts to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with investigations, enforce the Terms of Use, and take other actions permitted by law. The information we retain will be handled in accordance with this Privacy Policy. Finally, your data could also be stored for sales statistical purposes.

7. Access and review

In accordance with applicable law, you may have the right to access, update, rectify, download or erase your information, as well as the right to restrict and object to certain processing of your information. While some of these rights apply generally, certain rights apply only in certain limited circumstances. We describe these rights below: You have the right to access your personal data and, if necessary, have it amended or deleted or restricted. In certain instances, you may have the right to the portability of your data. You can also ask us to not send marketing communications and not to use your personal data when we carry out profiling for direct marketing purposes. You can opt out of receiving email newsletters and other marketing communications by following the opt-out instructions provided to you in those emails. Transactional account messages will be unaffected if you opt-out from marketing communications.

If we have received your personal data in reliance on the EU-U.S. DPF, UK Extension to the EU-U.S. DPF, or the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) you may also have the right to opt out of having your personal data shared with third parties and to revoke your consent to our sharing your personal data with third parties. You may also have the right to opt out if your personal data is used for any purpose that is materially different from the purpose(s) for which it was originally collected or which you subsequently authorized.

To submit the above requests or raise any other questions, please contact us by using the information in the "Contact" section below.

8. Sharing your personal data with third parties

We may share personal data with our services providers, who process personal data on our behalf, such as customer support and processing event registrations. We will only provide such companies with the information required for them to perform these services.

Our service providers may be located outside of the United States; however, we will either obtain your explicit consent to transfer your personal data to such third parties, or we will require those third parties to maintain at least the same level of confidentiality that we maintain for such personal data ourselves.

OmniByte remains liable for the protection of your personal data that we transfer to our service providers, except to the extent that we are not responsible for the event giving rise to any unauthorized or improper processing.

9. Other disclosures of your personal data

OmniByte may disclose your personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, or private parties, including but not limited to: in response to subpoenas, search warrants, or court orders; (b) protect and defend the rights or property of OmniByte and its properties; and (c) act in urgent circumstances to protect the personal safety of users of OmniByte, its websites, or the public.

We may disclose your personal data if we sell or transfer all or a portion of our company's business interests, assets, or both, or in connection with a corporate merger, consolidation, restructuring, or other company change, or to our subsidiaries or affiliates only if necessary for business and operational purposes as described in the section above.

We may disclose your personal information if disclosure is required by lawful request by public authorities, including to meet national security or law enforcement requirements. If we must disclose your personal data in order to comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, we may not be able to ensure that such recipients of your personal data will maintain the privacy or security of your personal data.

10. How to opt-out

We provide users with the opportunity to opt-out from receiving updates on our products, newsletters and other communications from us. You can opt-out by clicking on the link provided in our electronic mailings or by contacting us at the address at the bottom of this page.

11. Linked websites

Our Privacy Policy applies solely to information collected on our website. The website contains links to web sites of third parties. OmniByte is not responsible for the actions of these third parties, including their privacy practices and any content posted on their web sites. We encourage you to review their privacy policies to learn more about what, why and how they collect and use personal information.

12. Cookies

OmniByte Technology, Inc. uses cookies to improve the user experience on our website. The cookies categorized as necessary are stored on your browser as they are essential for the working of basic functionalities of the website. We also use third party cookies that help us analyze and understand the use of the website. These cookies are stored on your browser only with your consent. You may opt out of these cookies, which may affect the website experience.

13. Data Privacy Framework

With respect to personal data processed in the scope of this Privacy Policy, OmniByte complies with the EU-U.S. Data Privacy Framework and its UK Extension and the Swiss-U.S. Data Privacy Framework (collectively, the "Data Privacy Framework") as adopted and put forward by the U.S. Department of Commerce regarding the processing of personal data. OmniByte will subject to the Data Privacy Framework Principles all personal data received from the European Union, United Kingdom, and Switzerland in reliance on the Data Privacy Framework.

If there is any conflict between the terms in this privacy policy and the Data Privacy Framework Principles, the Principles shall govern. To learn more about the Data Privacy Framework (DPF) Program, and to view our certification, please visit <https://www.dataprivacyframework.gov/>

14. Dispute Resolution

Where a privacy complaint or dispute cannot be resolved through OmniByte's internal processes, OmniByte has agreed to participate in the [VeraSafe Data Privacy Framework Procedure](#). Subject to the terms of the VeraSafe Data Privacy Framework Dispute Resolution Procedure, VeraSafe will provide appropriate recourse free of charge to you. To file a complaint with VeraSafe and participate in the VeraSafe Data Privacy Framework Dispute Resolution Procedure, please submit the required information here: <https://www.verasafe.com/privacy-services/dispute-resolution/submit-dispute/>.

15. Supervisory Authority Oversight

If you are a data subject whose personal data we process, you may also have the right to lodge a complaint with a data protection regulator in one or more of the European Economic Area Member States. If you are in the United Kingdom or Gibraltar, your complaint would be lodged with the Information Commissioner's Office or the Gibraltar Regulatory Authority, respectively.

Additionally, if your dispute or complaint cannot be resolved by us, nor through the dispute resolution program established by VeraSafe, you may have the right to require that we enter into binding arbitration with you under the Data Privacy Framework's "Recourse, Enforcement and Liability Principle" and Annex I of the Data Privacy Framework.

16. U.S. Regulatory Oversight

OmniByte's compliance with the DPF Principles is subject to the investigatory and enforcement powers of the United States Federal Trade Commission.

17. Changes to this policy

If we make changes to our Privacy Policy, we will post these changes here so that you are always aware of what information we collect, how we use it and under what circumstances, if any, we disclose it. If at any point we decide to use your information in a manner different from that stated at the time it was collected, we will notify you by email.

18. Questions or comments

If you have questions or comments about this privacy policy, please email us or write us at: OmniByte Technology, Inc.

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For information about how to contact OmniByte Technology, Inc. please visit our contact page.

[Contact Us - \(omnibyte.com\)](#)