

## **PRIVACY POLICY**

This Privacy Policy ("Privacy Policy") explains how your information is collected and used when you visit the website [www.kenv.io](http://www.kenv.io) (the "Website") operated by Kenv Software Inc. ("Kenv" or "we", "us", "our"). Your use of the Website is also governed by the Website [Terms of Use](#). In the event of any conflict between the terms of this Privacy Policy and the Terms of Use, this Policy shall prevail.

Kenv develops and operates an EaaS - Environment as a Service solution (the "Services").

We are committed to protecting and respecting data privacy. Please read this Privacy Policy carefully.

### **PERSONAL DATA PROCESSED**

**We process information you provide us when you submit an inquiry on our Website or when you request a demo.**

When you visit our Website, you can submit an inquiry through our online contact form. You may also request a demo of our product. When you contact us, you will be asked to provide information such as your full name, email address, phone number, company name, your position, the type of cloud your company is using and the subject of your inquiry. We refer to this entire data as "**Inquiry Information**".

**We process information when you apply for an open position at Kenv.**

You may apply for open positions at Kenv via the Website. In order to do so, we will ask you to provide information such as your full name, email address, phone number and your resume. We refer to this information as "**CV Information**".

You do not have a legal obligation to provide us with your Inquiry Information or CV Information; however, if you choose to not share this information with us we may not be able to respond to your inquiry or provide you with more information about our Services or consider and handle your application for an open position at our company.

**We process your information if you are registered to our Services.**

If you are registered to our Services, you may log-in to your account with us via the Website. You will be asked to enter your username and password to your account on the Services. We refer to this information as "**Login Information**".

**We also collect analytics information about your use of the Website and the Service.**

When you visit the Website and when you use the Service, we record and collect certain information about your interaction with the Website and the Service, including the IP address from which you access the Website, time and date of access, type of browser used, language used, links clicked, and actions taken while using the Website and the Service ("**Analytics Information**").

## HOW WE PROCESS PERSONAL DATA

<b>To respond to and handle your inquiry.</b>	We process your Inquiry Information to contact you about your inquiry and handle your inquiry.
<b>To send you administrative communications.</b>	We process your Login Information to send you communications and administrative emails, to manage the provision of the Service to you and to provide you with further information and updates about our products and technology.
<b>To handle your application for an open position.</b>	We process your CV Information to consider and manage your application for an open position at our company.
<b>We use Analytics Information to improve and enhance the Website, our services and our email communications. We also use it for business administration purposes.</b>	We use Analytics Information to improve the Website and enrich the content on the Website, our email communications and the products services we offer to customers. We also use the Analytical Information to adapt the Website, its content, and services and our email communications, to users' preferences. Finally, we will use the Analytics Information to understand the market in which we operate and for managerial reporting and business planning.

## WHO WE SHARE YOUR DATA WITH

*We will not share your information with third parties, except in the events listed below or when you provide us your explicit and informed consent.*

<b>We will process information with our service providers helping us to operate our business.</b>	We will process personal information with the assistance of our service providers who assist us with the internal operations of the Website and our business. These companies are authorized to use your personal information in this context only as necessary to provide these services to us and not for their own promotional purposes.
<b>We will share information with competent authorities, if you abuse your right to use the Website, or violate any applicable law.</b>	If you have abused your rights to use the Website, or if you violated any applicable law, we will share information with competent authorities and with third parties (such as legal counsels and advisors), for the purpose of handling of the violation or breach.
<b>We will share your information if we are legally required to do so.</b>	We will share information if we are required to do so by a judicial, governmental or regulatory authority.
<b>We will share your Information with third-parties in any event of change in our structure.</b>	If the operation of our Website is organized within a different framework, or through another legal structure or entity (such as due to a merger or acquisition), we will share information only as

required to enable the structural change in the operation of the business.

## COOKIES

### **What are cookies?**

Cookies are text files, comprised of small amount of data, that are saved on your computer or other device (e.g. smartphone, tablet, etc.) when you use the internet and visit various websites.

The information that the cookies maintain is read by the website you visit, during the session of your visit to the website (these are called 'session' cookies), and when you return to visit it again (these are called 'persistent' cookies).

### **We use cookies necessary to operate the Website and for website statistics.**

We use cookies for a number of purposes, as briefly explained below:

**Necessary.** Cookies that are strictly necessary for the functioning of the Website. The Website cannot operate properly without these cookies. You can set your browser to block or alert you about these cookies, but some parts of the Website may not function properly.

**Statistics.** Analytics cookies that help us understand how you and other users interact with our Website by collecting data that does not directly identify you.

### **You can always delete or disable cookies.**

You can always delete the cookies saved on your device through the settings of your computer browser or device. You can also disable cookies for future use through the settings of your computer browser or device.

## SECURITY AND DATA RETENTION

### **We will retain your Information for as long as we need it for business purposes, and thereafter as needed for record-keeping matters.**

We will retain your Information for the duration needed to support our ordinary business activities and for operating the Website. Thereafter, we will still retain it as necessary to comply with our legal obligations, resolve disputes, establish and defend legal claims and enforce our agreements.

### **We implement measures to secure your Information.**

We implement measures to reduce the risks of damage, loss of information and unauthorized access or use of information. However, these measures do not provide absolute information security. Therefore, although efforts are made to secure personal information, it is not guaranteed, and you cannot expect that the Website will be immune from information security risks.

## INTERNATIONAL DATA TRANSFERS

**We will internationally transfer information in accordance with applicable data protection laws.**

If we transfer your personal data for processing at locations outside your jurisdiction, we will abide by data transfer rules applicable to these situations.

If you are an EU resident, we will transfer your information from the EU to other jurisdictions outside the EU using adequate safeguards determined by the EU Commission, such as Privacy-Shield certified companies in the United States.

## ADDITIONAL INFORMATION FOR INDIVIDUALS IN THE EU

**Kenv is the data controller of the personal information collected via our Website.**

The following is the data controller for the purposes of the personal data we collect via the Website:

Kenv Software Inc.

244 Fifth Avenue

New York, NY 10001

[info@kenv.io](mailto:info@kenv.io)

**Legal basis under EU law for processing your personal data.**

The legal basis under EU law for processing your Analytics Information is our legitimate interest in providing, maintaining, developing and enhancing the Website.

The legal basis for collecting and processing your Inquiry Information is our legitimate interests in responding to your inquiry.

The legal basis under EU law for processing your Login Information is our legitimate interests in operating the Services.

The legal basis under EU law for processing your CV Information is our legitimate interest to consider your application and manage your application for a position at our company.

The legal basis under EU law for processing your data for the purpose of handling instances of abusive use of the Website is our legitimate interests in defending and enforcing against violations and breaches that are harmful to our business.

The legal basis under EU law for processing your data where we are legally required to share it, is our legitimate interests in complying with mandatory legal requirements imposed on us.

The legal basis under EU law for us processing your

data in the event of a change in our corporate structure is our legitimate interests in our business continuity.

**You have certain rights to access, update or delete your information, obtain a copy of your information, withdraw your consent and object or restrict certain data processing activities.**

If you are in the EU, you have the following rights under the GDPR:

**Right to Access** your personal data that we process and receive a copy of it.

**Right to Rectify** inaccurate personal data we have concerning you and to have incomplete personal data completed.

**Right to Data Portability**, that is, to receive the personal data that you provided to us, in a structured, commonly used and machine-readable format. You have the right to transmit this data to another service provider. Where technically feasible, you have the right that your personal data be transmitted directly from us to the service provider you designate.

**Right to Object**, based on your particular situation, to using your personal data on the basis of our legitimate interest. However, we may override the objection if we demonstrate compelling legitimate grounds, or for the establishment, exercise of defense of legal claims.

**Right to Restrict** the processing your personal data (except for storing it) if you contest the accuracy of your personal data, for a period enabling us to verify its accuracy; if you believe that the processing is unlawful and you oppose the erasure of the personal data and request instead to restrict its use; if we no longer need the personal data for the purposes outlined in this Policy, but you require them to establish, exercise or defense relating to legal claims, or if you object to processing, pending the verification whether our legitimate grounds for processing override yours.

**Right to be Forgotten.** Under certain circumstances, such as when you object to us processing your data and we have no compelling legitimate grounds to override your objection, you have the right to ask us to erase your personal data. However, we may still process your personal data if it is necessary to comply with a legal obligation that we are subject to under laws in EU Member States or for the establishment, exercise or defense of legal claims.

If you wish to exercise any of these rights, contact us at [info@kenv.io](mailto:info@kenv.io)

We reserve the right to ask for reasonable evidence to verify your identity before we provide you with information. Where we are not able to provide you with information that you have asked for, we will

explain the reason for this.

**You have a right to submit a complaint to the relevant supervisory data protection authority.**

Subject to applicable law, you have the right to lodge a complaint with your local data protection authority. If you are in the EU, then according to Article 77 of the GDPR, you can lodge a complaint to the supervisory authority, in particular in the Member State of your residence, place of work or place of alleged infringement of the GDPR. For a list of supervisory authorities in the EU, click [here](#).

## CHANGES TO THIS PRIVACY NOTICE

**If we change this Privacy Policy, we will make efforts to proactively notify you of such changes.**

From time to time, we may change this Privacy Policy. If we do so, we will make efforts to proactively notify you of such changes. In any event, the latest version of the Privacy Policy will always be accessible at: <https://www.kenv.io/privacy-policy>

Last Update: November 12, 2020.