



Privacy Policy

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Testmo Privacy Policy

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This Privacy Policy (the "**Policy**") explains how Testmo GmbH ("**Testmo**", "**we**" or "**us**") uses your personal data (or simply "data") when you visit our website or one of our social media accounts (jointly our "**Services**"), use our SaaS software products including its optional features, where applicable, (the "**Software**"), or when you contact us. We are acting as data controller. Our contact details can be found in Section 1 below.

This Policy sets out:

- what data we collect about you & how we use it;
- who we share your data with;
- information on international data transfers;
- how long we keep your data;
- your rights and how to contact us; and
- information on cookies and other technologies.

1. Contact us

Questions, comments and requests regarding this Policy or our processing of your personal data should be addressed to:

Testmo GmbH
Wilhelmine-Gemberg-Weg 11a
10179 Berlin
Email: contact@testmo.com

2. What data do we collect about you?

We collect data directly from you or automatically via our Services.



2.1 Data you share with us

2.1.1 When you use our Services (e.g. by subscribing to the Software or by setting up an account to use our Software) or otherwise interact with us, for example to ask us a question or subscribe to our newsletter, we will collect data you are sharing with us such as your name, email address, phone number, payment details, or the content of your request.

We do this

- with your consent. For example, we have implemented a double opt-in process for the subscription to our newsletter to ensure that it was you who provided us with your email address. This means that you will be asked to confirm your email address before we send you our newsletter. The purpose of this procedure is to be able to verify your registration and, if necessary, to clarify any possible misuse of your personal data;
- for the purpose of initiating an agreement regarding the use of our Software with you or for the performance of such an existing agreement; or
- in our legitimate interests to provide you with the information you request when you contacted us.

2.1.2 We may collect your name, email address, user name, social media handles or submission content (e.g. your posts) in order to participate in social media discussions with you or to provide you with information on our social media accounts. We do this in our legitimate interests to interact with you.

We have social media accounts with

- Facebook Ireland Limited, 4 Grand Canal Square, Dublin 2, Ireland; for further details on Facebook's processing of your data please read <https://www.facebook.com/about/privacy>.
- Twitter, Inc., 1355 Market St, Suite 900, San Francisco, California 94103, USA; for further details on Twitter's processing of your data please read <https://twitter.com/privacy>.



- YouTube by Google Ireland Limited, Gordon House, Barrow Street, Dublin 4, Ireland; for further details on Google's processing of your data please read <https://policies.google.com/privacy>.
- LinkedIn Ireland Unlimited Company, Wilton Place, Dublin 2, Ireland; for further details on LinkedIn's processing of your data please read <https://www.linkedin.com/legal/privacy-policy>.

Please note that the social media providers will also collect your personal data and may set cookies even if you do not have a profile with such providers. We cannot influence the processing of your personal data by social media providers. Please refer to their respective privacy policies, linked above.

On our website we offer links to selected external websites. As long as you do not click on a link, no data will be transferred to these providers. If you press the button of a provider, personal data may be automatically transmitted to the provider and stored and used by them. Please note that this may take place abroad, particularly in the United States of America. This gives the respective provider the information that your browser has accessed the corresponding page on testmo.com. This happens regardless of whether you have a user account with the provider and whether you are currently logged in there. In log files, information is transmitted from your browser to a server of the respective provider and stored there if necessary. This also includes the IP address. Testmo has no full knowledge of the type and scope of the data collection and its use and processing by the provider and cannot influence such processes. If you activate a link to a provider, the respective provider receives the information that you have activated their link on testmo.com or the corresponding sub-page of testmo.com. In addition, the information specified in Section 2 of this Policy may be transmitted to the provider.

2.2 Data you must not share with us

Other than for setting up user accounts, you should not share personal data of third persons with us. Especially do not use personal data when you use our Software (other than for your own user login data and payment/billing data), and do not store personal data in context with using the Software. We do not agree to process such data.



2.3 Data we collect about your use of our Services or Software

We may collect data from you each time you visit our Services, use our Software or subscribe to our newsletter:

- to administer our Software and Services and for internal operations, including troubleshooting, data analysis, testing, research, statistical and/or survey purposes;
- to improve our Software and Services to ensure that content is presented in the most effective manner to you and your devices, and our Software operates in the most effective way;
- to keep our Software and Services safe and secure; and
- to enable us to verify your newsletter registration or Software account registration and, if necessary, to clarify any possible misuse of your personal data.

The type of data we collect may include:

- technical data such as your Internet protocol (IP) address, your login data, your browser type and version, your time zone setting, your browser plug-in types and versions, your operating system or your platform;
- data about your visit of our website and social media accounts such as the URL, clickstream to/through and from our website, including date and time of access, information you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction data (such as scrolling, clicks, and mouse-overs) or methods used to browse away from the page; and
- data regarding your customer account or user account with respect to our Software, such as name, username, email address, address, payment details (e.g. credit card number), passwords, or account preferences.

We do this:

- with your consent;
- to comply with our legal obligations under applicable law and/or court orders



- for the purpose of initiating an agreement regarding the use of our Software with you or for the performance of an existing agreement; or
- in our legitimate interests to provide you with certain features of our website and with a secure and stable website.

3. Why we do this? (legal basis)

Consent: We use your personal data to send you promotional or marketing content if you have given us your consent to do so. You can opt-out of receiving future marketing communication at any time by selecting the "unsubscribe" link at the end of our promotional information sent to you or by sending us an email to the email address listed in Section 1.

We also rely on consent for some of the cookies we use (see Section 8 below for more detail).

Performance of Contract: We use your personal data where this is necessary for the performance of a contract with you or in order to take steps prior to entering into a contract at your request.

Legal Obligation: We may need to process your personal data to comply with our legal obligations under applicable law and/or court orders.

Legitimate Interests: We may process your personal data if it is necessary for our legitimate interests or the legitimate interests of a third party, provided those interests are not outweighed by your rights and interests.

Our legitimate interests include:

- providing you with data, products and services requested by you;
- to allow you to participate in interactive features on our website;
- to gain insights into how you are using our Software or Services;
- to deliver, develop and improve our Software or Services;
- to keep our Software or Services safe and secure;
- to improve our website to ensure that content is presented in the most effective manner for you and for your device;
- to administer our website or Software, including for troubleshooting, data analysis, testing, research, statistical and survey purposes; and



- to send you our email newsletter if you use our Software, whether as a free trial or as part of a subscription. You can unsubscribe from the newsletter at any time by accessing the link that is included at the bottom of each newsletter.

4. Who do we share your data with?

We may share your data with selected third parties, including our business partners, payment providers, suppliers or sub-contractors as well as the following parties:

4.1 Service providers which support us in processing your data and which include:

- technology providers who provide the Services we offer, or help providing the Software, for example, by hosting our website or Software, storing data, maintenance, error monitoring, performance monitoring, debugging, or providing (other) IT support services;
- payment service providers that we use to enable you to pay for Software subscriptions;
- social media providers who we have an account with;
- companies that help us distribute communications and facilitate feedback on our Services.

In particular, we store the data that is entered by you when you use our Software on secure Amazon AWS and Microsoft Azure cloud servers, located in either the EU or the USA.

Our service providers will only use your data to the extent necessary to perform their supporting functions.

4.2 Regulators and public authorities to comply with applicable legal obligation.

4.3 Analytics and search engine providers that assist us in improving and optimizing our Services.

4.4 Auditors, legal advisors and other professional advisors.

4.5 Anyone who you give us explicit permission to share your data with.



4.6 We may also disclose your personal data to third parties if we buy or sell part of our (or another party's) business or if we are required to do so in order to comply with legal obligations.

5. International transfers

Your data may be transferred to, and stored at, a destination outside the European Economic Area ("**EEA**") which may not be subject to equivalent data protection law. Where your data is transferred outside the EEA, we will take all steps reasonably necessary to ensure that your data is subject to appropriate safeguards (such as relying on a recognized legal adequacy mechanism) and that it is treated securely and in accordance with this Policy. You may request a copy of the appropriate safeguards by contacting us at the contact data provided in Section 1.

We may transfer your personal data outside the EEA:

- in order to store it (e.g. on web servers of our hosting provider), thus, for the performance of our contract with you regarding the provision of our Software;
- where we are legally required to do so;
- in order to facilitate the operation of our business, where it is in our legitimate interest and we have concluded that our interest is not overridden by your rights;
- where you have consented to such transfer.

If personal data is stored on AWS or Microsoft Azure cloud servers located in the USA, this is facilitated on the legal basis of the Standard Contractual Clauses approved by the European Commission in 2021.

6. How long will we keep your data

We retain your data for as long as necessary to provide our Services or Software, to meet our legal obligations and to identify any issues and resolve any legal proceedings. We may also retain aggregate (de-personalized) data beyond this time for research purposes and to help us develop and improve our services. You cannot be identified from aggregate data retained or used for these purposes.

7. Your rights

You have the right under certain circumstances:

- to access your data, i.e. be provided with a copy of your personal data;
- to request the correction or deletion of your personal data;
- to withdraw your consent, if any;
- to request a restriction of the processing of your personal data;
- to object to the processing of your personal data; and
- to request that your data be moved to a third party.

If the processing of your personal data is based on consent, you have the right to withdraw your consent without detriment at any time without affecting the lawfulness of processing based on your consent before its withdrawal.

You can exercise the rights above at any time by contacting us under the contact data listed in Section 1.

You may also approach a data protection authority (e.g. the authority at your place of residence) and lodge a complaint. You can find list of local authorities responsible for data protection across the EU and their contact details at: https://edpb.europa.eu/about-edpb/board/members_en. Of course, we encourage you to first contact us under the contact data listed in Section 1.

8. Cookies and other technologies

We use cookies to distinguish you (or your device) from other users of our website. Cookies help us provide you with a better browsing experience and help us improve our website. Cookies are small amounts of data that are stored on your browser or the hard drive of your device to enable our server to collect certain data from your web browser. We use cookies to collect and store certain data. Cookies do not identify any individual but may help collecting data about your device, browser, online session, the websites you visited etc.

Other technologies like fingerprinting and pixels are used in compliance with the European general data protection regulation ("GDPR").

8.1 We may use the following types of cookies

Strictly necessary cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to view our website correctly.

Functionality cookies. These are cookies that are used to recognize you when you return to our website. This enables us, subject to your choices and preferences, to personalize our content, greet you by name or remember your preferences.

Analytical/performance cookies. These are cookies that allow us to recognize and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.

Targeting/advertising cookies. These are cookies that are used to record your visit to our website, the pages you have visited and the links you have followed. We use this data, subject to your choices and preferences, to make the website more relevant to your interests. We may also share this data with third parties who may provide you with personalized advertising based on your personal interests.

8.2 Detailed Information

With your consent, we use the following types of cookies on our website:

Type of Cookie Tool, Provider and further information Duration

Type of Cookie, Tool, Provider and further information	Duration
Necessary cookie: Consent management, provided by Cookiefirst (Digital Data Solutions BV) to store and manage cookie consent by website visitors.	1 year

<p>Necessary cookie: Session, login and application settings. Provided by Testmo GmbH to log in to and use the website and software.</p>	<p>5 years</p>
<p>Analytical cookie: Google Analytics, provided by Google Ireland LLC, 1600 Amphitheatre Parkway, Mountain View, CA 94043, USA; Privacy Policy of Google: https://policies.google.com/privacy</p> <p>We use certain functions of the web analysis service Google Analytics to optimize our website offer. We have activated the IP anonymisation function so that your IP address is shortened by Google before it is transmitted to the USA. Only in exceptional cases will the full IP address be transferred to a Google server in the USA and shortened there. On our behalf, Google will use this information to evaluate your use of the website, to compile reports on website activity and to provide further services to the website operator in connection with website and internet use. According to Google, the IP address transmitted by your browser within the scope of Google Analytics is not combined with other data.</p>	<p>2 years</p>

We will not place any cookies other than strictly necessary cookies on your device without obtaining your prior consent. Further information can be found in our Cookies Consent Tool.

8.3 Disabling cookies

If you want to disable cookies on our website, you may change your website browser settings to reject cookies. How you can do this will depend on the browser you use.

The effect of disabling cookies depends on which cookies you disable but, in general, the website may not operate properly if all cookies are switched off.



You may also change your settings in our Cookies Consent Tool.

8.4 Cookie Consent Tool

As a cookie consent tool, we use a Software as a Service offer from Digital Data Solutions BV, Plantage Middenlaan 42a, 1018DH, Amsterdam, The Netherlands (hereinafter "Cookiefirst").

Cookiefirst loads a cookie banner the first time you visit our website. Here you can give us your consent to the use of various cookies or deny this consent. You can also change your previous settings by accessing the Cookies Consent Tool.

9. Changes to this policy

We reserve the right to change this Policy at any time. Changes will be posted on our website. This policy was last updated on 01 February 2022.