

## -Privacy Statement

Rev 3.3

This Privacy Statement (“Statement”) explains the privacy practices of FocusVision Worldwide, Inc. and its global affiliates and subsidiaries, including Decipher, Inc. , Kinesis Survey Technologies, LLC , and Revelation, Inc. (collectively, “FVW,” “we,” “us,” and “our”). This Statement explains who we are, how we collect, share and use personal information about you, and how you can exercise your privacy rights. Please read this Statement carefully to understand how your personal information will be treated by FVW and its affiliates and subsidiaries. This Statement only applies to personal information we collect in the usual course of business, including through our websites (such as <https://www.focusvision.com>) (“Website”), our services and in connection with our events, sales, and marketing activities.

## Who we are?

FocusVision Worldwide, Inc. is a company incorporated under the laws of the State of Delaware, USA and whose principal office is located at 5 Hanover Square, 5th floor Suite 502, New York, New York 10004 USA.

FVW designs and develops services and software to help market researchers collect and analyze data from users of their company’s product and services. Our technology-based research solutions help researchers and research subjects connect and share data more easily with complete privacy and security. [Find out more.](#)

## What is Personal Data?

Personal data is any information that relates to an identified or identifiable living individual. Different pieces of information, which, when combined, can lead to the identification of a particular person, is also considered personal data.

## What is your Role with FVW?

Personal data may be provided to FVW in many ways, from our clients, from our client’s research respondents and from the general public who may visit our website.

To better understand how we manage the personal data we receive it is important to understand these roles in more detail.

- Clients. Any company may use an FVW service to assist it in conducting a market research study. In privacy terms our clients are usually considered “data controllers” because they are the entity that determines the purposes and means of the processing of personal data. (FVW is consider a processor)
- Research subjects. The people who participate in research projects are called respondents, participants or data subjects. The term “data subject” is the term we will use hereafter. A data subject is any person whose personal data is being collected, held or processed. For FVW, this is the research participant who has consented with the data controller to participate in a research project.
- General website visitor. This is an individual who comes to our website who may also be a client or data subject.

## Security of Your Personal Data

We use appropriate administrative, organizational, technical and physical safeguards to protect the personal information we collect and process about you. The measures we use are designed to provide a level of security appropriate to the risk of processing your personal information and to help ensure that your data is safe, secure, and only available to you and to those you provided authorized access (e.g., your users). Specific measures we use include encryption through protocols such as Secure Socket Layer (SSL). However, no electronic transmission over the Internet or information storage technology can be guaranteed to be 100% secure, so you should take care in deciding what information you send us in this way. If a password is provided to help protect your projects and personal information, it is your responsibility to keep your password confidential.

## What We Do with your Personal Data – All Roles

Your personal Data will only be used for the purpose(s) disclosed to you when you provide the data. However regardless of your role there are exception to the disclosure rule. As noted below, FVW may disclose personal data:

- To comply with any court order, law or legal process, including to respond to any government or regulatory request.

- To protect and defend the rights or property of FVW (including the enforcement of our agreements).
- To act in urgent circumstances to protect the personal safety of users of FVW services or members of the public.
- To comply with a lawful request by public authorities, including to meet national security or law enforcement requirements.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of FVW's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which personal information held by FVW about our users is among the assets transferred.

## Data Controller Role & Personal Login Information (PLI)

When you log in to access a research project, you may be asked to supply us with your name, email address, phone number and company name. This information is referred to as your personal login information (PLI). Information we obtain during this login process is used solely to deliver the services you have requested, for security purposes and to provide you with important communications such as product improvements and technical service issues. Except as described in this statement, we will not disclose your personal login information outside of FVW (or its' subsidiaries) without your consent.

## Data Controller Role & Personal Data, not PLI

In order to schedule and access some FVW services, we may require personal information including your name, email address, mailing address, billing address, and phone number. This information may be provided by you directly or another designated by you to schedule or manage a service or associated research project.

## Data Subject Personal Data

On a case by case basis, depending on the FVW service(s) used for the research project, FVW may have been provided personal information about you by the data controller or their agents or other contracted processors to facilitate your access to, and/or participation in a service(s), such as an invitation with login and/or testing instructions. These are identifiers normally limited to name, alias, address, email address and phone number.

In addition, we may collect personal information during the course of the research project, subject to the voluntary consent you provided to the data controller or its agent(s) prior to, or during, participation. This personal data includes, but is not limited to, likenesses, voices, race, ethnicity, gender, opinions and views on particular products and services from 3rd Parties. The scope of this information will be based on direction from the data controller.

## General Visitors to our Website

When any person accesses the FVW website, we collect information about your visits to our website, including the pages you view, the links you click, and other actions taken in connection with our site and services. We also collect certain standard information that your browser sends to every website you visit, such as your IP address, browser type and language, access times and referring Website addresses.

We typically use any personal information we collect through our Website in the usual course of our business for the following reasons: (i) to respond to a request that you sent us, such as a request for information about our Services or to register for a webinar; (ii) to administer, protect, and improve our Website and our Services; (iii) to better understand the preferences of our Website visitors; (iv) to compile aggregated statistics about Website usage; (v) to provide you with marketing and promotional communications (where this is in accordance with your marketing preferences); and/or (vi) for other business purposes such as data analysis, identifying usage trends, determining the effectiveness of our marketing, and enhancing, customizing and improving our Websites, products and services.

## Minors and Children under the Age of 13

FocusVision does not allow children under the age of 13 or children considered “Minors” as designated by the laws under which they fall, to use any of our services

without proper consent from a parent or legal guardian. If you believe we might have any information from or about a Minor that was collected without proper consent, please contact us at the address provided below.

## FVW Employees and HR Data (at end of section)

FocusVision Worldwide, Inc. commits to cooperate with EU data protection authorities (DPAs) and comply with the advice given by such authorities with regard to human resources data transferred from the EU in the context of the employment relationship. With respect to any complaints relating to this Policy that cannot be resolved through FocusVision Worldwide, Inc.'s internal processes, FocusVision Worldwide, Inc. has agreed to cooperate with the European data protection authorities and to participate in the dispute resolution procedures of the panel established by the European data protection authorities to resolve disputes pursuant to the Privacy Shield Principles. FocusVision is also subject to the investigatory and enforcement powers of the Federal Trade Commission, which is the competent supervisory authority under the Privacy Shield.

## Data Retention

We retain personal information we collect where we have an ongoing legitimate business need to do so (for example, to provide our clients with a service or to comply with applicable legal, tax or accounting requirements, to enforce our agreements or comply with our legal obligations).

When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it. In cases where your personal information has been stored in backup archives, we will securely store your personal information, isolate it from any further processing and anonymize or delete it as soon as possible

Please contact us at [privacy@focusvision.com](mailto:privacy@focusvision.com) if you have any questions about the information we collect and/or how we use the information we collect.

## Data Subject Rights - Overview

All businesses that collect personal information are required under general research codes of conduct and national and regional privacy laws to protect the

privacy of data subjects and keep that data secure. Several privacy laws also provide for specific rights regarding the handling of data subjects personal data including the right to opt-out of the processing or sales of personal data. These rights are listed in the sections below as required by law.

Please note that FVW collects and processes data on behalf of data controllers (our clients) and is therefore considered a processor under most privacy laws. FVW does not sell or otherwise use your personal data for any purpose other than as directed by the data controller.

Finally, it is important to note that most privacy laws require the data subject to make the request regarding their rights directly to the organization that has primary control over your data; the Data Controller.

## Data Subject Access under GDPR

If you are an EU Person or a person from Switzerland about whom we hold personal Data on our own or client's behalf, you may request access to, and the opportunity to update, correct or delete, such personal Data. Please see instructions for Data Subject Rights and Requests below. We reserve the right to charge an adequate fee or deny requests, as allowed under the applicable law or regulation including CCPA, GDPR, the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework.

## Privacy Rights of California Consumers

The California Consumer Privacy Act affords California consumers certain rights over their personal information (subject to certain exceptions). If you are a California resident, please review our [California Consumer Privacy Act Notice](#) for information on your rights.

## Data Subject Rights and Requests

*Instructions for submitting Requests Regarding the Handling of Your Personal Data (For Data Subjects, Data Controllers and website visitors-please read carefully)*

There are many laws and regulations protecting and enabling individuals' privacy rights in effect around the world which give individuals rights regarding their

personal data such as the ability to request access, erasure, and restriction of processing. While laws may define personal data differently, this is generally any information relating to an identified or identifiable natural person. If an organization holds and/or processes your personal data, you may request that the organization take an action on your data as allowed by the relevant law. We refer to this request as a Data Subject Request or DSR.

When making a DSR it is important to understand that most laws require you to make the request directly to the organization that has primary control over your data; referred to as the Data Controller. While FocusVision does process personal data, we are typically acting as a data processor; collecting and processing your data on behalf of our clients who are the data controller. Further, most laws require that FocusVision (as a data processor) must not take action on personal data requests received directly from data subjects until the data controller has authenticated the request and given FocusVision direction on what action to take. For this reason, we strongly recommend that you contact the data controller directly for the fastest response to your request.

***If FocusVision is the data controller, such as when we are sending you marketing related information, you may make the request by mail or email at the addresses noted below.***

Information to provide us with when we are the data controller and you are making a data subject request:

1. Attach or forward the original email you received, e.g., the emailed invitation to participate, associated with the project(s) or events(s) where your data was collected
2. If you do not have the original email, then please provide the following:
  - a. First Name
  - b. Last Name
  - c. Email address (if different than that used to send request)
  - d. Research Topic (if known)
  - e. Type of research or event where data was provided; webinar registration, online project booking, online survey, bulletin board, webcam interview, etc.
  - f. Date(s) of event or research participation
3. The action you would like us to take regarding your information

We will respond to your request within the timeframe allowed under the applicable law.

Please note that in cases where we are not the data controller and you provide the same information listed above, we will:

- Attempt to verify your request and identify the data controller (this may require we contact you for additional information)
- If we are able to identify the data controller, we will inform the data controller of your request so that they may communicate with you directly.

Please communicate your request to our Privacy Officer at:

Privacy Officer  
FocusVision Worldwide, Inc.  
7 River Park Place East,  
Suite 110, Fresno, CA 93720  
+1 (203) 428-2448/877-787-1253.  
[privacy@focusvision.com](mailto:privacy@focusvision.com)

## Privacy Shield Policy

FocusVision Worldwide, Inc. and its US affiliates (Decipher, Inc; Kinesis Survey Technologies, LLC; and Revelation, Inc.) comply with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States, respectively. FocusVision Worldwide, Inc. and its US affiliates have certified to the Department of Commerce that they adhere to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. For more information about the Privacy Shield, see the US Department of Commerce's Privacy Shield website located at: <https://www.privacyshield.gov>. To review our certification on the Privacy Shield list, see the US Department of Commerce's Privacy Shield self-certification list located at: <https://www.privacyshield.gov/list>.



The United States Federal Trade Commission (FTC) is the enforcement authority with jurisdiction over this compliance with the Privacy Shield.

In compliance with the US-EU and Swiss-US Privacy Shield

Principles, FocusVision Worldwide, Inc. commits to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss individuals with inquiries or complaints regarding this privacy policy should first contact FocusVision Worldwide, Inc. at:

Privacy Officer

FocusVision Worldwide, Inc.

7 River Park Place East Suite 110,

Fresno, CA 93720

[privacy@focusvision.com](mailto:privacy@focusvision.com)

+1 (203) 428-2448/877-787-1253.

FocusVision Worldwide, Inc. has further committed to refer unresolved privacy complaints under the EU-US and Swiss-US Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <http://www.bbb.org/EU-privacyshield/for-eu-consumers> for more information and to file a complaint. Where a complaint cannot be resolved by any of the before mentioned recourse mechanisms, individuals may have a right to invoke binding arbitration under the Privacy Shield Panel as a recourse mechanism of 'last resort'.

Note, in certain situations, we may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

## Opt-In Consent when FVW is Data Controller

In general, all persons providing personal data are required by FVW policy and privacy laws to be given a choice, or consent, to how their data may be used.

When FVW is the data controller, we will disclose the purpose for which personal data collected will be used and will provide individuals the opportunity to choose (opt-in) to whether their personal data is used. If the information is to be used for a

purpose other than it was originally collected, FVW will contact the individual to obtain consent for the new purpose.

## General Information

### Marketing Activity

When you receive newsletters or promotional email from FVW, we may use web beacons (described below), customized links or similar technologies to determine whether the email has been opened and which links you click in order to provide you more focused email communications or other information. We may also supplement the information we collect with information obtained from other companies. For example, we may use services from other companies that enable us to associate your activity while on our website with your IP address in order to improve our site and services.

To opt-out of any marketing communications you receive from us please see the Data Subject Rights and Requests section.

### Communication Preferences

You can stop the delivery of future promotional email from FVW sites and services by following the specific instructions in the email you receive. You ~~may~~ also have the option of proactively making choices about the communications you receive from FVW by emailing [privacy@focusvision.com](mailto:privacy@focusvision.com) with your preferences or contacting us at:

Privacy Officer  
FocusVision Worldwide, Inc.  
7 River Park Place East Suite 110,  
Fresno, CA 93720  
+1 (203) 428-2448/877-787-1253.

### Links to Other Sites

Our Website may contain links to other sites that are not owned or controlled by FocusVision. Please be aware that FocusVision is not responsible for the privacy

practices of these other sites. We encourage you to review the privacy policies and statements of other sites to understand their information practices. This Statement applies only to information collected by our Website.

## International Data Transfer

Please be aware that your personal information may be transferred to, and processed in, countries other than the country in which you are resident. These countries may have data protection laws that are different to the laws of your country. Specifically, our servers are located in the United States, The EU , and Australia and our third-party service providers (including Amazon Web Services (“AWS”)) and partners operate around the world. This means that when we collect your personal information, we may process it in any of these countries.

We have implemented appropriate safeguards with our third-party service providers and partners and further details can be provided upon request.

## Use of Cookies

FVW uses “cookies” to our services more easily and to help personalize your online experience. A “cookie” is a set of data that a web server stores on your computer that enables the server to recognize your computer. Cookies enable websites to “remember” your entries as you move from page to page, or when you revisit the site from time to time using the same computer. The data set that makes up a cookie will typically not have any meaning to anyone other than the party that placed the cookie. A cookie cannot retrieve other data from your computer’s hard drive or pass on computer viruses. Two different types of cookies are used in connection with our website: “Session cookies” track the user’s progression through our sites in a single visit. These cookies enable us to remember things as the user progresses from one page to another. With most Internet browsers, session cookies are either deleted or rendered inaccessible to us and our agents as soon as the user closes his or her browser. “Persistent cookies” allow us to remember a user at the user’s next visit. Persistent cookies are neither automatically erased nor rendered inaccessible upon closing the user’s browser, although persistent cookies will typically “expire” after some number of years. Upon expiration, such cookies may be deleted by the user’s browser or rendered inaccessible to us. (If you do not want these cookies to remain on your computer, you can erase them through use of your browser settings.) Both session and persistent cookies may also be used in connection with HTML email sent by us. Your browser or other software you install may permit you to restrict the use

of session cookies, persistent cookies or all cookies. If you elect to not permit the use of persistent cookies only, you may enjoy the full functionality of our website; however, if you do so, you will need to re-enter some data upon your return visit or during the login process.

## Use of Web Beacons

FVW Web pages may contain electronic images known as “pixel tags”, “web beacons” or other technologies (collectively, “web beacons”). Web beacons are used to collect non-personally identifiable data and to assist in delivering cookies on our site and allow us to count users who have visited those pages and to deliver services. We may include Web beacons in promotional email messages or our newsletters in order to determine whether messages have been opened and acted upon.

## Do Not Track Signals

We do not collect or respond to Do Not Track signals and our websites do not function differently based on any Do Not Track preferences that may be received. For more information on Do Not Track signals, please visit <https://allaboutdnt.com/>

## Enforcement of This Privacy Statement

If you have questions regarding this statement, please contact us at:

Privacy Officer  
FocusVision Worldwide, Inc.  
7 River Park Place East Suite 110,  
Fresno, CA 93720  
[privacy@focusvision.com](mailto:privacy@focusvision.com)  
+1 (203) 428-2448/877-787-1253.

## Changes to This Privacy Statement

We will occasionally update this Statement to reflect changes in our services and customer feedback. When we post changes to this Statement, we will revise the “last updated” date at the top of this statement. If there are material changes to how FVW will use your personal information, we will notify you either by prominently posting a notice of such changes prior to implementing the change or by directly

sending you a notification. We suggest you periodically review this Statement to be informed of how FVW is protecting your information.

Subsidiaries and Affiliates of FVW, bound by this Statement include:

Decipher, Inc.

Kinesis Survey Technologies, LLC

Revelation, Inc.

## Contacting Us

FVW welcomes your comments regarding this Statement. If you have questions about this Statement or believe that we have not adhered to it, please contact us at:

Privacy Officer

FocusVision Worldwide, Inc.

7 River Park Place East Suite 110,

Fresno, CA 93720

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