

## The Fumarii Product Trial Privacy Policy

To enable you to take part in a trial of Fumarii (**Trial**), Fumarii Technologies Ltd, of 69 Church Way, North Shields, United Kingdom, NE29 0AE (**Fumarii**) (**we, our or us**) needs to process your personal data.

**This policy is for Trial users only.**

As the controller of your personal data, we are responsible for and control the processing of the personal data you give us or to which we have access during the Trial.

We are committed to protecting and respecting your privacy. This policy (together with our terms of and conditions (available at [<https://www.fumarii.com/trial-policies>]) and any other documents referred to on it) sets out the basis on which personal data will be processed by us. Please read this policy carefully to understand our views and practices regarding your personal data and how we will treat it.

### **PLEASE READ CAREFULLY**

Fumarii's technology works by streaming a cloud computing device to your local computer. This means we will have the capability of complete access to the content that is in your use or stored on our cloud service. This means your pictures, your music, your documents, your downloads, your apps, your browsing history, your files, your emails, your projects, videos, clips, and any other thoughts, hopes, ideas and absolutely anything else whatsoever stored on your cloud computer (**Content**). Not all of this is your personal data, but it is your private content and we intend to keep it that way. **We recommend that you store as much content as possible on third party cloud services such as Google Cloud or Dropbox and use Fumarii exclusively for accessing high powered computing and not Content storage.**

We will not look at or search your Content, and we will never provide any third party with access to your Content (unless in the very rare and unexpected case that we are required to do so by law, for example if we are ordered by a court to assist in a legal or criminal investigation).

Some of your Content may include the personal data of other individuals. You must ensure that you have consent from them to give us access to the personal data of those individuals, and we ask that you familiarise them with this policy prior to signing up.

For the utmost security it is recommended that all your files are removed from Fumarii's cloud computer at the end of each period of use. That they are stored on cloud or local storage and that you log out of all accounts on your cloud computer including your email, cloud storage provider, social media or any other service.

**Please note: The cloud computer you access through Fumarii's service is your computer. It has it's own hard drive and storage. It is your responsibility to ensure the security of this device. Your own personal cloud computer may be compromised by your actions on the internet or the installation of malware whether purposeful or accidental. In the event that your computer is compromised, our technicians can wipe and reboot your machine (ike your physical computer) however this means losing your files, preferences and information. As such we recommend you backup this cloud computer and treat it as you would your own physical laptop or workstation.**

### **1. Why we have your data**

You're signing up for, or are interested in taking part in, the Trial. We need your data to keep up our end of the bargain, namely to provide the Trial. For our Early Access Members, we will already hold some of your data, as explained in our Early Access Member Privacy Policy [[https://docs.wixstatic.com/ugd/1e42b6\\_3886523648804b488f22dc3b29cb1fd4.pdf](https://docs.wixstatic.com/ugd/1e42b6_3886523648804b488f22dc3b29cb1fd4.pdf)].

Please read on to see how we will use your data if you do sign up for the Trial.

### **2. Information we collect**

Personal data, or personal information, means any information about an individual from which they can be identified. It does not include data where the identity has been removed (**anonymous data**).

We process the following personal data when you sign up:

- **Identity Data** – your name, address, age, and login details.
- **Contact Data** - billing address and email address;
- **Financial Data** - payment and transaction details of your order, and any subsequent purchases of merchandise available to you as a user;
- **Technical Data** – we use a traffic tracker service who may provide us with anonymous reporting, including internet protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access our website;
- **Member Data** – your email, password, location, details of purchases made by you, your marketing preferences, feedback, chat room comments and activity, survey responses and a record of all computer applications on your local device (to help optimize our service for users based on use case).
- **Usage Data** – your complete cloud computer use activity, including domain imprints (but not metadata); and we will track file names but do not keep a copy or record of the contents of any files. We will also track application usage and downloads alongside complete usage statistics of our cloud device including time of day used, hours used and locations accessed from.

We also collect, use and share anonymous aggregated data such as statistical or demographic data. For example, we may aggregate data to calculate the percentage of users accessing a specific feature.

We do not ask for any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **If you fail to provide personal data**

We cannot provide the Trial to you unless a name and email address is provided, as we will be unable to create your profile; and, verification of your age and residence, so that we can legally provide you with the Trial.

### **2. How is your personal data collected?**

We collect data directly from you. Some data is generated by us, such as your account and profile. Your activity and transaction records will be generated as you use Fumarii throughout the Trial.

Anonymous traffic data about you is provided by **Google Analytics**, and analytics and chat community usage is monitored and reported back to us where necessary by **Amazon Web Services, Linode, Slack, Gmail, Google Sheets and MonkeySurvey**. There are more details about our third party service providers below.

**Information about other people:** If you give us information on behalf of someone else, you confirm that the other person has appointed you to act on his/her behalf.

**Monitoring:** We may monitor and record communications with you (such as chat room comments and emails) for the purposes of quality assurance, training, fraud prevention and compliance.

### **3. Purposes for which we will use your personal data**

We have set out below a description of all the ways we use your personal data, how long we keep that data for, and our legal basis for doing so under the General Data Protection Regulation (EU) 2016/679 and the Data Protection Act 2018.

Purpose/Activity	Retention period	Lawful basis for processing
<p>To provide the Trial, including:</p> <ol style="list-style-type: none"> <li>1. manage payment(s);</li> <li>2. create your user profile; and</li> <li>3. allow your device to install the software and access Fumarii.</li> </ol>	<p>Until the end of the Trial period, plus 30 days.</p>	<p>Performance of our contract with you to provide the Membership. Consent. We will ask for your consent to have access to your device and its content to be able to provide the Fumarii technology. If you're not OK with us having possible access, Fumarii might not be the product for you.</p> <p>Performance of a contract. Fumarii works by matching the way you are trying to use your device to the best streaming option. Fumarii will be ineffective without this access to your usage data. This assessment and decision is made by the technology, and does not involve our humans monitoring your real-time usage.</p>
<p>To track, analyse and store information about your use of the product, including any issues encountered.</p>	<p>For as long as the Fumarii product is in development, and for up to five years after full launch of the final Fumarii product (<b>Launch</b>).</p> <p>Anonymised (including amalgamated) usage histories may be kept indefinitely. <b>If your file names contain personal data, we may not be able to anonymise this.</b></p>	<p>The purpose of this Trial is to learn from our community and develop Fumarii into the product they need and want. We have a legitimate interest to track your usage; and to run usage statistics and analysis of this data.</p>
<p>To contact you about:</p> <ol style="list-style-type: none"> <li>1. service issues and updates;</li> <li>2. how to stay with us on Launch;</li> <li>3. product changes and news;</li> <li>4. changes to our terms and conditions and use policies;</li> <li>5. decisions we make about your Membership;</li> <li>6. requesting your participation in surveys or to give feedback; and</li> <li>7. asking for your consent if</li> </ol>	<p>Until Launch plus 12 months. If you subscribe thereafter, for as long as you are a customer, and in line with privacy information that will be provided at the point of your subscription.</p>	<p>Performance of our contract with you to provide the Trial; to comply with legal obligations to update you on service and policy changes; and for our legitimate interests to develop our product, our company and our community by meaningful correspondence with our Members.</p>

<p>we want to do anything further with your personal data.</p> <p>8. Providing you with third party software recommendations.</p>		
<p>To manage, respond to and where necessary follow up any queries, comments, feedback or complaints you make, via any medium.</p>	<p>We'll keep these on file for 7 years, when our email correspondence is automatically deleted; and anonymously for training and service improvement purposes indefinitely thereafter.</p> <p>Comments made on public platforms may be left up as long as the corresponding page is active.</p>	<p>This may be performance of our contract, or legitimate interests to give you the best customer service we can, or improve our product(s).</p>
<p>To ask for, record and use your feedback.</p>	<p>Until up to two years after Launch and anonymised indefinitely.</p>	<p>This is a legitimate interest, critical to the development of the project.</p>
<p>To send you general marketing information about us and our products.</p>	<p>Email addresses only will be stored in our marketing database until you select the unsubscribe option in any of the emails we send you; or we can see that you have not opened or read any of our emails for 5 years.</p>	<p>If you let us know you want us to, by ticking the consent box at sign-up.</p>
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data).</p>	<p>Anonymous analytics data is kept indefinitely for possible future statistics and report generation.</p>	<p>Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise).</p>
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences.</p>	<p>As long as you are active and engage with us on our website and as a member of our community.</p>	<p>Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy).</p>
<p>We may keep a record of banned users or IP addresses; as well as requests for deletion of accounts/ data.</p>	<p>As long as the company is active.</p>	<p>To protect our interests. If you think this interferes with your rights, let us know and we can re-assess our reason for keeping this data.</p>

#### 4. Disclosure of your personal data

We may share your information with the following third parties including:

- **PayPal** and/or **Stripe** – as allocated by you to process payments;
- **Slack, Google** – if you use the Slack chatroom service or answer emails or surveys through Gmail or Google Sheets; and

- analytics and search engine providers that assist us in the improvement and optimisation of the Fumarii technology.

Fumarii's data is cloud-hosted, so our service provider as a data processor may have access to your personal data for support and maintenance purposes.

We may disclose your personal information to third parties:

- in the event that we sell or buy any business or assets, in which case we may disclose some your personal data (but never your Content) to the prospective seller or buyer of such business or assets;
- for the purposes of recommending third party software to aid in your experience of using Fumarii.
- if all, or substantially all, of our assets are acquired by a third party, in which case personal data held by us about our customers will be one of the transferred assets; and
- if we are under a duty to disclose or share your personal data in order to comply with any legal obligation, or in order to enforce or apply our Trial terms and conditions [<https://www.fumarii.com/trial-policies>] other agreements; or to protect the rights, property, or safety of our customers, or others.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

## 5. International Transfers

Many of our external third parties are based outside the European Economic Area (**EEA**) so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented.

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission.
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe.
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US.

## 6. Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. However, the transmission of information via the internet is never completely secure. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## 7. Your rights

You have the right to:

**Request access** to your personal data (commonly known as a "data subject access request").

**Request correction** of any inaccurate personal data that we hold about you. Please keep us informed if your personal data changes during your relationship with us.

**Request erasure** of your personal data where there is no good reason for us continuing to process it.

**Object to processing** of your personal data where we are relying on a legitimate interest (or those of a third party) if there is something about your particular situation which makes you feel this processing impacts on your fundamental rights and freedoms. You have the absolute right to object where we are processing your personal data for direct marketing purposes.

If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by writing to or emailing us at [support@fumarii.com](mailto:support@fumarii.com)

**Request restriction of processing** of your personal data if you want us to establish the data's accuracy; where our use of the data is unlawful but you do not want us to erase it; where you need us to hold the data to establish, exercise or defend legal claims; or you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.

**Request the transfer** of your personal data to you or to a third party in a structured, commonly used, machine-readable format.

**Withdraw consent at any time** where we are relying on consent to process your personal data. This will not affect the lawfulness of any processing carried out before you withdraw your consent.

**Complain** at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues ([www.ico.org.uk](http://www.ico.org.uk)). We appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

## **8. Contact**

Questions, comments and requests regarding this privacy policy, how we use and protect your personal data and your rights as a data subject are welcomed. Please contact us at: [support@fumarii.com](mailto:support@fumarii.com)