

Poka Privacy Policy

Effective Date: November 7, 2022

1. Applicability of the Privacy Policy

This Privacy Policy applies to the collection and process of Client Data by Poka through the use of the Software Services including Information related to an identified or identifiable physical person under applicable data protection law to the extent included in Client Data (“Personal Data”). All terms not defined herein shall have the meaning set forth in Poka’s Customer terms of service.

2. Third party services

2.1 This Privacy Policy does not apply to any third-party applications or software that can integrate with Poka’s Software Services (“Third Party Services”), or any other third party products, services or businesses. Poka may also develop and offer applications that connect the Software Services with a Third Party Service. Once enabled, the provider of a Third Party Service may share certain information with Poka. Client and Subscribed Users should check the privacy settings and notices in these Third Party Services to understand what data may be disclosed to Poka. When a Third Party Service is enabled, Poka is authorized to connect and access information made available to Poka in accordance with this Agreement with the Third Party Provider and any permission(s) granted by Client including, by its Subscribed User(s). However, Poka does not receive or store passwords for any of these Third Party Services when connecting them to the Software Services.

3. Data collection

3.1 In providing the Software Services, Poka will collect and process the following categories of Client Data:

- 3.1.2 Content created, generated, uploaded, transmitted or otherwise made available by Client or its Subscribed Users using the Software Services;
- 3.1.3 For each Subscribed User, Poka will collect at least the following information:
 - First and last name of a Subscribed User;
 - Username created by the Client for each Subscribed User to access the Services;
 - Subscribed User ID: Pseudonym automatically created by Poka for each Subscribed User (Client name and unique identifier (e.g., acme_201));
 - Information related to access logs of the Software Services:
 - Internet Protocol (IP) address including Subscribed User geographic location;
 - Date and time of usage of the Software Services;
 - Device information assigned to IP address;
 - Web browser configurations;
 - Cookie data.
- 3.1.4 Subject to Client instructions, Poka may also collect the following information:
 - Job title of Subscribed User;
 - Employee Number of a Subscribed User;

- Email address of a Subscribed User;
- Date of birth of a Subscribed User;
- Hiring date of a Subscribed User;
- Profile picture of a Subscribed User.

3.2 In providing the Software Services, Poka will collect and process the following categories of data (“Usage Data”):

- Services Metadata: information on how Subscribed Users are using the Software Services. For example, Poka may collect the amount of news or type of content uploaded, which third-party services are used or integrated with the Software Services, the settings activated or used by Client in the Software Services;
- Log Data: information on access and use of the Software Services recorded in log files. This log data may include the Internet Protocol (IP) address, language preference, browser type and settings, calendar dates, cookie data and geographic location;
- Device Data: Poka collects information about the devices used by Subscribed Users for accessing the Software Services. This may include the operating system used, log data, the device model, the device settings, the device language, etc;
- Analytics Data: Poka collects information about errors, logs, metrics used in the resolution of problems and other operational data such as insights, reporting and other similar statistical analysis data;

4. Usage data

4.1 Poka may also process Client Data and/or Usage Data for the following purposes:

- To improve the Software Services and related product offerings;
- To communicate with Client or Subscribed Users by responding to requests, comments and questions.
- To protect and monitor the Software Services, to investigate and help prevent security issues and abuse;
- For invoicing, billing, financial, accounting and auditing requirements;
- For compliance purposes, legal process or as required by applicable laws and regulations.
- To send emails and other communications: Poka may send service, technical and other administrative emails, messages, and other types of communications to notify changes Software Services, product offerings, and important notices, such as security and fraud notices. These communications are considered part of the Software Services and Client may not opt out of them.

Where Usage Data has been aggregated or anonymized so that it can no longer be associated with an identified or identifiable person or a Client, Poka may use it such information for any business purposes.

4.2 Client or Subscribed Users may, from time to time, provide suggestions, comments, ideas, corrections, enhancements, feature requests or other similar information regarding the Software Services in various ways such as a participation in a focus group, contest, activity or event, certification program or other educational program hosted by Poka, request for support, interaction with our social media accounts or otherwise communicate with Poka (“Additional Information”). Client agrees that such Additional Information is given voluntarily, and that Poka may use it freely, in its sole discretion, without any restriction or obligation of any kind to the extent it does not include Client Data and/or Confidential Information.

5. Data hosting

5.1 Poka is currently primarily processing, storing and hosting Client Data in the United States, Canada, and/or the European Union. However, Client Data will most likely have a large hosting presence within the region where Subscribed Users are accessing the Software Services from. To optimize performance and improve the delivery of the Software Services, Poka does not geographically limit Client Data movement between jurisdiction and therefore it may move as needed or required.

6. Subprocessors

Poka uses the following SubProcessor for it's infrastructure and data storage in the provision of the Services :

Entity Name	Entity Type / Purpose	Entity Country
Amazon Web Services	Cloud Service Provider	United States, Canada & Europe

Poka uses the following SubProcessors in the provision of the Services :

Entity Name	Entity Type / Purpose	Entity Country
Datadog, Inc.	Log management solution	United States
Functional Software (sentry.io)	Web app crash reporting	United States
Intercom, Inc.	Customer support and engagement & feedback collection	United States
Looker (Google LLC)	Business intelligence platform	United States
Fivetran, Inc.	ETL service in link with business intelligence	United States
Snowflake, Inc.	Data warehouse service	United States & Europe
Zapier, Inc.	Business automation system	United States
Wootric, Inc.	Provides customer-experience, feedback-collection and survey services.	United States
Flatfile	Mass import tool	United States
Amplitude	User analytics for service improvements and support service	United States
Zendesk	Online documentation service & customer support	United States
Readme	Online API documentation service	United States
Beam (Pusher)	Web Notification service	United States & United Kingdom
Sendbird	Chat & video service	United States

Entity Name	Entity Type / Purpose	Entity Country
Survey Monkey	Provides customer-experience, feedback-collection and survey services.	United States

Poka uses the following SubProcessors who provide incidental support services :

Entity Name	Entity Type / Purpose	Entity Country
Slack, Inc	Internal communication tool.	United States
Google LLC	Email and storage of documents.	United States
Opsgenie (Atlassian)	IT operations and Incident Management	United States
Statuspage (Atlassian)	Maintenance and incident communication tool	United States

Poka may use the following Affiliates in the provision of the Services :

Affiliate Name	Location
Poka Inc.	Canada
Poka US Inc.	USA

6.1 Changes to Subprocessors: Poka shall give Client prior written notice of the appointment or replacement of any Subprocessors, including details of Client Data processing to be undertaken by such Subprocessor. If, within 30 days of receipt of such notice, Client notifies Poka in writing of any objection (on reasonable grounds) to the proposed appointment or replacement the Parties shall collaborate in good faith to find a commercially reasonable solution.

Client acknowledges that Client Data may be processed and stored in countries identified in the above table or that and that the Client Data may be subject to disclosure in accordance with applicable laws.

7. Data retention period

7.1 Poka will retain Customer Data in accordance with section 9.3 of the Customer Terms of Service. Poka may retain Other Information as long as necessary for the purposes stated in this policy.

8. Data Control

8.1 Client is considered the Data Controller of Client Data and as such determines how it should be processed by Poka the Data Processor. The Client must also be responsible for obtaining the appropriate legal basis before processing any Personal Information. Poka will be considered the Data Controller for Other Information.

9. Processing of Personal Information outside of the European Union

9.1 Poka is able to process the Personal Information from a European Union (EU) based Client and Subscribed Users in compliance with the General Data Protection Regulation (EU GDPR) for the transfer of Personal Information to Subprocessors. Client can request Poka to enter into a Data Processing Addendum that can be found [here](#).

10. Changes to this Policy

10.1 Poka's Software Services evolve and so do laws, regulations, and industry standards which means that periodic update to this policy may be required from time to time. When Poka make updates or changes to this policy, it will notify the Client in the Software Services or by posting a revised copy of this policy on the Poka website. Client agrees to review this policy on a regular basis and always remain in compliance.

11. Contact

11.1 If you have any questions on this policy, you can contacts us by email at privacy@poka.io.