

# SportSoft Privacy Policy

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Previous version **NONE**

The following privacy policy provides important information regarding how SportSoft collects, processes, uses and protects information when you use our services, websites and/or products (the “Services”), as well as how we may disclose and share your information. This Privacy Policy does not apply to third-party services that are not under SportSoft’s control; those parties’ services are governed by their own privacy policies.

## Definitions

- “Authorized Users” are those individuals (such as employees, staff, faculty, or other persons) who are authorized by a Customer to access the SportSoft services, and any relative content from their respective account.
- “Authorized Support Contacts” means individuals identified by a Customer as authorized to request and modify Services with SportSoft.
- “Customer” means the organization(s) that have permission to utilize and use SportSoft Services to provide services and maintain content from their account.
- “(Data) Controller” is an agency, entity, or legal person who determines the purposes and means of processing Personal Data.
- “(Data) Processor” is an agency, entity, or legal person with responsibility for processing Personal Data on behalf of a Controller.
- “Licensee” – see “Customer”
- “Partners” are trusted third parties that provide SportSoft with a portion of the services that we provide to you.
- “Personal Data” is any information relating to an identified or identifiable natural person (“Data Subject”). An identifiable person is one who can be identified by referencing an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identity of that natural person.
- “Player/Person/People” is any individual that is tracked or assigned equipment or other materials in the SportSoft Services.

- “Services” means the cloud-based hosted services, on premise server deployments, plug-ins, applications, custom websites, and storage for our software that we provide to Customers .
- “you” means any Authorized User that is authorized to use our Services through a Customer’s account.

## **An Explanation of our Services**

SportSoft provides both cloud-service and on-premise equipment management software. Customers utilize our Services to collect, store, and process appropriate equipment, or other materials, and Player details (collectively, “content” or “data”), relevant to the assignment and tracking of their inventory.

SportSoft knowledge does not directly interact with Players, has limited and access to Customer content within the Services, and only processes hosted data in accordance with the Customer’s instructions. SportSoft is a Processor of hosted data. The Customer is the Controller for that hosted data.

Such content on the Customer’s account may be viewable to other Authorized Users of the Customer’s account. Our Customers are responsible for maintaining the privacy of Personal Data pertaining to their Authorized Users and Players, in the Customer’s capacity as the Controller of Personal Data uploaded to our Services.

## **SportSoft as a Data Processor**

SportSoft processes information under the direction of its Customers and may have no direct relationship with the individuals whose Personal Data it processes. Any Authorized User, Player, or other individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct their query to the SportSoft Customer (the “Data Controller”).

Similarly, SportSoft has no direct control over the data collected by its Customers. SportSoft Customers choose the data types for which they are the Controller, are directly responsible for the configuration and administration of their SportSoft Services, and are responsible for adhering to legal and regulatory requirements for the data which they collect and process as a Controller.

## **SportSoft as a Data Controller**

In some circumstances, such as during the account registration process for use of SportSoft Services, and through your use of those Services, SportSoft collects and maintains some of your Personal Data. This data is collected and maintained solely for the offer and maintenance of SportSoft Services for Customer use, and for the relevant communications and uses detailed within this policy. For these purposes, SportSoft is the Controller.

The collection and processing of your Personal Data for direct use and administration of our Services is based on contractual obligation, necessary to provide you with access and use of the Services.

## **Collection of Personal Data**

### **Information Collected from You Directly**

SportSoft requires some of your Personal Data to effectively operate, while providing you the best experiences with our Services. Some of this data comes directly from you when you perform transactions with SportSoft, such as:

- Contact us via our websites, phone, email, or Support team,
- Create a SportSoft account, or have an Authorized User account created for you,
- Act as, or be designated as, an Authorized Support Contact on behalf of your organization,
- Administer your organization's access to the Services,
- Login to or utilize the Services, or upload/download content,
- Respond to marketing promotions that we offer,
- Inquire or apply for employment with SportSoft.

This data may include name:

- Username
- Password
- Title
- Billing or mailing address
- Organization or employer
- Phone number
- Email address

### **Information Collected Automatically**

As is true of most websites, we also gather certain information automatically when you visit our website, mobile application, or interact with our Services. This information is used to analyze aggregated trends and to administer our Services, and may include:

- Internet protocol (IP) addresses
- The type of device you use
- Operating system and version
- Device identifier
- Where the application was downloaded from
- Usage information

- Events that occur within the application
- Performance data
- Browser type
- Internet service provider (ISP)
- Referring/exit pages
- Files viewed on our site (e.g., HTML pages, graphics, etc.)
- Date/time stamp
- Clickstream data

Please see the **Cookies and Similar Technology** section below for more details.

### **Information Received from Third Parties**

We may receive information about you from other sources, including publicly available databases or from third parties. This data helps us to update, expand, and analyze our records, identify new Customers, and identify Services that may be of interest to you. Information received from third parties may be combined with information we already have about you, to create a more tailored experience with our Services.

### **Mobile App**

When you download and use our Services, we may automatically collect information on the type of device you use, operating system version and the device identifier (or “UDID”).

We may send you push notifications from time-to-time in order to update the services. If you no longer wish to receive these types of communications, you may turn them off at the device level.

We use mobile analytics software to allow us to better understand the functionality of our mobile software on your device. This software may record information such as how often you use the application, the events that occur within the application, aggregated usage, performance data, and where the application was downloaded from.

## **Use of Personal Data**

This section describes how SportSoft uses the Personal Data that we collect to operate our business and to provide you our Services, including improvements to those Services and in the personalization of your experiences. We may also use the data to communicate with you and to provide account information, security updates and Service information.

SportSoft may transfer personal information to companies that help us provide our Services. Transfers to subsequent third parties are covered by the service agreements with our Customers. Additionally, data is used to comply with applicable laws and legal processes, to enforce our terms and conditions, and to allow us to pursue available remedies or limit any damages that we may sustain.

To provide a requested service or carry out a contract with you, we use data collected from you in the following ways:

- Customer Support: to diagnose and repair technical issues and provide other Customer care and support services.
- Account Notifications: to communicate Service and account notifications to you. For example, we may contact you by phone, email, or other means to inform you of account status, usage, and billing details, and to notify you when security updates are available.
- Security, Safety, and Dispute Resolution: to protect the security and safety of our Services and our Customers, to detect and prevent fraud, to resolve disputes, and to enforce our agreements.
- Providing the Services: to carry out transactions requested by you or the respective Customer, and to provide our Services, such as the account administration, viewing, and analytical tools provided within our platform.

Where we have a legitimate interest, we may also use data collected from you in the following ways:

- Service Personalization: to include personalized features and recommendations that enhance your productivity and user experience enjoyment, and automatically tailor your Service experiences based on the data we have about your activities or interests.
- Business Operations: to develop aggregate analysis and business intelligence that enable us to operate, protect, make informed decisions about, and report on the performance of our business.
- Service Improvement: to continually improve our Services, including adding new features or capabilities. For example, we use error reports to improve security features of our Services, and usage data to determine new features or Services to prioritize.

Where we rely on legitimate interest for processing your information, we carry out a 'balancing test' to ensure that our processing is necessary and that your fundamental rights of privacy are not outweighed by our legitimate interests, before we go ahead with such processing. To better understand how to control the Personal Data collected for these types of processing, please see the **Cookies and Similar Technology** section below.

Where we have your consent, we may use data we collect to communicate with you in a variety of formats and to tailor those communications to you.

Examples include:

- inviting you to participate in events,
- promotional communications from SportSoft by email, SMS, physical mail, or telephone,
- recruitment, employment and education verification, background checks and human resource matters.

If you no longer wish to receive these types of communications, please see the **Contacting SportSoft** section of this policy.

## **Sharing of Personal Data**

This section describes how SportSoft may share and disclose Personal Data. SportSoft Customers determine their own policies and practices for the sharing and disclosure of data, and SportSoft does not control how they choose to share or disclose Information.

SportSoft does not sell, rent, or share Personal Data for marketing purposes with any third party.

SportSoft may share your Personal Data with your consent, or as necessary to complete a transaction or provide a Service you or a Customer has requested or authorized. For example:

- We may use third-party service providers to help us operate or administer the Services. For example, companies we've hired to provide billing support, to provide aggregated web analytics services, or to assist in protecting and securing our services and systems, may need access to Personal Data to complete those functions. In such cases, these companies must abide by our data privacy and security requirements and are not allowed to use Personal Data they receive from us for any other purpose.
- We may disclose Personal Data to a third-party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceedings).
- As we believe to be necessary or appropriate, we may disclose Personal Data: (a) under applicable laws, including laws outside your country of residence; (b) to comply with a subpoena or other legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

## **Links to Other Websites**

Our website may contain links or references to third-party owned and/or operated websites that we believe might be of interest to users, including websites of our Partners, Customers, and affiliates. We do not control the content of these third-party websites. These third-party websites may send you their own cookies, collect data, or solicit personal information. Once you have clicked on a link to a third-party website and leave our website, you must read the privacy policy of the third-party website to see how your personal information will be handled.

## Protection of Personal Data

SportSoft has adopted reasonable security measures to protect Personal Data against loss, theft, unauthorized access, alteration, disclosure, or destruction. These measures include policies, procedures, employee training, physical access control, and technical elements relating to data access controls, including industry-standard encryption. SportSoft only processes Personal Data in compliance with the purposes for which it has been collected, in accordance with this Policy.

Please note, however, that no data transmission or storage can be guaranteed to be 100% secure. As a result, while we strive to protect the information we maintain, we cannot ensure or warrant the security of any information that you transmit to us. Where a password is used for access to certain parts of our Services, you are responsible for taking steps to protect against unauthorized access to your password and device(s) used to access the Services. SportSoft not responsible for any lost, stolen or compromised passwords, or for any activity on your account via unauthorized password activity.

## Data Retention

SportSoft will only retain your Personal Data for as long as is necessary for us to use your information as described above and to comply with our legal obligations. Please be advised that this means that we may retain some of your information after you cease to use our Services. For instance, we may retain your data as necessary to meet our legal obligations, enforce an agreement, or for tax and accounting purposes.

## Non-U.S. Users

SportSoft is headquartered and operated in the United States. If you access the Services from outside the United States, please be aware that information you provide to us or that we obtain as a result of your use of the Services may be transferred to and stored in the United States, which may be subject to different standards of data protection than your country of residence.

We handle Personal Data as described within this policy, regardless of your location. Through contractual requirements, SportSoft strives to ensure that any employee, partner, or service provider with access to Personal Data, adheres to these same practices.

### **PIPEDA**

SportSoft is committed to fulfilling its responsibilities under Canada's Personal Data Protection and Electronic Documents Act (PIPEDA). For purposes of fulfilling these responsibilities, if applicable, you consent to using SportSoft's website and services, and you consent to SportSoft's collection and use of your Personal Data for the purposes described above. If you do not consent, you may not access our website or the Services.

## European Union Model Clauses

SportSoft offers European Union Model Clauses, also known as Standard Contractual Clauses, to meet the adequacy and security requirements for our Customers that operate in the European Union, and for other international transfers of Customer Data. Standard Contractual Clauses may be incorporated into the Service Agreement, upon request of the Customer.

## Data Subject Rights

EU residents have a number of rights when it comes to your Personal Data. Further information and advice about your rights can be obtained from the data protection regulator of your country.

If you are a SportSoft Customer or their Authorized Support Contact, and wish to exercise any of the rights below for Personal Data that SportSoft has collected, processed, or used, or to lodge a complaint about how SportSoft has processed your data, please visit the **Contacting SportSoft** section of this policy.

SportSoft usually act on requests and provides information free of charge, but may charge a reasonable fee to cover our administrative costs of providing the information for:

- baseless or excessive/repeated requests, or
- further copies of the same information.

Alternatively, we may be entitled to refuse to act on the request.

Please consider your request responsibly before submitting it. These requests do not apply to mandatory service communications that are part of SportSoft Services, nor to Personal Data controlled by SportSoft's customers. Generally, SportSoft will respond within 30 days from when we receive your request, unless the request will take substantially longer to fulfill.

If you are a Player, Authorized User on a Customer's account, or another individual, and wish to exercise your rights for Personal Data maintained in a Customer account, you must contact the appropriate Controller (SportSoft Customer).

### Rights

### What does this mean?

1. The right to object to processing

You have the right to object to certain types of processing, including processing for direct marketing.



2. The right to be informed You have the right to be provided with clear, transparent and easily understandable information about how we use your information and your rights. We are providing you with this information through this Privacy Policy.
3. The right of access You have the right to obtain access to the Personal Data information that SportSoft controls and processes, in order to ensure that we're using your information in accordance with data protection laws.
4. The right to rectification You are entitled to have your information corrected if it's inaccurate or incomplete.
5. The right to erasure This is also known as 'the right to be forgotten' and enables you to request the deletion or removal of your information where there's no compelling reason for us to keep using it. This is not a general right to erasure, and specific conditions apply.
6. The right to restrict processing You have rights to 'block' or suppress further use of your information. When processing is restricted, we can still store your information, but may not use it further. SportSoft may continue to maintain a list of individuals for which processing is restricted, to ensure the request is respected in the future.
7. The right to data portability You have rights to obtain and reuse your Personal Data for your own purposes across different services. If you request a copy of the Personal Data that SportSoft is the Controller for, we will deliver it in a machine readable format.
8. The right to lodge a complaint You have the right to lodge a complaint about the way we handle or process your Personal Data with your national data protection regulator.
9. The right to withdraw consent If you have given your consent to anything we do with your Personal Data, you have the right to withdraw your consent at any time (although if you do so, it does not mean that anything we have done with your Personal Data with your consent up to that point is unlawful). This includes your right to withdraw consent to us using your Personal Data for marketing purposes.

## **Cookies & Similar Technologies**

Cookies are small text files that websites and other online services use to store information about you or your activities on your device(s). For example, cookies can be used to store your sign-in credentials so that you do not have to enter them each time you return to a website.

Cookies also may be used to store a unique identification number tied to your computer so that a website can recognize you as the same user across different visits to the website.

SportSoft may use cookies or similar technologies to analyze trends, administer the Services, track users' movements around, and interactions with, the platform and website, and to gather demographic information about our user base as a whole. You can control the use of cookies and similar technologies at the individual browser level.

However, if you choose to disable any of these, it may limit your use of certain features or functions on our website and Services. To manage cookies and similar technologies for your browser, see our page on <https://sportsoft.com/how-to-manage-cookies/> which includes information on the types of cookies and technologies that SportSoft uses.

## **Other Important Privacy Information**

### **Notice to Customer Authorized Users**

If you use an email address provided by an organization you are affiliated with, such as an employer or school, to access SportSoft Services, the owner of the domain (e.g., your organization) associated with your email address may control and administer your SportSoft account, and may access and process your data, including the contents of your communications and files.

Your use of SportSoft Services may be subject to your organization's policies and procedures. SportSoft is not responsible for the privacy or security practices of our customers, which may differ from those set forth in this privacy statement. Personal Data and privacy inquiries around your organization's use of SportSoft Services should be directed to your organization's Authorized Support Contact.

### **Children**

SportSoft will not knowingly enter into a Customer relationship with individuals under the age of 18. SportSoft's website and Services are not designed for use by children under the age of 16. Except as detailed in the paragraph below, SportSoft does not voluntarily or knowingly collect information from children under 16. As such, if you are under the age of 16, please stop using this website and/or SportSoft Services. If you are a parent or guardian and believe that we may have collected Personal Data from someone under the age of 16, please contact us via the contact information listed below.

If a SportSoft customer uploads content containing Personal Data of a minor under the age of 16, SportSoft may process that data, in order to provide the Services to the customer. It is the responsibility of the SportSoft customer to provide notifications and obtain any consents required under applicable law, including under the Children's Online Privacy Protection Act, the California Consumer Privacy Act, and other relevant data protection laws, for the collection of such Personal Data.

### **Changes to this Privacy Policy**

SportSoft may change, modify, or update this Privacy Policy at any time. When we do, we will revise the date at the top of this page. We encourage you to frequently check this page for any changes, to stay informed about how we are helping to protect the Personal Data we collect. If you continue to use the Services, you acknowledge and agree that it is your responsibility to review this Privacy Policy periodically and become aware of any modifications.

## **Contacting SportSoft**

If you are concerned about your privacy while using SportSoft Services that are provided by a customer, you should address requests and inquiries relating to your Personal Data directly to that specific customer. If you contact us regarding information on an account of a customer, we may forward your requests or inquiries to the relevant customer.

If you have any questions about this Privacy Policy, the Personal Data practices of the company or our Services, please contact us at <https://sportsoft.com/privacy-policy/> or via mail at:

SportSoft  
Attn: Data Protection/Privacy  
914 164th St SE,  
Suite B12-375  
Mill Creek, WA 98012