

For information about COOKIES that may be used on WBT Systems' website -- how they work, why we use them and how you may manage them -- [click here](#).

By visiting any WBT Systems website or otherwise providing personal data to WBT Systems or any of its affiliates via any other means, you accept and consent to the practices described in this Privacy Policy.

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Introduction

WBT Systems Limited (“WBT” or “we” or “us”) recognizes the importance of protecting the privacy rights of the individual in relation to your personal data that can be used to personally identify you. This document is WBT’s Privacy Policy and explains how we collect, use, manage, disclose and transfer your personal data as part of our business activities, and explains your rights and choices regarding your personal data. WBT provides products and services to businesses for commercial purposes. We do not provide services to consumers for personal or household use.

We endeavor to apply suitable safeguards to protect your personal data as required by applicable privacy laws, including the EU’s General Data Protection Regulation (“GDPR”) effective on May 25, 2018, the Irish Data Protection Act 2018, the UK GDPR and Data Protection Act 2018, the Australian Privacy Principles, Canada’s Personal Information Protection and Electronic Documents Act and similar

provincial privacy legislation, and U.S. state privacy laws. We will from time to time update this Privacy Policy as we undertake new personal data practices or adopt new privacy policies.

WBT is responsible for the processing of your personal data as described in this Privacy Policy, and we act as the controller of such personal data that we collect about you, meaning we determine the purpose for which your personal data is used and how we use it. The Privacy Policies of our affiliated companies, Advanced Solutions International, Inc., Advanced Solutions International (Asia-Pacific) Pty Ltd, Advanced Solutions International-Canada Inc., and Advanced Solutions International (Europe) Limited (collectively, “ASI”) and OpenWater Software, LLC, are described on their websites and may differ from ours.

This Privacy Policy does not apply to the extent we process personal data in the role of a processor or service provider on behalf of our clients, including where our clients collect, use, share or process personal data using our products or services. For detailed privacy information related to a WBT client who uses WBT products and services as a controller, please contact the client directly. We are not responsible for the privacy and data security practices of our clients, which may differ from our Privacy Policy. Nor does this Privacy Policy apply to the extent that we process personal data of job applicants, contractors or employees.

How we collect and use your personal data and the grounds for our use

We collect, use and disclose your personal data in order to provide products and services to you and/or your organization, to manage our relationship with you, to register and attend events, conferences or webinars, to carry out our obligations and enforce our rights arising under any contractual agreements entered into between you and us (including for billing and collection purposes), to respond to enquiries and provide information or advice about existing and new products or services offered by WBT or any of its affiliated companies, to market our services, including sending marketing communications with your consent, to provide you with access to protected areas of our website and notify you about changes to our website, to conduct product and market research, to improve our products and services, and to improve the quality of our client service.

Depending on the nature of your interaction with us, we may collect the following types of personal data from you: current and historical information about your name, contact details (including postal address, email address, telephone number, etc.), identification, organizational affiliations, profession or occupation, positions held, organizational information, forms submitted, communication preferences, payment details, details of the products and services you have purchased from us or about which you have enquired, and any additional information relating to you that you have provided to us directly or indirectly through your access and use of our website, by email or telephone, Technical Support, client surveys or conversations with our representatives or otherwise. We may also collect personal data from third parties including your organization and representatives, public sources, social networks, our related companies, service providers or consultants, product partners, and others who form a part of our sales and/or service network, information service providers, vendors and other service providers and other parties with whom we exchange information to provide our products and services or to support our legitimate business interests.

Use of our website

We may also collect information about your access and use of our website, including information about your computer and internet connection (e.g., IP address, operating system, browser type, device type) and details about your visits to our website (e.g., traffic and location data, logs and other communication data, and the resources you use and access on the website). We may also collect information that is not personal data because it does not identify you or anyone else, such as collecting anonymous answers to surveys or aggregated information about how users use our website. We use this information to help us better suit our users’ needs, to record and recognize users’ cookie preferences, to deliver information requested, to register for events, and to analyze and improve our website and services.

What happens if you don’t give us your information

If you do not provide us with the requested information, we may not be able to provide the requested products or services or information to you, including information about discounts, sales or special promotions, and we may not be able to tailor the content of our website to your preferences. As a result, your visit to our website may not be as useful or relevant as it could be if you did provide the requested information.

Sensitive Information

We will not intentionally collect or maintain (and do not want you to provide) any “sensitive information,” including information or an opinion about your or another individual’s racial or ethnic origin, political opinions, membership in a political association or professional or trade association, philosophical or religious beliefs or affiliations, sexual preferences, criminal record, health or genetic information.

US residents: We will not intentionally collect or maintain any citizenship status information, biometric information, precise geolocation, social security or governmental identification. We only collect and process payment card information as necessary to provide products and services to you and we only share that information with third party payment processing providers to the extent necessary to provide those services.

Consent

From time to time we may seek your consent for a particular proposed collection, handling, use and disclosure of your personal data. You may withhold your consent to any or all such requests.

If you have consented to a particular purpose for our use and disclosure of your personal data, then we may rely on your consent until you withdraw it. You may withdraw your consent by contacting our representative to whom you originally gave your consent or by contacting us via the contact details provided in the “[How to contact us](#)” section below.

Your refusal to, or withdrawal of, consent may affect our ability to provide products, services and/or communications to you and/or your organization subject to the relevant consent.

Children’s Privacy

This website is not designed to be of interest to children and we do not knowingly collect, solicit, keep or use any information provided by or relating to children under age 13. If you are under age 13, do not use any feature on this website or provide any information on this website. If we learn we have collected or received personal data from a child under age 13 without verification of parental consent, we will delete that information. If you believe that a child may have provided us with personal information without such parental consent, please contact us.

California consumers: We will not knowingly share the personal information of California consumers who are 16 years old or younger.

EU residents: We do not collect or process personal information of data subjects in the EU under the age of 16 without explicit consent from a parent or guardian. Our sites are not directed toward children.

Cookies

A “cookie” is a small summary text file that is stored by your mobile phone (e.g., iPhone or Android) or by your browser (e.g., Internet Explorer, Microsoft Edge, Chrome, Safari or Firefox). Cookies allow a website to store such things as user preferences, allowing the website to recognize a user and respond appropriately.

When you access the WBT website, we may use cookies to help provide you with a better, more relevant and faster experience with us and our website. There are several different types of cookies based on their use:

- Some cookies we use to remember your preferences for tools found on our website, so you don't have to re-enter them each time you switch a page or each time you visit. They will remember your user login, and other things such as what video streaming speeds you use. In some cases, the information used by cookies may be considered personal data if you are reasonably identifiable based on information readily available to us. Cookies on our website cannot be used to identify you personally unless you are signed into our website, you complete a form on our website, or you accept the use of cookies via our Allow Selection cookie preferences tool.
- Some cookies are created and used by web analytics software (such as Google Analytics and Hubspot) to measure and improve the performance of our site. They help us to know which pages are the most and least popular and see how visitors move around the site. We have enabled restricted data processing within Google Analytics and IP anonymization. Unless you are signed into our website, complete a form on our website, or accept the use of cookies via our Allow Selection cookie preferences tool, these cookies cannot be used to identify you personally. If you are logged in, the login process links you to your stored learner or customer record that includes your username and email address and other personal information identified in the [“How we collect and use your personal information”](#) section above.
- For the TopClass Learning Management System web-based application and platform, we use reCAPTCHA APIs, a service provided by Google that helps protect websites from spam and abuse. A “CAPTCHA” is a turing test to tell human and bots apart. It is easy for humans to solve, but hard for “bots” and other malicious software to figure out. If you choose to use ReCAPTCHA, you acknowledge and understand that the reCAPTCHA API works by collecting hardware and software information, such as device and application data and the results of integrity checks, and sending that data to Google for analysis. The information collected in connection with your use of the service will be used for improving reCAPTCHA and for general security purposes. You can find further details at [Google’s Privacy Policy, located at Privacy Policy – Privacy & Terms – Google](#), and the [Google’s Privacy & Terms site](#), which **apply to your use of ReCAPTCHA.**
- Some cookies are used in analytics which may be able to identify what country, state or city you are in based on the information supplied by your browser when it requests a webpage. These cookies cannot be used to identify you personally and are only used so we know where our website traffic comes from.
- When you register with us, we generate cookies that signal whether you are signed in or not. We use these cookies to determine which account you are signed in with, and if you should get access to a service. This also allows us to associate the actions you take on our website with your account.
- On some of our pages, third parties may also set their own anonymous cookies, for the purposes of tracking the use of their application or tailoring the application for you. Because of how cookies work, we cannot access these cookies, nor can the third parties access the data in cookies used by us. These cookies will only be placed if they are strictly necessary for our website to function, you have taken an action such as submitting a form, or you have accepted the use of cookies through our Allow Selection cookie preferences tool.

A cookie, once placed, will enable us to greet you each time you visit our website without bothering you with a request to register and to keep track of your interest in particular products or services on our website, which we may use to tailor the relevance of news we send you and to market our services, including sending marketing communications with your consent. We also use cookies to measure traffic and transaction patterns and to determine which website areas have been visited. We use this information to improve our online products and services and for analytical purposes, such as analyzing trends, administering our website, tracking user movements and gathering broad demographic information.

You can manage your cookie preferences for our website at any time using our Allow Selection cookie preferences tool. If you do not wish to receive cookies that are not strictly necessary, you can also set your browser or mobile device so that your internet-enabled device does not accept them. Most browsers and phones have a way to stop accepting classes of cookies, or to stop it accepting cookies from a particular website.

If you are concerned about third party cookies generated by advertisers from Europe, you can turn some of these off by going to the [Your Online Choices](#) site.

Forums/Communities

If you use our forums/communities, or post a message in a public place, you are giving consent for anyone to read, copy and republish your message or any part of it. When you join a forum/community, your email address and contact information is available to other forum/community members and anyone can use it to write to you, email you, or to add your contact information to their own distribution list. Forums also contain statistics and other information on your use of the forum, and this information is usually available to all forum members. We exercise no control over the use of any of this information.

Other websites

Our website may contain links to other websites that are outside our control and are not covered by this Privacy Policy. If you access other sites using the links provided, the operators of these sites may collect information from you that will be used by them in accordance with their privacy policy, which may differ from ours.

Direct marketing materials

We may collect, hold, use and/or disclose your personal data to send you direct marketing communications and information about our products and services, as well as products and services offered by our related corporate affiliates – including ASI and OpenWater Software, LLC that we consider may be of interest to you. We may also share your personal data with our affiliated companies, which may send you direct marketing communications and information about their products and services that we consider may be of interest to you. These communications may be sent in various forms, including without limitation mail and email, in accordance with applicable marketing laws, including the EU ePrivacy Directive (2002) and the Irish ePrivacy Regulations (2011) if applicable. Our direct marketing purposes are based on your consent. For example, when you contact us directly, provide us your business card or contact information, agree to receive communications after an event, and in similar circumstances. We may also rely on legitimate interests to contact you to offer related services that may be of interest to you based on the services that you may have bought from us or related to a resource or a demo that you have requested from us.

At any time you may opt-out of receiving marketing communications from us by using the opt-out facilities specified in our direct marketing communications or by contacting us via the contact details provided in the **“How to contact us”** section below. We will then ensure that your details are removed from the relevant marketing contact list from which you have elected to opt-out.

We may also disclose your personal data to our product partners for their direct marketing purposes.

When and how we share your personal data

We may combine, share and exchange your personal data with and among our related corporate affiliates, including Advanced Solutions International Systems, Inc. in the United States, Advanced Solutions International-Canada, Inc. in Canada, Advanced Solutions International (Europe) Limited in the United Kingdom, Advanced Solutions International (Asia-Pacific) Pty Ltd in Australia, and OpenWater Software, LLC in the United States, in an effort to assist WBT in managing, administering and providing products and/or services to you and for marketing purposes. We may also combine, share and exchange your personal data with third-party service providers to WBT who perform functions on our behalf, but in such

event your personal data will only be shared to the extent reasonably necessary to perform their functions and they will not be authorized to use it for any other function. These third-parties may include any third-party organizations involved in our sales and support network (including service providers and consultants); organizations maintaining or providing information technology services; organizations providing analysis and research; organizations involved in our business processing functions, including payment processing providers, or providing legal, management and administration services; organizations providing cloud computing or data warehousing services; organizations that perform advertising or marketing-related services; website analytics providers; and suppliers or other third parties with whom we have commercial relationships for business-related purposes.

We may disclose your personal data to any third-party organization if we determine it is reasonably necessary to comply with a law, rule, regulation or governmental determination or decision; to protect any person from death or serious bodily injury; or to protect the rights, property or safety of WBT, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction. We may also disclose your personal data to any other third-party organization expressly authorized by you or for any other purpose disclosed by us when you provided the information.

Finally, we may disclose your personal data 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 the assets of WBT or any of its affiliates, whether as a going concern or as part of bankruptcy, liquidation or similar proceedings, in which personal data held by WBT or its affiliates is among the assets transferred.

The third parties to whom we disclose personal data are generally located in, but not limited to, Australia, Canada, Germany, the United Kingdom, Ireland and the United States.

Your personal data will not be shared, sold, rented or disclosed other than as described in this Privacy Policy.

Transferring personal data from the EU and the UK to the US

We are a global company with our headquarters in Ireland, and we have affiliated companies in the United States, the United Kingdom, Canada and Australia. This means that personal data may be used, processed and transferred to the United States and other countries or territories and those countries or territories may not offer the same level of data protection as the country where you reside, including the European Economic Area. WBT has entered into Standard Contractual Clauses- Data Transfer Agreement with its affiliates, Advanced Solutions International, Inc. in the United States and Advanced Solutions International (Asia-Pacific) Pty Ltd in Australia regarding the transfer of personal data by WBT to the United States and Australia. Advanced Solutions International, Inc. has certified to the EU-U.S. Data Privacy Framework, the UK Extension to the EU-U.S. Data Privacy Framework and the Swiss-U.S. Data Privacy Framework as set forth by the U.S. Department of Commerce and adheres to the Data Privacy Framework Principles regarding the collection, use, and retention of personal information transferred from the EU and the UK and Switzerland to the United States.

WBT collects and transfers from the EU and the UK to the U.S. personal data only: with your consent; to perform a contract with you; or to fulfill a compelling legitimate interest of WBT in a manner that does not outweigh your rights and freedoms. WBT endeavors to apply suitable safeguards to protect the privacy and security of your personal data and to use it only consistent with your relationship with WBT and the practices described in this Privacy Policy.

How to access and update your personal data; Your rights

The European Union's General Data Protection Regulation, the Irish Data Protection Act 2018 and other countries' privacy laws provide certain rights for data subjects. A good explanation of them (in English) is available on the website of Ireland's Data Protection Office (<https://www.dataprotection.ie/en/individuals/rights-individuals-under-general-data-protection-regulation>).

In the U.S., some states have enacted privacy laws that provide certain rights for persons residing in those states, including the California Consumer Privacy Act (as amended by the California Privacy Rights Act of 2020) (“CCPA”). You may find more information about the rights granted to California residents under the CCPA here: <https://www.oag.ca.gov/privacy/ccpa>.

This Privacy Policy is intended to provide you with information about what personal data WBT collects about you and how it is used. If you have any questions, please contact us at privacy@wbtsystems.com.

If you wish to confirm that WBT is processing your personal data, or to have access to the personal data WBT may have about you, please contact us at privacy@wbtsystems.com or by contacting us at the [address or phone number provided in the “How to contact us”](#) section below.

You may also request information about (your right to know): the purpose of the collection and processing of personal data; the categories of personal data concerned; who else outside WBT might have received the personal data from WBT; what the source of the information was (if you didn’t provide it directly to WBT); the business or commercial purpose for collecting, selling or sharing personal information; and how long it will be stored. If you are a California resident, you also have the right to know the specific pieces of personal information collected about you. You have a right to correct (rectify) the record of your personal data maintained by WBT if it is inaccurate. You may request that WBT erase the personal data or cease processing it, subject to certain exceptions. You may also request that WBT cease using your personal data for direct marketing purposes. In many countries, you have a right to lodge a complaint with the appropriate data protection authority if you have concerns about how WBT processes your personal data. When technically feasible, WBT will, at your request, provide your personal data to you or transmit it directly to another controller.

You may request to access or update the personal data we hold about you by sending an email to privacy@wbtsystems.com or by contacting us at address or phone number provided in the **“How to contact us”** section below. In response to your request, we may ask that you confirm your identity and specify the information you wish to access so that we can quickly identify and retrieve the information for you and we will inform you how long it will take to provide or update the requested information. We will take reasonable steps to respond to such requests within thirty (30) days of receipt. Requests for access or correction should be made by using the contact details provided in the **“How to contact us”** section, below. To ensure the continued confidentiality of your personal data, access may be provided at WBT’s office in Dublin, Ireland or at its affiliate’s office in Alexandria, Virginia; Austin, Texas; Toronto, Canada; or Melbourne or Sydney, Australia (where practicable) or you may elect to receive the information by registered mail. We will not charge you to make a request for access or to make a request for correction; we may, however, seek reimbursement from you for any reasonable expense incurred in retrieving, collating and forwarding the requested information to you or otherwise complying with your request. To the extent practicable, we will advise you in advance of those charges.

We may exercise our right to deny access to or correction of particular information in certain situations where permitted by law. If we deny your request we will provide in writing the reason why it was denied.

We will not unlawfully discriminate against you because you exercise any of your rights under the California Consumer Privacy Act (as amended by the California Privacy Rights Act of 2020) or other applicable U.S. state privacy laws.

Security of your personal data

WBT uses a range of security measures, including information access restrictions, designed to prevent the misuse, interference, loss, unauthorized access, disclosure, alteration, or destruction of your personal data. We hold personal data in physical and electronic forms and store it at our own premises and with the assistance of service providers. The safety and security of your information also depends on you, and you are responsible for keeping confidential any passwords that provide access to certain parts of our website. We cannot guarantee the security of your personal data transmitted via the Internet to our website. Any transmission of personal data is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on our website.

For hosted data stored on our servers: A client organization's files, databases and email that are hosted on WBT servers remain the property of the client organization. We will only access this information for troubleshooting purposes at the request of the client organization or to comply with our obligations under the TopClass LMS Subscription Agreement, TopClass Implementation Services Agreement, End User License Agreement and/or Services Agreement with the client organization, which agreements also contain confidentiality and nondisclosure provisions binding both parties.

Data storage and retention

Your personal data is stored by WBT on its servers, located in Ireland, the United States, Canada, the United Kingdom, Germany and Australia. We retain personal data for so long as necessary to provide our services to you and to fulfill the transactions you have requested, for a reasonable period of time for our legitimate business purposes, or for other essential purposes such as complying with our legal obligations, maintaining business and financial records, resolving disputes, maintaining security, detecting and preventing fraud and abuse, and enforcing our agreements. The criteria used to determine retention periods includes the legal limitation of liability period, agreed contractual provisions, applicable regulatory requirements, and industry standards. For more information on where and how long your personal data is stored, please contact us at privacy@wbtsystems.com.

Changes and updates to the privacy policy

By using the WBT website, you agree to the terms and conditions contained in this Privacy Policy. We reserve the right to amend this Privacy Policy at any time, for any reason, including in order to comply with any future amendments to applicable privacy laws or regulations, by posting of the amended Privacy Policy. Any changes to this Privacy Policy will become effective upon our posting of the revised Privacy Policy on our website. Your continued use of WBT System's website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates. The provisions contained herein supersede all previous notices or statements regarding our privacy policies and practices that govern the use of this website.

How to contact us with privacy questions, concerns or complaints

Please email privacy@wbtsystems.com if you would like to discuss the type of personal data we collect from you and the reason for the collection of such information. If you have further questions about privacy at WBT, please contact WBT's data privacy and security contact as set forth below:

In Ireland: WBT Systems Limited
Block 2, Harcourt Centre
Harcourt Street, Dublin 2.
Phone: +35314170100 or (800) 727-8682
Email: privacy@wbtsystems.com

If you have a privacy complaint

WBT is committed to resolving your privacy complaint as quickly as possible and has procedures in place to help resolve any problems or complaints efficiently. If you have a concern or complaint about privacy at WBT, please contact us at the contact information provided above.

If you are not satisfied with the resolution of your privacy complaint by WBT, you may contact the office of the Irish Data Protection Commission by means of the [webforms](#) on its website or by post at:

21 Fitzwilliam Square South
Dublin 2
D02 RD28
Ireland

Additional disclosures for California residents

This section applies to you only if you are a California resident.

The California Privacy Act (as amended by the California Privacy Rights Act) requires businesses to disclose whether they sell or share personal information with third parties. As a business covered by the CCPA, we do not sell personal information. We may share personal information (in the form of identifiers and internet activity information) with third party advertisers for purposes of targeting advertisements on third party websites, applications and services. In addition, we may allow third parties to collect personal information from our sites or services if those third parties are service providers who have agreed to contractual limitations as to their use, disclosure and retention of such personal information, or if you use WBT website or services to interact with third parties to direct us to disclose your personal information to third parties.

You have the right to opt out of the sale or sharing of your personal information. For more information on how to exercise your rights, see the [How to access and update your personal information; your rights](#) section of this Privacy Policy. You may exercise this right using the Cookie management tool: [Here](#)

We endeavor to respond to a privacy rights request within the required timeframe. If we need more time, we will inform you of the reason and extension period in writing. If we do not take action on your privacy rights request within the 45 days response period, or in the event of an extension, within the maximum 90-day response period, we will inform you in writing of the reasons for not taking action, as well as provide an explanation of any rights you have to appeal the decision.

Authorized Agents

You may designate an authorized agent to make a request on your behalf subject to proof of identity and written authorization. Requests made through an authorized agent should be made by email at privacy@wbtsystems.com or via phone at 800-727-8682. As part of our verification process, we may request that the agent provide, as applicable, proof concerning his or her status as an authorized agent. In addition, we may require that you verify your identity or confirm that you provided the agent permission to submit the request. We will respond to your request consistent with the CCPA.

Last Updated: August 3, 2023

We may change this Privacy Policy from time to time, including in order to comply with any future amendments to applicable privacy laws or regulations. Any changes to this Privacy Policy will become effective upon our posting of the revised Policy on our website. Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.