

Productiv's Notice of Certification Under the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield Framework

Effective as of April 28, 2020

Productiv complies with the EU-U.S. Privacy Shield Framework and 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. Productiv has certified to the U.S. Department of Commerce that it adheres 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. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>

Data processed: Productiv provides online tools to other businesses (Productiv's customers) for managing their SaaS Applications. These include tools for application engagement analytics, expense analytics, contract management, rightsizing SaaS applications, among others. In providing these tools, Productiv processes data that our customers submit to our services or instruct us to process on their behalf. While Productiv's customers decide what data to submit, it typically includes information about their employees' application usage activities, employee login activities, organizational hierarchy, vendors, contracts, and purchases.

Purposes of data processing: Productiv processes data submitted by customers (businesses) for the purpose of providing Productiv's online services to them. To fulfill these purposes, Productiv may access the data to provide the services, to correct and address technical or service problems, or to follow instructions of the Productiv customer who submitted the data, or in response to contractual requirements.

Inquiries and complaints: In compliance with the Privacy Shield Principles, Productiv commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact Productiv at:

Productiv
325 Forest Ave
Palo Alto, CA 94301
<https://productiv.com/>
Email: privacy@productiv.com

Productiv has further committed to refer unresolved Privacy Shield complaints to VeraSafe, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit <https://www.verasafe.com/> for more information or to file a complaint. The services of VeraSafe are provided at no cost to you. If neither Productiv nor our dispute resolution provider resolves your complaint, you may have the possibility to engage in binding arbitration through the Privacy Shield Panel.

Third parties who may receive personal data: Productiv uses a limited number of third-party service providers to assist us in providing our services to customers. These third party providers provide data storage services, monitoring, and technical operations. These third parties may access, process, or store personal data in the course of providing their services. Productiv maintains contracts with these third parties restricting their access, use and disclosure of personal data in compliance with our Privacy Shield obligations, including the onward transfer provisions. If these third parties fail to meet those obligations, Productiv will pursue all available remedies to enforce the contracts to ensure compliance.

Individual rights to access personal data, to limit use, and to limit disclosure: EU individuals and Swiss individuals have the right to access their personal data. As an agent processing personal data on behalf of its customers (businesses), Productiv does not own or control the personal data that it processes on behalf of its customers and does not have a direct relationship with the users whose personal data may be processed in connection with providing the service. Since each customer is in control of what information, including any personal data, it collects from its users, how that information is used and disclosed, and how that information can be changed, individuals should contact the applicable customer administrator with any inquiries about how to access or correct personal data contained in customer data. Productiv will support such customer as needed in responding to such requests.

U.S. Federal Trade Commission enforcement: Productiv's commitments under the Privacy Shield are subject to the investigatory and enforcement powers of the United States Federal Trade Commission.

Compelled disclosure: If Productiv receives a subpoena, court order, warrant or other legal demand from a law enforcement or other judicial authority seeking the disclosure of Personal Data, Productiv shall, to the extent reasonably permitted by applicable law, not disclose any information but shall immediately notify the impacted customer in writing of such request, and reasonably cooperate with the customer if it wishes to limit, challenge or protect against such disclosure, to the extent permitted by applicable laws.