

# Privacy Statement

## I. INTRODUCTION

Sangoma Technologies Corporation, Sangoma US Inc., Sangoma Technologies US Inc., VOIP Supply LLC, and Digium Inc. (collectively, the “Sangoma Group”) take your privacy very seriously and act in accordance with the applicable data protection legislation.

## II. PRIVACY SHIELD

### PARTICULARLY IMPORTANT INFORMATION

**WHO WE ARE:** For the purpose of applicable data protection legislation, the data controller of your personal data is the Sangoma Group company that is providing the individual website or other services. All members of the Sangoma Group may be contacted at the following address: Sangoma Technologies Inc., the operating subsidiary of Sangoma Technologies Corporation, with its main address at 100 Renfrew Drive, Suite 100, Markham, Ontario, L3R 9R6.

**MUST READ SECTIONS:** We draw your attention in particular to the sections entitled *“International Data Transfers”* and *“Your Rights.”*

This section pertains to the processing of your personal data by the Sangoma Group under the Privacy Shield and describes which personal data is collected and for which purposes this personal data is processed by the Sangoma Group. It also states which rights you have under applicable data protection legislation.

When you visit our websites (or subdomains), contact us, register with an account on any of our websites such as but not limited to freepbx.org or portal.sangoma.com (individually, a “Website” or collectively, the “Websites”) or purchase products from us, we collect information from and about you. Some of the information we collect may be classified as personal data under data protection legislation, that is, “any information relating to an identified or identifiable natural person”. It may be collected any time you submit it to us, whatever the reason may be.

### COLLECTING YOUR PERSONAL DATA

#### Information you give to us

This includes personal data collected:

Through our Website or online purchasing process when you register, login, commence or complete an online transaction to use our products and services, you have provided your consent, in order to:

- I. subscribe to any of our marketing communications;
- II. complete customer surveys;

- III. conduct business as it relates to but not limited to support and purchases;
- IV. receive communications about product releases and updates;
- V. enter competitions; or
- VI. provide feedback.

When we do business with you, which will usually include:

Full or partial contact details including names and addresses (including business details), telephone and email details based on the information you have provided to us with our account signup and management process. We collect payment card and/or bank information from you should you choose to use this form of payment for purchasing or guaranteeing use of our products and services.

### **Information Automatically Collected**

This includes information and personal data collected:

Through our Websites, we automatically log information about you and your computer or mobile device upon access. The information about your use of our Websites comprises http header information which your browser transmits to our web server and information collected through the use of cookies and log information. For example, when visiting our Websites, we may log your computer or mobile device operating system name and version, manufacturer and model, browser type, browser language, screen resolution, the website you visited before browsing to our Websites, pages you viewed, how long you spent on a page, access times and information about your use of and actions on our Websites.

### **Use of Cookies**

Some of our web pages use "cookies" or other information collection devices so that we can better serve you with more tailored information when you return to our Website. Cookies are identifiers which a website sends to your browser to keep on your computer to facilitate your next visit to our site. We may track and record your use of our online services, either through cookies or via other means. Cookies enable us and others to monitor your browsing behaviour. Information generated by the use of cookies may constitute personal data. We may use the personal data collected in this manner for the purposes as stipulated in this Privacy Statement. If you are subscribed to our email list, we also use this information to deliver more relevant content to your inbox. At any time, you can elect to opt out from the use of tracking cookies by clicking [here](#). This will automatically disable tracking cookies and will redirect you back to the page you were originally on. We do not otherwise respond to Do Not Track signals.

### **IP Addresses/Web Server Log Files**

We may use IP addresses and web server log files to analyze trends, administer a Website, track a user's movement, and gather broad demographic information for aggregate use. Additionally, in areas of a Website requiring registration, we may use this information from time to time to police a Website for unregistered users (but we undertake no obligation to do so). Information of this type may be combined with cookies or other sources of information for these purposes. Specifically, through the use of web server log files, any or all of the following information may be accessed, collected, analyzed, and stored during or after your visits to the Website: the name of the domain name from which you access the Internet; the country from which you access the Website; the date

and time you access the Website; the pages you visit on the Website and the sequence in which you visit them; the amount of time you spent on a particular Website page; the Internet address of a website that you visit immediately before or after visiting our Website; the Internet address from which you linked directly to our Website, if any; the type of operating system on your computer; the type of browser that you are using to view a Website. These and similar types of information may also be collected by "web-bugs" or single-pixel gifs and by other means. We use social buttons (such as Facebook, LinkedIn, and Twitter) to enable sharing of material originating from our Websites. The third party social sites used to share information use scripts and these scripts may be gathering your information.

### **WHY DO WE PROCESS YOUR PERSONAL DATA?**

Your personal data will be stored in centralized systems which are under the control of the Sangoma Group and accessible by authorized staff of the Sangoma Group or its reseller/channel partners, as applicable.

We use the information we collect about you to process your purchase orders, answer your queries, provide services to you and enable you to manage your accounts with us. With your consent, we will contact you via our marketing and sales channels (email/ phone/ post) about other related products and services we, or our group business, provide which we think may be of interest to you. Our marketing communications are generally sent by email, but we may sometimes use other methods of delivery such as by mail or SMS.

We mainly collect, store and process personal data at two different stages: (i) before you decide to register an account on our Websites and (ii) when you have registered an account on our Websites.

#### ***(i) Before you register an account on our Websites***

When you visit our Websites, we collect information about your use of our Websites. This includes both information we collect directly from you, and information we collect about your behaviour. This information may constitute 'personal data' under applicable law. We use this information to provide you with (personal) offers, both on our Websites and via advertisements on other websites you visit.

#### **Advertising**

**Generally.** We may use other companies to serve third-party advertisements when you visit and use our Websites. These companies may collect and use click stream information, browser type, time and date, subject of advertisements clicked or scrolled over during your visits to our Websites and other websites in order to provide advertisements about goods and services likely to be of interest to you. These companies typically use tracking technologies to collect this information. Other companies' use of their tracking technologies is subject to their own privacy policies.

**Targeted Advertising.** We use Website information to provide you with (personal) offers, both on our Websites and via advertisements on other websites you visit. In order to serve offers and advertisements that may interest you, we may display targeted advertisements on our Websites, or other digital properties or applications in conjunction with our content based on information provided to us by our users and information provided to us by third parties that they have

independently collected. We do not provide personal data to advertisers when you interact with an advertisement.

## **ii. After you have registered an account on our Websites**

When you register on our Websites, you may be required to provide us with your name, email address, phone number, mailing address, credit card or other payment information as applicable. We use this personal data to process your purchase orders, for billing purposes, and to allow us to communicate with you about your purchase orders.

### ***Overview of activities under stage (i) and (ii):***

We may at each of the stages outlined above use your personal data but only when and to the extent the law allows us to. Most commonly, we will use your personal data in the following circumstances:

Where we need to perform the contract, we are about to enter into or have entered into with you.

Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

Where we need to comply with a legal or regulatory obligation.

Where you have provided your consent.

## **SHARING YOUR DATA**

We may share your personal data as follows:

- i. ***Affiliates.*** We may share some or all of your personal data with our affiliates, in which case we will require our affiliates to comply with this Privacy Statement. In particular, you may let us share personal data with our affiliates where you wish to receive marketing communications from them.
- ii. ***Corporate Restructuring.*** We may share personal data when we do a business deal, or negotiate a business deal, involving the sale or transfer of all or a part of our business or assets. These deals can include any merger, financing, acquisition, or bankruptcy transaction or proceeding.
- iii. ***Our Third-Party Service Providers.*** We may share your personal data with our third-party service providers who provide services such as payment processing, information technology and related infrastructure provision, business support (operational and administrative), customer service, the processing and delivery of marketing communications to you, email delivery, auditing and other similar services. These third parties are only permitted to use your personal data to the extent necessary to enable them to provide their services to us. They are required to follow our express instructions and to comply with appropriate security measures to protect your personal data. Third parties are subject to confidentiality obligations and may only use your personal data to perform the necessary functions and not for other purposes.
- iv. ***Other Disclosures.*** We may share personal data as we believe necessary or appropriate: (a) to comply with applicable laws; (b) to comply with lawful requests and legal process,

including to respond to requests from public and government authorities to meet national security or law enforcement requirements; (c) to enforce our Privacy Statement; and (d) to protect our rights, privacy, safety or property, and/or that of you or others.

- v. ***Third Parties Designated by You.*** We may share your personal data with third parties where you have provided your consent to do so.

We do not share your data with any third parties outside of the above processing arrangements and we do not share your data with any business external to our group for their own marketing purposes. From the data we collect, you should only ever receive marketing communications from our own brands.

### ***INTERNATIONAL DATA TRANSFERS***

It is necessary to transfer your personal data overseas as most of our centralized data processing is in the United States of America. Any transfers will be made in full compliance with all aspects of the applicable regulations.

When we transfer the data to a country outside of the EEA that does not offer an adequate level of data protection, we will ensure compliance with applicable law.

The Sangoma Group 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. Sangoma Technologies Corporation has certified to the Department of Commerce that it and the other members of the Sangoma Group adhere to the Privacy Shield Principles. If there is any conflict between the terms in this Privacy Statement 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/>. Sangoma Group will be subject to the investigatory powers of the Federal Trade Commission (FTC) as a result of its participation in and certification of its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework and under certain circumstances, you may invoke binding arbitration.

In addition to EU-US Privacy Shield-certification, we also rely on model EU privacy clauses and other legally accepted safeguards, as applicable.

### **YOUR RIGHTS**

We provide the following rights to all individuals:

- i. Right to revoke consent***

If we process personal data on the basis of your consent, you have the legal right to revoke such consent at any time. We will then cease the relevant processing activity going forward (which may include discontinuation of services and/or processing future orders).

- ii. Right of access to your information***

If you want to know what personal data we have collected or process about you, you may request us to provide a copy of your personal data by contacting us as defined in Section IV. We will ask you to identify yourself. We will not provide you with a copy of your personal data to the extent that the rights and freedoms of others are or may be adversely affected.

**iii. Right to rectification and erasure of data, and restriction of processing**

If you believe that our processing of your personal data is incorrect, inaccurate, unlawful, excessive, incomplete, no longer relevant, or if you think that your data is stored longer than necessary, you may ask us to change or remove such personal data or restrict such processing activity, by contacting us as defined herein.

**iv. Right to data portability**

You have the right to receive your personal data, which you have provided to us, in a structured, commonly used and machine-readable format, in accordance with Article 20 of the General Data Protection Regulation, by contacting us as defined in Section IV.

**v. Right to object**

You have the legal right to object, on grounds relating to your particular personal situation, at any time to processing of your personal data. Furthermore, you have the right to object at any time to our processing of your personal data for direct marketing purposes or to profiling. You can do this by either updating your preferences for your account on our Websites.

*For the sake of clarity: without prejudice to the foregoing we are at all times entitled to send you messages that do not constitute direct marketing, i.e. service messages as it relates to your business relationship with the Sangoma Group.*

**General information relevant for all requests and queries**

Nothing in this Privacy Statement is intended to provide you with rights beyond or in addition to your rights as a data subject under applicable mandatory data protection law.

We will use reasonable endeavours to respond to your request or query within one month. We are entitled to extend this term by another two months if the complexity of the situation so requires. If your request is manifestly unfounded or excessive, we may either (i) charge you a fee, or (ii) refuse to process your request. With respect to access requests we may also charge you for extra copies. If we decide not to honour your request or answer your query, we will explain our reasons for doing so in our reply.

**PROTECTION AND STORAGE OF YOUR DATA**

We have used and will continue to use reasonable endeavours to protect your personal data against loss, alteration or any form of unlawful use. Where possible, your personal data will be encrypted and stored by means of state of the art protection measures. A strictly limited amount of people have access to your personal data.

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.

Our Websites take precautions to protect our users' information. We use standard industry mechanisms to protect customer data from unauthorized access, for example, by using password protection and standard encryption methods. Transactions, access to transactional records, or access to account information occurs over a server that has safeguards such as secure server

software (SSL) which encrypts information before transmission. You can confirm that pages are encrypted, and we urge you to do so before submitting or transmitting sensitive information, by viewing the lock icon on the bottom of most browsers. We also take measures off-line to protect your information that is known to us to be financial and business sensitive information to the same extent that we take measures to protect our own such information.

You may edit your account information and account profile at any time using your email address and password. Do not divulge your password to anyone. We will never ask you for your password in an unsolicited telephone call or in an unsolicited e-mail. Remember to sign out of your account and close your browser window when you have finished your work. This may help to protect against access by others to your personal and business information if you share a computer or are using a computer in a public place.

### **RETENTION OF INFORMATION**

We will only retain your personal data for the period necessary to fulfil the purposes outlined in this Privacy Statement and your continued business relationship with Sangoma Group or to the extent permitted by law.

Should you choose to unsubscribe from our mailing list, please note that your personal data may still be retained on our database to the extent permitted by law.

### **III. GDPR**

In addition to the above, Digium Inc. also processes personal information in compliance with the GDPR.

#### **i. Legal Basis for the Processing of your Information**

If you are located in the European Economic Area (“EEA”), Digium’s processing of your personal information will also be based on the following: To the extent that Digium obtains your consent for the processing of your personal information such processing will be justified pursuant to Article 6(1) lit. (a) of the General Data Protection Regulation (EU) 2016/679 (“GDPR”). If the processing of your personal information is necessary for the performance of a contract between you and Digium or for taking pre-contractual steps upon your request, such processing will be based on GDPR Article 6(1) lit. (b). Where the processing is necessary for Digium to comply with a legal obligation, Digium will process your personal information on basis of GDPR Article 6(1) lit. (c), and where the processing is necessary for the purposes of our legitimate interests, such processing will be made in accordance with GDPR Article 6(1) lit. (f).

Please note that where you have given your consent to the processing of your personal information you may withdraw your consent at any time, for example by contacting Digium

as detailed below which withdrawal will not affect the lawfulness of any processing previously made on basis of your consent.

**ii. Your Rights**

We take reasonable steps to ensure that your personal information is accurate, complete, and up to date. You have the right to access, correct, or delete the personal information that Digium collects. You are also entitled to restrict or object, at any time, to the further processing of your personal information. You may have the right to receive your personal information that you provided to Digium in a structured and standard format and, where technically feasible, the right to have your personal information transmitted directly to a third party. You may lodge a complaint with the competent data protection authority regarding the processing of your personal information.

You may contact Digium as detailed below to exercise your rights. We will respond to your request in a reasonable timeframe. To protect the privacy and the security of your personal information, Digium may request information from you to enable Digium to confirm your identity and right to access such information, as well as to search for and provide you with the personal information we maintain. There are instances where applicable laws or regulatory requirements allow or require Digium to refuse to provide or delete some or all of the personal information that Digium maintains.

**iii. Additional Data Security**

In addition to the security measures detailed above, Digium takes the following steps to protect personal data: (i) takes measures to ensure the ongoing confidentiality, integrity, availability, and resilience of Digium processing systems and services; (ii) takes measures to ensure Digium's ability to restore the availability of and access to personal data in a timely manner in the event of a physical or technical incident; and (iii) has a process for regularly testing, assessing, and evaluating the effectiveness of technical and organizational measures.

**III. CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**

As an interconnected VoIP Provider Sangoma US Inc. and its wholly owned subsidiaries have access to a highly regulated form of customer personal information known as Customer Proprietary Network Information (CPNI) and shares this access with its wholly owned subsidiaries and also with its parent company Sangoma Technologies Corporation. Please see <https://www.sangoma.com/legal/> for the Sangoma Customer CPNI Policy.

**IV. GENERAL**

**i. Unsubscribing from and subscribing to email communications**



The information we collect as part of any entry/registration process also provides us a means to inform you of product updates or revisions, additional special offers, or to notify you of products and services that relate directly to your specific interests and needs.

After you have authorized the initiation of transmission of commercial electronic e-mail from us, you may elect to cease further transmissions of commercial electronic e-mail sent to you from us by clicking on the "unsubscribe link" provided within the e-mail or by updating your email preferences at <https://www.sangoma.com/subscribe/mailling-list/>

If at any time you change your mind after opting out, you may opt in via the same links above.

Some non-marketing communications are not subject to general opt-out, such as communications relating to product download, sales transactions, software updates and other support related information, patches and fixes, conferences or events for which you have registered, disclosures to comply with legal requirements, and (where permitted by law) quality assurance surveys. Some additional communications with partners are also not subject to general opt-out, including product alerts, updates, contractual marketing and sales materials, and other notices related to partner status.

ii. **Links to Third Party Sites**

The Website may contain links to third party sites. Access to any other Internet site linked to the Website is at the user's own risk and we are not responsible for the accuracy or reliability of any information, data, opinions, advice, statements, terms of use or privacy practices of such other sites unless it is also a Website owned or controlled by us. We provide these links merely as a convenience and the inclusion of such links does not imply an endorsement of the site or their entities, products or services. We encourage you to be aware when you leave our Website and to read the privacy statements of each and every site that collects personally identifiable information. This Privacy Policy applies solely to information collected by a Website on the domains owned and controlled by us.

iii. **Use of Google Analytics to support Display Advertising**

In order to market to anonymous visitors, we use Google Analytics to support Display Advertising using data collected from Website visitors as they anonymously browse the Websites. The Google Analytics Features implemented based on Display Advertising are Remarketing and Google Analytics Demographics and Interest Reporting. We use the data from Google Analytics Features to ensure that our marketing is targeting the appropriate Website visitors. Website visitors may use the Ads Settings to opt-out of Google Analytics for Display Advertising and customize Google Display Network ads by going to <https://www.google.com/settings/ads>. Google Analytics' currently available opt outs are available at <https://tools.google.com/dlpage/gaoptout/>. We use Remarketing with Google Analytics to advertise online. Third party vendors, including Google, may show our ads on sites across the Internet. We and third-party vendors, including Google, use first-party cookies (such

as the Google Analytics Cookie) and third-party cookies (such as the Double Click cookie) together to inform, optimize, and serve ads based on your past visits to the Websites.

**iv. Information Use and Disclosure**

We may use the information obtainable from a Website for editorial and feedback and legal purposes and for other purposes.

For example, we reserve the right to provide IP addresses, information provided during registration, and all of the above data obtained through the use of web server log files to third parties for legal purposes such as preventing or investigating any possible criminal activity or in response to any lawful request.

Additionally, we may provide aggregate information to its in-house and independent sales representatives, use the information for marketing and promotional purposes, for a statistical analysis of user behavior, for product development, to inform advertisers as to how many visitors have seen or clicked on their advertisements, to third parties to assist with the protection and registration of our trademarks, to target markets and to formulate our own proprietary and business strategies and plans. Any information that you actively provide to us, such as names, postal and email addresses, and phone numbers may be added to our databases and if you elect to allow such use, may be used by us to contact you regarding Website updates, new products and services and for other purposes specifically allowed by you when you supply such information.

We may retain the content of any customer service web form or email that we receive, the email from which it is sent, and our response, if any. Content and other information related to emails sent by user to us may be used as testimonials or for any other marketing purpose, except that no marketing communications unrelated to the subject matter of the submission will be sent to the email address from which such email or form is sent unless the user specifically elects to receive additional marketing materials or we obtain the email address through another avenue that permits such use. In all cases, email addresses may be compared to subscription or customer lists of ours and our business partners.

Where completion of a sale or shipment requires the use of information, such as credit card information, shipping addresses, or contact persons, we may use the information to the extent necessary.

We may use the information collected to analyze trends, administer Websites, track user movement, and gather broad demographic information for aggregate use, to monitor or to improve the use and satisfaction of a Website, and to customize, upgrade, or configure the layout or content of a Website.

We may share and disclose aggregated user statistics and demographic information in order to describe our services to prospective and existing partners, advertisers, or other third parties, and for other lawful purposes. This information is not linked to any personal information that

can identify any individual person. Under confidentiality agreements, we may match user information with third-party data. We may disclose your personal information to business partners unless you directly inform us that you prefer we not do so.

**v. Resolution of Complaints/Questions/Concerns**

We are committed to resolve any complaints about our collection or use of your personal data, CPNI, and other confidential information.

We have done our best to make sure that this Privacy Statement explains the way in which we process your personal data, CPNI, and other confidential information, and rights you have in relation thereto. We may change this Privacy Statement from time to time to make sure it is still up to date and we will notify you if we make any material updates. We may also notify you in other ways from time to time about the processing of your personal information, CPNI, or other confidential information.

**Contact Information for GDPR questions or concerns**

If you have a question or a complaint about this privacy policy as pertains to personal data under the GDPR or the way your personal data is processed by Digium Inc. under the GDPR please contact us via the following <https://www.sangoma.com/legal/web-requests/>

Additionally, you may contact Digium's GDPR Representative pursuant to Article 27 of the GDPR via email or post to Attorney at Law, Ms. Dr. Anjte Johst, Kurfurstendamm 67, 10707 Berlin, Germany, [kanzlei@antiejohst.com](mailto:kanzlei@antiejohst.com)

**Contact Information for all other privacy questions or concerns**

In case you have any questions in relation to this Privacy Statement or our practices in relation to your personal data, CPNI, or other confidential information you may open a Customer Service request at <https://support.sangoma.com>. We hope to resolve any complaint brought to our attention, however if you feel that a complaint with regard to personal data has not been adequately resolved, you reserve the right to contact your local data protection supervisory authority.