



**HIGHSOFT**

# **Privacy Policy**

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## Privacy Policy

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## Who we are

We are Highsoft AS. Our address is Sentrumsgata 44, 6893 Vik i Sogn, Norway.

You can contact us by postal mail at the above address, or by email at [privacy@highsoft.com](mailto:privacy@highsoft.com).

You can read more about us [here](#).

In collecting information about you, we are acting as a data controller and we are required to provide you with information about why and how we collect and use your data, and about the rights you have over your data.

We are not required to have a data protection officer. Any inquiries about our use of your personal data should be addressed to the contact details above.

## Introduction

Highsoft is committed to protecting your privacy and will make every commercially viable measure to secure your data according to European Union's General Data Protection Regulation (GDPR) guidelines. Any and all information collected is safeguarded according to the applicable legislation concerning personal data and is updated to comply with the GDPR.

This privacy policy outlines the information, including any personal data we collect when you use and interact with our website and services.

## How we collect your information

In the course of providing content, products, and services to our visitors and customers, we collect or receive information about you in different ways.

You provide some data directly, and some data we get by collecting data about your interactions, usages, and experiences with our website, products, and services. When collecting your data we will give you the chance to choose what information to provide for e.g. enabling us to market and promote products or services.

We collect and process personal data about you only where we have a legal basis for doing so under applicable European Union (EU) laws, even if you are located outside the European Economic Area (EEA).

## Why we collect your information

We collect information in order to be able to understand, analyze and improve our website and services. In some cases, we may require certain information in order to provide certain products and services and to ensure our services and offerings are performing optimally and to protect our, and your legal rights and interests.

## Information storage and security

We rely on third-party partners to collect data about you and your use of our website and services as well as for some of the features and functionality. We have Data Processing Agreements (DPA) with all third-party data processors that commits them to provide an appropriate level of safeguards for your personal data, which includes compliance with GDPR.

Most of our data is collected and processed within the EEA. For processing that is taking place outside EEA, we have provided appropriate safeguards to ensure our partners accept the EU Standard Contractual Clauses (SCC) for International Data Transfers.

## 3rd party Systems and Processors

We have DPAs with all our Processors, and they all adhere to the Payment Card Industry Data Security Standard (PCI DSS) for Service Providers.

Below you will find more information about how we collect and process information, including how we use third-party partners in connection with our services.

## When you use our website

Our legal basis for collecting the information described in this section is based on legitimate interest, in reference to Article 6-1(f) of the GDPR, or consent in reference to Article 6-1(a) of the GDPR.

This section details the information we collect from you when you use our website to browse our products and services and view the content we make available.

## Cookies

Cookies are small pieces of text sent by a website and stored on your computer by your web browser. A cookie file is stored in your web browser and allows the service or a third-party to recognize you and make your next visit easier and the service more useful to you.

Please refer to our [Cookie Policy](#) for detailed information on which cookies we set when visiting our website and using our services, including what purpose each serves.

We use JSFiddle to display code demos and samples on our webpages and on our blog. JSFiddle does not track personal data but sets a session cookie to prevent cross-domain attacks in the embedded code samples. Please refer to [JSFiddle - Terms & Conditions](#) and [JSFiddle - Privacy Policy](#) for additional information.

## Privacy Policy

We use website analytics services called Google Analytics, Google Ads, and Google Tag Manager to record usage and performance data of our website and web-services. We will also use a marketing automation tool to gather certain website data related to campaigns.

We analyze aggregated anonymized data based on e.g. the date you visit the site, how often you come to this site, what pages you visit when you do so, and what other sites you used prior to coming to this site, observing trends, visitor numbers and behavior. We have ensured that the data we collect through website analytics services are anonymized in such a manner that it can not be used to re-identify you by e.g. excluding IP addresses or your detailed location. If you consent to us using Statistics cookies in our consent manager, we additionally use Google Analytics built-in demographic, and extended ecommerce tracking to the same end. This tracking provides aggregated data on Age, Gender, Affinity Categories, In-Market segments, and other categories, along with Purchasing Information (Product, Quantity) from our web-shop in the event a purchase is made. Demographics data is collected by Google and its Affiliates, and shared with Highsoft in an aggregated form. Google and its Affiliates may use collected data for targeted advertising. Further details on how Google collects, processes, and stores this data can be found [here](#). The use of Statistics cookies requires that you give your consent in our cookie declaration. You may also prevent data from being used by Google Analytics by installing the [Google Analytics Opt-out Browser Add-on](#).

### Web beacons

Pages on our site and emails we send to our users may contain web beacons. Web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) are small electronic file references that are embedded onto a web page or an email to analyze traffic, for example, whether a user has successfully opened an email, visited a page or completed a purchase.

In contrast to cookies, which are stored on a user's computer hard drive, web beacons are rendered invisibly on web pages when you open a page.

### UTM codes

We may also make use of UTM codes. These are strings that are appended to a URL (the "Uniform Resource Locator," which is typically the HTTP or HTTPS address entered to go to a web page) when a user moves from one web page or website to another, where the string can represent information about browsing, such as which promotion, page, or publisher sent the user to the receiving website.

UTM codes are used to enhance our web analytics solutions to understand, for example, if the visitor's journey on our site started with a newsletter or ad campaign. Any analytics gathered on the basis of UTM codes are, and will remain, anonymous and analyzed in aggregate form.

## Google reCAPTCHA

In the prevention of spam and abuse, we use the reCAPTCHA feature of Google on our website. This function is primarily used to distinguish whether an input is made by a natural person or abusive by automated processing. The service includes the sending of the IP address and possibly other data required by Google for the reCAPTCHA service to Google. Additional information about Google reCAPTCHA and Google's privacy policy can be found [here](#).

## Hotjar user behavior tracking

When consenting to Statistics cookies in our consent manager, we use Hotjar in order to better understand our users' needs and to optimize this service and experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), and the preferred language used to display our website. Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf.

For further details, please see the 'about Hotjar' section of [Hotjar's support site](#).

## Why do we collect this information?

Some tracking mechanisms are considered necessary and are required in order to provide certain functionality like navigation and search. Other tracking mechanisms are essential for us in order to understand how our visitors find and use our site. We also monitor our website performance, such as what pages our visitors navigate to in order to understand how to improve our service and offerings, as well as measuring marketing efforts and user experience to ensure intended and proper functionality.

If you do not want us to track your website interactions, you may revise your cookie preferences on our website. We will not deny you access to our site or services should you choose to decline the use of such tracking mechanisms, but when declined, there may be cases where the user experience is not optimal.

## What do we do with your information?

Besides the functionality necessary for our website and services to function, we may use portions or aggregated numbers for internal marketing presentations or use Google Data Studio for analytics.

We do not share or sell any information collected, even when anonymized.

Google provides some additional [privacy options for Google Analytics cookies](#).

## How long do we keep your information?

The information we collect will be anonymised and kept for a maximum of 38 months. Google provides some additional [privacy terms](#).

## Additional rights as a data subject

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process, which is outlined in the section below called '[Your rights as a data subject](#)'.

## When you submit an inquiry via our website, email or social media

Our legal basis for processing and collecting your personal data when you contact us via our website or by email, is based on contractual obligations in reference to Article 6-1(b) of the GDPR.

Our legal basis for collecting information on you when you contact us via Social Media is based on our legitimate interest to provide you with the most accurate response in a timely manner in reference to Article 6-1(f) of the GDPR.

When you submit an inquiry via our website or send an email, we may ask you for your company name, email address and a brief description of your inquiry. We will ask for a minimum set of information in order to reply to technical or sales support questions, or other inquiries.

When you ask us a question in Social Media, like Facebook, Twitter, Instagram or LinkedIn, we will reply to your inquiry directly on that platform. No data will be sent automatically to other systems, although we encourage you to contact us via our website.

We will also have access to aggregate insights to visitor activity on our social media accounts, as well as any individual public activity, such as liking, posting or commenting on our accounts. For all interactions on our social media accounts, we hold a shared data controller role of your data along with the social media platform. This means that all information posted on our social media accounts will also be available to that social media company.

In order to learn more about such companies' use of personal data, please visit the respective social media company's privacy notice.

## Why do we collect this information?

We use the information you provide in order to respond and hopefully to provide you with the information you need, including providing Support or fulfilling steps required prior to entering into a contract e.g. as part of pre-sales activity.



We may also email you several times after your inquiry in order to follow up on your interest and ensure that we have answered to your satisfaction.

## What do we do with your information?

Regardless of how you contacted us, we may share your question/problem in our internal email provided by Google or chat platform provided by Slack for internal support in providing you with a solution but will exclude any personal data.

Your sales-related inquiry is stored and processed in our CRM and also as an email.

We might share your name, email, and company name with our partners, for the sole purpose of performing sales activities and providing information that we think will be of interest to you with respect to your inquiry. Our partners will have access to the minimum of information needed.

Technical Support inquiries are stored and processed in our Support Ticket system and also as an email.

Our first line support inquiries are handled by our partner, Black Label. Our partners will have access to the minimum of information needed to provide support.

Your name, email, and company name is also sent to marketing automation tool for the sole purpose of sending you information that we think will be of interest to you with respect to your inquiry.

## How long do we keep your information?

Inquiries you make that are not of a financial or legal nature (e.g. purchasing a product or service) will be removed from our records if you are inactive for more than 2 years, unless you explicitly consent to us storing your information for the purposes of keeping you updated on our products and services (in such a case, see below [‘when you sign up to receive Newsletters’](#) on how we handle your data).

## Additional rights as a data subject

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process, which is outlined in the section below called [‘Your rights as a data subject’](#).

## When you purchase a license or subscription from our website

This section outlines the information we collect from you when you purchase a product from our website. Our legal basis for processing and collecting your personal data is based on fulfilling

legal obligations in reference to Article 6-1(c) of the GDPR or contractual obligations in reference to Article 6-1(b) of the GDPR.

When you purchase from us, we ask you for your name, billing address, email address, company name, and we collect your IP address, and credit card details.

Documents related to the purchase like e.g. Purchase Order, Custom license agreement, and other relevant information related to the purchase will be stored in our CRM system and in our Cloud storage space.

When you register for a non-commercial license, we ask for your name, email address, intended usage, and the organisation name, to verify the free usage. This information and a copy of your License information will be stored in our CRM and in our Marketing Automation tool.

### Why do we collect this information?

This information is required in order to process your payment, deliver products or services, and to comply with applicable tax/revenue laws. We will use your email address to send you a receipt after purchase and contact you regarding your purchase or otherwise ask for information necessary to fulfill our contract with you.

### What do we do with your information?

We use third-party vendors to store and process payments, and they all adhere to the PCI Data Security Standard (PCI DSS) for Service Providers. Your name, billing address, email, company name and other optional information you provide during the purchase process is stored in our e-commerce platform, and CRM.

From June 30<sup>th</sup> 2020, our e-commerce platform is hosted by Convert Group AS. For a limited time period, your data will continue to be hosted Visma AS, as we phase out this previous processor. Our CRM is hosted by Salesforce.

As payment providers we use Nets, American Express and PayPal.

Your IP address, email address, credit card details are passed on to Nets, PayPal or American Express. Highsoft does not store or process your credit card or PayPal information (with the exception of the e-mail address attached to your PayPal account).

Wire transfers go through DNB Bank ASA.

Your name, email, company name, and License information is sent to our marketing automation tool for the sole purpose to follow up on your license and support term, including relevant product updates.

Anonymized data may also be sent to Google Data Studio for analyzing our performance internally.

We do not use the information you provide to make any automated decisions that might affect you.

For more information please see [Privacy Policy for Online Purchase here](#).

## How long do we keep your information?

Information about the transaction is kept for however long necessary to comply with applicable tax/revenue laws, which under current laws is 10 years.

## Additional rights as a data subject

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process, which is outlined in the section below called '[Your rights as a data subject](#)'.

## When you sign up to receive content from our website

This section outlines the information we collect from you when you sign up to receive content from our website by signing up to receive newsletters or notification of product updates or when you download whitepapers or tutorials.

Our legal basis for processing and collecting your personal data is based on consent in reference to Article 6-1(a) of the GDPR.

When you sign up to receive content from our website, we will ask you for your first name and email address, and optionally other information about your interests and preferences, etc. We will collect your IP address and information about what kind of content that you engage with, e.g. which stories you want to learn more about by clicking on “read more” links next to story summaries.

Upon registration you will receive an email to confirm your registration. Unless you act upon that email, you will not be enrolled in our database.

## Why do we collect this information?

The email address will be used to periodically provide you with news and information about our products and services, which we feel might be of interest to you. We ask for your first name because we are on a first-name basis with all our friends. Other optional information we ask for will be used to make sure we send you relevant information and to spot trends. We collect your IP address to prevent fraud and identify geographical clusters of customers so we may serve you better.

We use web beacons to detect whether you have opened the email we send or not. This is to keep track of your engagement and ensure we send you relevant information or if you have been inactive for more than the retention limit, we will ensure that your email will be deleted from our database.

Read more about web beacons [here](#).

We use UTM codes to identify specific sources of traffic and to customize content but never used for profiling or other, user identifiable, tracking.

Read more about UTM codes [here](#).

### What do we do with your information?

The information you provide when you sign up to receive content from our website is stored and processed in our self-hosted Marketing automation tool and in our CRM hosted by Salesforce.

We might share your name, email, and company name with our partners, for the sole purpose of performing sales activities and providing information that we think will be of interest to you with respect to the content you have received. Our partners will have access to the minimum of information needed to perform their duties.

We may ask for your consent to retain your information in our systems in order to send you further information that we think may be of interest to you.

### How long do we keep your information?

Your information is kept for as long as you continue to engage with our content, but we cease to send you information and content and will remove your data from our records if you are inactive for more than 2 years. Inactive, in this respect, means that you have not read any of the emails we have sent you, or downloaded any content from our website. You may unsubscribe at any time by clicking the unsubscribe link at the bottom of any email you receive or by contacting us to revoke your consent, which will result in the prompt removal of your information from our database, along with any data regarding your engagement with our content.

### Additional rights as a data subject

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process on you, which are outlined in the section below called '[Your rights as a data subject](#)'.

### **When you use our JS product suite, Wrappers, Editor and/or CDN**

When you buy a license for Highcharts JS including any other offering like e.g., Highcharts Maps, Highcharts Stock, Highcharts Gantt, Highcharts iOS, Highcharts Android, Highcharts Editor, or any other Wrapper or plugin, we have access to the information you provide when

purchasing. This is limited to information necessary to process your payment as detailed above in *When you purchase a product from our website*.

The products are downloadable, and we do not track further usage of it, except as set forth herein.

## **When you use our Export Server**

This section outlines the information we collect from you when you use our Export Server. If you choose to make use of this service, our legal basis for collecting information falls under the premise of contractual obligations in reference to Article 6-1 (b), as this is a service that you can use optionally, when you have purchased a license from us, and by using it, you agree to us processing your chart - data. The export server is not to be used in cases where charts may contain personal data. In such cases the Export server must be self-hosted, or alternatively the offline export module can be used.

The export server converts either a chart configuration (in JSON format) or a vectorized chart (in SVG format) to one of several possible output formats (namely PNG/JPEG/SVG/PDF). This is offered as a service to our customers in order to convert charts to e.g. print-ready formats.

When using the export server, either as an API service or indirectly through the export module in Highcharts Products Suite, your chart is sent to our server. This is the default behavior of the export module. We also have an offline export module that operates without the need for a web service, however, this is not fully compatible with all browsers and formats.

The file is publicly available, as it must be for the service to work, however, the filenames are created using UUID's and as such, it is highly unlikely that anyone would be able to guess the filenames within the lifespan of the files. The export server itself is also fully open-source, so you are free to host your own server should your company policies require more control over the exporting process.

## **What do we do with your chart data?**

We use the chart data in order to convert your chart to the desired output format.

## **How long do we keep your data?**

When not using async exporting, the result from the chart export will be stored on our server for 15 minutes before it deletes itself.

## **Additional rights as a data subject**

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process, which is outlined in the section below called '[Your rights as a data subject](#)'.

## **When you submit a survey, participate in a competition, submit code or blog, or apply for a job**

This section tells you about the information we collect from you when you submit a survey, participate in a competition, submit code examples or blog to us via our website. Our legal basis for processing and collecting your personal data is based on consent Article 6-1(a) of the GDPR.

Along with your contribution, we may ask you for your email address, and optionally other information about your interests, preferences, opinion, etc. as relevant to the particular submission.

### **Why do we collect this information?**

Depending on your inquiry we will e.g. need personal data to contact you, highlight your contribution on our website, to evaluate if you are a candidate for a job, and other relevant information pertaining to the nature of the inquiry. We will not collect or accept this information without your explicit consent.

### **What do we do with your information?**

We will store and process the information you share with us in our Marketing Automation tool or HR-tool depending on the type of request. We may in some cases use Google forms when conducting Surveys. Your reply will then be processed by Google. Please refer to Google's [Privacy Policy](#) for information.

We may publish your submission to our website, in the event that was the purpose of the submission. Further details will be provided upon initial contact. We will use your information to provide the information you need related to your inquiry.

We may ask for your consent to retain your information in our systems in order to send you further information that we think may be of interest to you. We will only send you updates and information for as long as you continue to consent. You may unsubscribe to such automated contact at any time by clicking the unsubscribe link at the bottom of any email newsletter you receive.

If you post a comment on our site, we won't use your email address except to send you update-notices about the specific entry you commented or to initiate a private one-to-one email conversation with you about your post.

### **How long do we keep your information for?**

Your information is kept for as long as you continue to consent, but we cease to send you updates and will remove your data from our records if you are inactive for more than 2 years. Inactive, in this respect, means that you have not read any of the newsletters we have sent you.

You may opt-out such updates at any time, which will result in the prompt deletion of any non-legal or financial information we have about you.

When you apply for a job, your information will be removed from our database once the position is filled, or until - if applicable - you are no longer considered for the position. The information will not be stored for longer than 3 months after your submission.

## Additional rights as a data subject

In collecting this information, we are acting as a data controller and you have additional rights with regards to the data we store and process, which is outlined in the section below called '[Your rights as a data subject](#)'.

## Your rights as a data subject

By law, you can ask us what information we hold about you and ask to have it corrected if it is inaccurate.

If we have asked for your consent to process your personal data, you may withdraw that consent at any time, and you can request that your data be erased.

If we are processing your personal data for reasons to fulfill a contract, you can ask us to give you a copy of the information you have provided for us in a machine-readable format so that you can transfer it to another provider.

You have the right to ask us to stop using your information for a period of time if you believe our processing is not lawful.

We will not make automated decisions on the basis of the personal data we have collected.

You may not ask to delete, or substantially change, is financial transaction data we are required to retain for 10 years for legal, tax or accounting purposes.

To submit a request regarding personal data by email, please use the contact information provided above in the Who Are We section of this policy.

## Your right to complain

If you have a complaint about our use of your information, we would prefer you to contact us directly in the first instance so that we can address your complaint.

We are not required to have a data protection officer, so for any inquiries about our use of your personal data, please use the contact information provided above in '[Who are we](#)' or contact us through our [data subject request form](#).

## Legal Requirements

We might need to disclose personal data of users based on requirements by law. This might result in legal obligations or urgent needs to suspend or block an account. In such an event we will aim to notify the user that is affected by such actions.

Highsoft may also retain, preserve, or release person in response to lawful requests by public authorities, including to meet legitimate security or law enforcement requirements; to protect, establish, or exercise our legal rights or defend against legal claims, including to collect a debt; or investigate, prevent, or take action regarding illegal activities, suspected fraud, threats to our property, or violations of our [Standard License Agreement for our JS products](#), or your customized Agreement.

## Retention

Highsoft will retain and use your information only as long as it is necessary for the purposes set out in this policy, and to the extent necessary to comply with our legal obligations, resolve disputes, enforce our agreements, and as otherwise described in this policy.

Specifically, Highsoft will retain your information for as long as you have an active service account with us, for as long as you remain subscribed to our newsletter, or as needed to provide the services to you. The exception to this is data arising from a financial transaction, which we are required by local tax and accounting laws to store for 10 years.

## Right to be forgotten

If you have not interacted with our sales team, support team, subscribed to any of our newsletters or utilized any of our products and services, for 2 years, and your contact information is not necessary per the Retention policy above, we will automatically delete your records from our databases. The only exception is if you send us a job application. In this instance, we will keep your application for a maximum of three months.

## Our Policy Toward Children

Our services are not intended for users under the age of 13, and we do not knowingly collect or maintain information of such individuals. We encourage parents and guardians to monitor their children's online activities.

## Updates to this privacy policy

We regularly review and, if appropriate, update this privacy policy from time to time as our services and use of personal data evolves. If we want to make use of your personal data in a



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way that we haven't previously identified, we will contact you to provide information about this and, if necessary, to ask for your consent.

We will update the version number and date of this document each time it is changed.