



Services Privacy Policy

Last Revised: 9/17/2024

This Tigunia Services Privacy Policy (“Services Privacy Policy”) is set forth below.

Tigunia, LLC (“Tigunia”) has self-certified its compliance with the EU-U.S. Data Privacy Framework (“EU-U.S. DPF”), and the UK Extension to the EU-U.S. DPF (“UK Extension”), collectively (the “DPF”).

Foortress, LLC, a wholly owned subsidiary of Tigunia, also certifies that it is adhering to the EU-U.S. DPF Principles and the UK Extension to the EU-U.S. DPF and is covered by Tigunia’s DPF submission. This DPF Notice, within the Services Privacy Policy is intended to cover only non-HR data and describes Tigunia’s compliance with the specific requirements of the DPF.

Definitions

Systems Operations Data may include log files, event files, and other trace and diagnostic files, as well as statistical and aggregated information that relates to the use and operation of our hosting services, and the systems and networks on which our services run.

Services Personal Information is personal information that is provided by individuals, resides on Tigunia’s servers, Customer or third-party systems and environments, and is processed by Tigunia on the individual’s behalf in order to perform our services. Services Personal Information may include, depending on the Services,

- Information concerning family, lifestyle and social circumstances;
- Employment details;
- Financial details; and,
- Online identifiers such as mobile device IDs and IP addresses, geolocation data, and first party online behavior and interest data.

Services Personal Information may relate to our customer’s representatives and end users, such as employees, job applicants, contractors, collaborators, partners, suppliers, and vendors.

The definitions of Services Personal Information and Systems Operations Data do not include the individual’s or user’s contact and related information collected from the use of Tigunia websites, or the individual’s or user’s interactions with us during the contracting process. Tigunia’s handling of this information is subject to the terms of the Tigunia’s Privacy Policy. See www.tigunia.com/legal-notices/.

Services Personal Information Data Processing Terms

Tigunia treats all Services Personal Information in accordance with the terms of this Policy and our customer's order for our Services.

In the event of any conflict between the terms of this Services Privacy Policy and any privacy terms incorporated into a customer's order for Services, including a Tigunia Data Processing Agreement, the relevant privacy terms of the order for Services shall take precedence.

Purpose of Processing Services Personal Information

Tigunia may process Services Personal Information for the processing activities necessary to perform the Services, including to create a Tigunia services account to access Tigunia products and services, for testing and applying new product or system versions, patches, updates and upgrades, and resolving bugs and other issues that an individual or customer have reported to Tigunia.

Tigunia provides a broad range of hosted, remote, and on-site computer-based services to our customers, including cloud services, consulting and advanced customer support services, technical support services, and training services. This certification applies when a customer and Tigunia have agreed by contract that transfers of customer Personal Information will be treated pursuant to the Data Privacy Framework for the relevant services for which Tigunia acts as a data processor on behalf of the customer. When conducting those activities as a data processor on behalf of a customer, Tigunia holds and/or processes such customer Personal Information at the direction of the customer, and that customer acts as a data controller. Tigunia may provide third parties access to customer personal information as described in the Tigunia's Privacy Policy and the relevant customer contract.

1. We collect the Name, Email, and Contact Phone Number of the applicable employee contact information at any customer that engages services with us. We only collect business contact information for customer contacts engaged with our services. We do not collect personal contact information.
2. We collect address information for locations supported by our services.
3. All contact information that we collect is for the purposes of support and engagement with services that we provide to our customers.
4. Contact information is only shared with third parties if required to provide our services, such as registering their contact information with Microsoft when providing licensing for a Microsoft product (or other similar vendors).
5. We collect Systems Operations Data which may include log files, event files, and other trace and diagnostic files, as well as statistical and aggregated information that relates

to the use and operation of our Services, and the systems and networks these Services run on.

Systems and services the “Platform” that we provide clients can be used at the client’s discretion to hold any form of data. To this end, such data is in the control of the client, and not Tigunia, and the client is considered the controller and processor of such data and Tigunia would in that case only act as a sub processor assisting with the storage of same.

Customer instructions

Our customers are the controllers of the Services Personal Information processed by Tigunia to perform the Services. Tigunia will process Services Personal Information as specified in the Customer’s Services order and any documented additional written instructions to the extent necessary for Tigunia to (i) comply with its processor obligations under applicable data protection law or (ii) assist the customer to comply with the customer’s controller obligations under applicable data protection law relevant to the customer’s use of the Services. Tigunia will promptly inform the customer if, in our reasonable opinion, the customer’s instructions infringe applicable data protection law. The customer acknowledges and agrees that Tigunia is not responsible for performing legal research and/or for providing legal advice to the customer. Additional fees may apply.

Certifications

Tigunia complies with the EU-U.S. Data Privacy Framework (“EU-U.S. DPF”) and the UK Extension to the EU-U.S. DPF as set forth by the U.S. Department of Commerce. Tigunia has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (“EU-U.S. DPF Principles”) with regard to the processing of personal data received from the European Union and the United Kingdom in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF. If there is a conflict between the terms of this privacy policy and the EU-U.S. DPF Principles, the Principles shall govern. To learn more about the Data Privacy Framework (“DPF”) program, and to view our certification, please visit www.dataprivacyframework.gov.

Rights of Individuals

Individuals have the right to access their personal data. In addition to accessing their data, individuals also have the right to amend and delete their data. Individuals can exercise these access and amendment/deletion rights by contacting Tigunia at the addresses referenced in the “How to Contact” section above.

Our customers control access to their own environments and personal data. The individual related to one of our customers should first contact that company with a concern about their



personal data. To the extent such access is not available to an individual or end user for data hosted by a Tigunia customer, we will provide reasonable assistance with requests from individuals to access, delete or erase, restrict, rectify, receive and transmit, block access to, or object to the processing of personal data on Tigunia's systems.

If Tigunia directly receives any requests or inquiries from an individual that has identified our customer as a controller, we will promptly pass on such requests to that customer without responding to the end user. If you are an end user and you have questions about your choices regarding the disclosure and use of Services Personal Information provided to Tigunia, please consult directly with the organization that collected your information from you.

How to Contact Us

Tigunia commits to resolve DPF Principles-related complaints about our collection and use of your personal information. EU and UK individuals with inquiries or complaints regarding our handling of personal data received in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF should first contact Tigunia as follows:

Email: privacy@tigunia.com

Or at the address below:

Data Privacy Officer
Tigunia, LLC
P.O. Box 31014
Edmond, OK 73003 USA

We respond to inquiries and complaints within 45 days.

Filing a Complaint

If an individual has any complaints regarding Tigunia's compliance with our privacy and security practices, please contact us as outlined in the "How to Contact Us" section above. We will investigate and attempt to resolve any complaints and disputes regarding our privacy practices.

In compliance with the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF, Tigunia commits to refer unresolved complaints concerning our handling of personal data received in reliance on the EU-U.S. DPF and the UK Extension to the E.U-DPF to JAMS, an alternative dispute resolution provider based in the United States. If you do not receive timely acknowledgment of your DPF Principles-related complaint from us, or if we have not addressed your DPF Principles-related complaint to your satisfaction, please visit <https://www.jamsadr.com/DPF-Dispute-Resolution>

for more information or to file a complaint. The services of JAMS are provided at no cost to you.

Under certain conditions as specified on the DPF website, individuals may invoke binding arbitration after other dispute resolution procedures have been exhausted.

Enforcement

Tigunia is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission (“FTC”).

Required Disclosures

Individuals are informed that Tigunia may be required to disclose personal information in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Choice

If personal data covered by this Privacy Policy is to be used for a new purpose that is materially different from that for which the personal data was originally collected or subsequently authorized, or is to be disclosed to a non-agent third party in a manner not specified in this Services Policy, Tigunia will provide the individual with an opportunity to choose whether to have the individual’s personal data so used or disclosed. Requests to opt out of such uses or disclosures of Personal Data should be sent to us as specified in the “How to Contact Us” section above.

Certain personal data, such as information about medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, is considered “Sensitive Information”. Tigunia will not use Sensitive Information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual unless Tigunia has received the individual’s affirmative and explicit consent (opt-in).

Onward Transfers of Personal Data

When transferring personal data to a processor (or sub-processor) (an “Onward Transfer”), we:

- Require the processor or sub-processor to enter into a written Data Processing Agreement.
- Require the processor or sub-processor to process the personal data for only limited and specific purposes defined in the agreement.

- Take reasonable and appropriate steps to ensure that the personal data is processed in a manner consistent with the DPF Principles.
- Require the processor or sub-processor to notify us if the processor determines that it can no longer meet its obligations under the DPF Principles.
- Take reasonable and appropriate steps to stop and remediate unauthorized processing.
- Will provide a summary or representative copy of the relevant privacy protections in our agreements with our processors to the Department of Commerce upon request.

We remain liable under the DPF Principles if our processor, or any other person or entity to whom our processor transfers personal data, processes personal data in a manner not consistent with the DPF Principles, unless we demonstrate that we are not responsible for the unauthorized processing.

Changes to this Statement

We may revise this Data Privacy Framework Notice by posting a revised statement at the same location as this notice, on another location on our website, or by direct notice to you. If we change this notice, it will apply to personal data collected prior to adoption of the new statement only to the extent as the new statement does not reduce the rights of affected data subjects. As long as we continue to participate in the DPF program, we will not change our statement in a way that is inconsistent with our obligations under the DPF program or the DPF Principles.