In this Privacy Policy (this “Policy”), Terra Communications LLC (“TerraComm”) explains how the Personal Data (as defined below) is collected, used, maintained, disclosed, and transferred by TerraComm. As a web services company, TerraComm operates as a data processor or sub-processor for each of its customers (each “Customer”), who may be data controllers, and as such will process all Personal Data (as defined below) on behalf of each Customer according to its contractual agreements with the Customer (“Customer Agreements”), based entirely on the Customer’s documented instructions, and as otherwise required by law.

“Personal Data” is defined as information relating to an identified or identifiable living individual that is input or upload into each of its Customer’s software and other products, solutions, or services by each of its Customer’s end-users (collectively, “Customer Products”), and which is subsequently shared with TerraComm for processing in the course of fulfilling its Customer Agreements. It does not include data TerraComm collects from visitors to its websites, nor data TerraComm collects about each of its Customers or prospective Customers, vendors, service providers, professional advisors, consultants, and other third parties otherwise in the course of doing business; for example, to communicate with or manage Customer accounts, or to engage TerraComm vendors.

If you have any questions regarding this Policy, please send an email to privacy@terracommunications.org or contact TerraComm as described in the “How to Contact Us” section below.

Scope

This Policy only applies to Personal Data for which TerraComm is a data processor on behalf of each of its individual Customers, who may be data controllers.

Collection Purposes, Use of Personal Data

The Personal Data transferred to TerraComm for processing is determined, directed, and controlled by each of its Customers, who may be data controllers, at their sole discretion, and is managed following their privacy policies. As such, TerraComm has no control over the type, volume, or sensitivity of Personal Data processed by TerraComm as provided by each of its Customers or their end-users. Whenever possible TerraComm limits processing Personal Data to only that data which is relevant for processing and for the purposes in which it was authorized for use on behalf of each of its Customers, in accordance with their
instructions, as authorized by their end-users, and as provided in the applicable Customer Agreements with TerraComm.

TerraComm acts as a data processor or sub-processor with respect to this Personal Data. TerraComm limits the interaction with Personal Data to the following purposes:

- To provide and deliver the contracted services;
- To provide customer service or support;
- To respond to Customer’s requests
- To address technical issues;
- To perform routine maintenance; and
- To respond to lawful requests.

As data controllers each TerraComm Customer is responsible for ensuring that (i) their end-users receive proper notice of their privacy practices, (ii) Personal Data is obtained in accordance with all applicable laws and in accordance with the purpose for which it was collected or subsequently authorized for use by their end-users, (iii) Personal Data is reliable for its intended use and is accurate, complete, and current, and (iv) their end-users are given a choice regarding the processing activities with respect to their Personal Data.

If a Customer’s end-user has any questions or concerns related to the handling of their Personal Data, or would like to choose (opt out of) whether their personal information is shared or used for a purpose that is materially different from the purpose(s) for which it was originally collected or subsequently authorized for use, the end-user should refer to the applicable Customer’s privacy policy documents or contact the Customer directly.

Data Transfers to Third Parties

TerraComm does not sell or loan Personal Data to any third parties; however, TerraComm may share Personal Data with subcontractors, vendors, service providers, professional advisors, consultants, and other third parties under contract (“Third Parties”). In each case the Personal Data shared is at the direction of, subject to the approval of, and with appropriate confidentiality obligations in place that are no less protective than this Policy and the privacy policy of, the applicable Customer; shared only for the limited and specified purposes consistent with the applicable Customer Agreement and in accordance with the consent given by the end-users to the applicable Customer; and only as necessary to support performance of business-related functions and services on behalf of or at the direction of TerraComm.

Third Parties are required to notify TerraComm immediately if they determine that they can no longer meet the obligations set forth in this Policy, and as soon as such a determination is made they are to cease processing the Personal Data or take other reasonable and appropriate steps to remediate. To the extent provided by, and where the Privacy Shield Framework (as defined below) applies, TerraComm remains responsible and liable if a third-party that it engages to process personal information on its behalf does so in a manner inconsistent with the Policy, unless TerraComm can prove that it is not responsible for the matter giving rise to the damage.
Other Disclosures

Under certain circumstances, TerraComm may be required to disclose Personal Data in response to valid requests by governmental authorities, including to meet national security or law enforcement requirements.

TerraComm will attempt to refer any request for disclosure of Personal Data by governmental authorities, including those received for national security or law enforcement reasons, to the relevant Customer. TerraComm may, where legally obligated to do so, disclose Personal Data to law enforcement or other government authorities, in which case TerraComm will notify the relevant Customer of such a request (unless prohibited by law to do so) and will furnish only that portion of the Personal Data that is legally required. TerraComm is liable for appropriate onward transfers of Personal Data to third parties.

Security

Taking into account the nature of and risks involved in processing Personal Data, the security of Personal Data is of upmost importance to TerraComm. TerraComm implements reasonable and appropriate administrative, technical, and physical security controls to protect Personal Data from accidental loss, theft, misuse, alteration, unauthorized access or disclosure, and unlawful or accidental destruction. However, despite TerraComm best efforts, no security measures are entirely infallible and as such TerraComm cannot and does not guarantee or warrant the security of Personal Data against unauthorized or inadvertent disclosure.

While TerraComm employs reasonable and appropriate security measures to protect Personal Data, each of our Customers, and their end-users, should only transfer Personal Data through secure channels, access their accounts within secure environments, and take appropriate steps to always ensure that their account credentials and passwords are always kept safe. Customers should immediately change their passwords and notify TerraComm as soon as possible if they become aware of any misuse of their accounts, or the account of an end-user, in accordance with the “Contact Us” section below.

Retention

TerraComm retains Personal Data in accordance with the timeframes set out in the relevant Customer Agreements with each of its Customers and only for as long as it serves the purpose of processing under the applicable Customer Agreements. TerraComm’s retention periods may change:

- If there is a legal obligation (or change to a legal obligation) applicable to TerraComm (i.e. certain laws require TerraComm to keep records of transactions for a certain period before TerraComm can delete them); or
• If retention is advisable based on legal opinion (such as, for statutes of limitations, litigation, or regulatory investigations).

TerraComm will adhere to the Policy while handling Personal Data obtained under the Policy for as long as it retains that Personal Data.

Cross-Border Transfers

Personal Data will not be transferred outside of the European Economic Area (“EU”), the United Kingdom (“UK”), or the United States (“U.S.”) (where the EU-U.S. Privacy Shield Framework applies) without additional contractual or extra contractual measures that have been adopted or approved by the European Commission or UK Information Commissioner’s Office being taken.

TerraComm complies with the EU-U.S. Privacy Shield Framework (“Privacy Shield”) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the EU and the UK to the U.S. TerraComm 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 Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view TerraComm’s certification, please visit https://www.privacyshield.gov/.

With respect to personal data received or transferred pursuant to the Privacy Shield Framework, TerraComm is subject to the regulatory enforcement powers of the U.S. Federal Trade Commission and commits to cooperate with EU and UK data protection authorities.

Data Access

TerraComm takes reasonable steps to determine who gains access to Personal Data. TerraComm’s User Access Management guidelines are based on the “Principle of Least Privilege,” and access to Personal Data shall be limited by that principle, which requires that privileged access must be provisioned with the minimum level of access to non-public data which is required to satisfy the specific job responsibilities.

General Data Requests

If any data subjects have questions or concerns about the processing of Personal Data, they should read the relevant Customer’s privacy policy or contact the relevant Customer (i.e., the data controller) directly. Similarly, an individual who seeks to access their Personal Data, or to correct, amend, or delete their Personal Data, should direct their query to the applicable Customer. If a Customer asks TerraComm to retrieve, amend, or remove the Personal Data of one of its end-users, TerraComm will do so in accordance with the Customer Agreements with such Customer and TerraComm’s Privacy Shield commitments.
Any Customer who wants to find out more about the data security protocols can refer to their Customer Agreement or other applicable Customer Agreements with TerraComm, or contact TerraComm directly for further information as described in the “How to Contact Us” section below.

**Dispute Resolution**

TerraComm commits to resolve complaints regarding processing, use, and disclosure of Personal Data in accordance with this Policy. Individuals with inquiries or complaints regarding TerraComm’s compliance with this Policy should first contact TerraComm at privacy@terracommunications.org. TerraComm will investigate and attempt to resolve all complaints and disputes.

Within the scope of this Policy, if a privacy complaint or dispute cannot be resolved through TerraComm’s internal processes, TerraComm has agreed to participate in the JAMS Privacy Shield Dispute Resolution Procedure. Subject to the terms of the JAMS Privacy Shield Dispute Resolution Procedure, JAMS will provide appropriate recourse. To file a complaint with JAMS under the Privacy Shield Dispute Resolution Procedure, please submit the required information to JAMS here: https://www.jamsadr.com/submit/

In certain circumstances, you may have the ability to invoke binding arbitration to address any complaint that TerraComm has violated its obligations under this Policy to you and has not been otherwise resolved such violation, by delivering notice to TerraComm and following the procedures, and subject to conditions set forth in, Annex I of the Privacy Shield Framework (where the Privacy Shield Framework applies).

**Contact Us**

If you have any questions regarding this Policy or if you need to request access to or update, change, or remove personal information that TerraComm processes on your behalf, you can do so by contacting TerraComm’s Systems Privacy Team at:

**Terra Communications Privacy Department**  
904 Lambeth Cir., Suite 104  
Durham, NC 27705  

+1 (203) 820-6676  
privacy@terracommunications.org

Or through the Contact Us form on our website: https://terracommunications.org/.

**Amendments**

TerraComm reserves the right to change, modify, add, or remove portions of this Policy from time to time and in its sole discretion, but will notify the public that changes have been made by making the new policy publicly available and indicating on the Policy the date it was last updated.