

## NETWARM Privacy Policy

This Privacy Policy is effective as of January, 2023

We keep your personal information personal and private. We will not sell or rent your personal information. We will only share or otherwise disclose your personal information as necessary to provide our Services or as otherwise described in this Policy, except in cases where we first provide you with notice and the opportunity to consent.

### 1. POLICY APPLICATION

This Policy applies to NETWARM's collection, use, and disclosure of the personal information of the following categories of data subjects:

Website Visitors: Those who visit our Websites, including those who may opt to provide an email address or other contact information to receive communications from NETWARM, fill out a survey, or provide feedback. For the purposes of this Policy, "Websites" refer collectively to <https://my.hyperguard.network>, <https://hyperguard.network>, as well as the other websites that NETWARM operates, and "The Service" means NETWARM's products and services that are publicly available - Telegram - @hyperguard\_service

- as well as any other websites NETWARM operates for its own behalf and that link to this Policy. For clarity, "Websites" does not include any sites owned or operated by our Customers, including where we serve as Registrar.
- Customers (Clients): Individuals or entities who enter into a subscription agreement with NETWARM and to whom NETWARM provides Services pursuant to such agreement.
- Administrative Users: Those with login credentials for a NETWARM account and/or those who administer any of the Services for a Customer. In some cases, an Administrative User and Customer may be the same individual. In other cases, an Administrative User may be an agent acting on behalf of a Customer.

This Policy also does not apply to our Customers' domains, websites, APIs, applications, and networks, which may have their own terms and privacy policies. Our Customers are solely responsible for establishing policies for and ensuring compliance with all applicable laws and regulations, including those relating to the collection of personal information, in connection with the use of our Services by End Users with whom our Customers interact.

NETWARM's Websites and Services are not intended for, nor designed to attract, individuals under the age of eighteen. NETWARM does not knowingly collect or share personal information from any person under the age of eighteen. To the extent we become aware that we have the personal information of a person under the age of eighteen, we will delete that information.

When NETWARM is a reverse proxy, our IP addresses may appear in WHOIS and DNS records for websites using our Services. We are a conduit for information controlled by others. It is our Customers and their users who are responsible for the content transmitted across our network (e.g., images, written content, graphics, etc.).

## 2. INFORMATION WE COLLECT (Categories of Data Subjects)

- **Website Visitors**

- Name, email address, and other contact information: We ask for and—at your option—collect personal information from you when you submit web forms on our Websites, including opportunities to sign up for and agree to receive email communications from us.
- Log files: Just as when you visit and interact with most websites and services delivered via the Internet, when you visit our Websites, including the NETWARM Community Forum, we gather certain information and store it in log files. This information may include but is not limited to Internet Protocol (IP) addresses, system configuration information, URLs of referring pages, and locale and language preferences.
- Cookies and other tracking technologies: We may use cookies and other information-gathering technologies for a variety of purposes, such as providing us with information about how you interact with our Websites and assisting us in our marketing efforts. If you choose to participate in any of these Interactive Areas, please be aware that any information that you post in an Interactive Area might be read, collected, and used by others who access it.

- **Customers and Administrative Users**

- Customer Account Information: When you register for an account, we collect contact information. This contact information may include your Customer name, Telegram, the email address(es) of your account administrator(s), telephone number, and addresses necessary to process payment and delivery of Services. In addition, when you use the Services, we collect information about how you configure your account and the Services (e.g., firewall settings for the domains you administer). We refer to all of this information collectively as “Customer Account Information” for the purposes of this Policy. Customer Account Information is required to enable your access to your NETWARM account and Services. By providing us with any personal information, you represent that you are the owner of such personal information or otherwise have the requisite consent to provide it to us. We also maintain logs of Administrative Users’ activity (e.g., actions taken to configure settings in Customers’ account).
- Payment information: We do not require our Customers to have payment information on file with us unless they have a paid subscription to our Services. When you sign up for one of our paid Services, you must provide payment and billing information. The information you will need to submit depends on which payment method you choose.
- Contact and domain information: We collect data such as domain name and status, contact information (such as name, organization, address, phone number and email address), name server, DNSSEC, and Form of Approval (i.e., full WHOIS capture at time of transfer into our system, including the IP address that initiated the transfer).  
Network Data. NETWARM collects and stores Network Data, which are models, observations, reports, analyses, statistics, databases and other information created, compiled, analyzed, generated or derived by NETWARM from server, network or traffic data generated by NETWARM in the course of providing the Service, including information required to help NETWARM identify, analyze, mitigate, prevent, and block malicious activities on NETWARM’s network. Examples of Network Data include service uptime and service availability metrics, request volumes, error rates, cache rates, origin and nature of malware, and IP threat scores.

## 3. HOW WE USE INFORMATION WE COLLECT

NETWARM only processes personal information in a way that is compatible with and relevant to the purpose for which it was collected or authorized. As a general matter, for the categories of data described in Section 2 above, we may use your personal information to:

- Provide, operate, maintain, improve, and promote the Websites and Services for all users of the Websites and Services;
- Enable you to access and use the Websites and Services;
- Process and complete transactions, and send you related information, including purchase confirmations and invoices;
- Send commercial communications, in accordance with your communication preferences, such as providing you with information about products and services, features, surveys, newsletters, offers, promotions, contests, and events about us and our partners; and send other news or information about us and our partners. See Section 9 below for information on managing your communication preferences.
- Monitor and analyze trends, usage, and activities in connection with the Websites and Services and for marketing or advertising purposes;
- Personalize the Websites and Services, including by providing features or content that match your interests and preferences;

Information from Third Party Services. We may combine information we collect as described in Section 2 above with personal information we obtain from third parties. For example, we may combine information entered on a NETWARM sales submission form with information we receive from a third-party sales intelligence platform vendor to enhance our ability to market our Services to Customers or potential Customers.

#### **4. DATA AGGREGATION**

NETWARM may aggregate data we acquire about our Customers, Administrators. For example, we may assemble data to determine how Web crawlers index the Internet and whether they are engaged in malicious activity or to compile web traffic reports and statistics. Non-personally identifiable, aggregated data may be shared with third parties.

#### **5. INFORMATION SHARING**

We work with other companies who provide us with services that help run our business and the NETWARM Service (“Service Providers”). These companies provide services to help us deliver customer support, process credit card payments, manage and contact our existing Customers and Administrators as well as sales leads, provide marketing support, and otherwise operate and improve our Services. These Service Providers may only process personal information pursuant to our instructions and in compliance both with this Privacy Policy, the contracts we have in place with such Service Providers, and other applicable confidentiality, data protection, and security measures and regulations.

Specifically, we do not permit our Service Providers to sell any personal information we share with them or to use any personal information we share with them for their own marketing purposes or for any purpose other than in connection with the services they provide to us.

In addition to sharing with Service Providers as described above, we also may share your information with others in the following circumstances:

- With our resellers and other sales partners who may help us distribute the Services to Customers;
- In the event of a merger, sale, change in control, or reorganization of all or part of our business;
- When we are required to disclose personal information to respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. (The Investigatory Powers Act).
- Where we have a good-faith belief sharing is necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, or violations of our Website Terms of Use, Self-Serve Subscription Agreement, and/or Enterprise Subscription Terms of Service; or as otherwise required to comply with our legal obligations; or as you may otherwise consent from time to time.

Additional Information on Sharing Marketing & Advertising Partners. Our marketing and advertising partners may collect or receive personal information about you and/or collect certain information about your interactions with our Websites, or your email communications with NETWARM, including through the use of cookies, beacons, and similar technologies, in order to gain insights that may help us market and advertise our services to you. You may opt out of such sharing using on the [admin@netwarm.org](mailto:admin@netwarm.org)

## **6. NOTICE TO UK AND EU RESIDENTS (Legal definitions)**

“Personal information” as referenced in this Privacy Policy means “personal data” as that term is defined under the European Union (“EU”) General Data Protection Regulations (“GDPR”) and its United Kingdom (“UK”) GDPR counterpart. NETWARM is a data controller for the personal information collected from all categories of data subjects listed above, with the following exceptions: NETWARM is a data processor of Customer Logs, Administrative User logs, and some account settings information. In addition, NETWARM is a data processor for any of the content provided by Customers and End Users through the Services that transits, or in some cases, is stored on, the NETWARM network. Where NETWARM is a data processor, NETWARM processes data on behalf of its Customers pursuant to their data processing instructions.

If you are an individual from the European Economic Area (the “EEA”), the UK or Switzerland, please note that our legal basis for collecting and using your personal information will depend on the personal information collected and the specific context in which we collect it. We normally will collect personal information from you only where: (a) we have your consent to do so, (b) where we need your personal information to perform a contract with you (e.g. to deliver the NETWARM Services you have requested), or (c) where the processing is in our legitimate interests. Please note that in most cases, if you do not provide the requested information, NETWARM will not be able to provide the requested service to you.

In some cases, we may also have a legal obligation to collect personal information from you, or may otherwise need the personal information to protect your vital interests or those of another person. Where we rely on your consent to process your personal data, you have the right to withdraw or decline consent at any time. Where we rely on our legitimate interests to process your personal data, you have the right to object by emailing us at [admin@netwarm.org](mailto:admin@netwarm.org)

## **7. DATA SUBJECT RIGHTS AND CHOICES**

NETWARM recognizes individuals’ data protection rights. You have the right to access, correct, update, port, or delete your personal information, and to restrict or object to the processing of your personal information (each of these a “Rights Request”). You may email us at [admin@netwarm.org](mailto:admin@netwarm.org) with any Rights Request, and we will respond within thirty (30) days. Customers and Administrative Users also can access, correct, export, or update their Account Information by editing their profile or organization record at NETWARM webservices.

Please note that before we can complete your Rights Request, we will need to verify that your identity matches that of the data in which you are requesting to exercise your rights. You can expect a verification email under separate cover, to the email address associated with your personal information on file. If you are making a Rights Request on behalf of another individual as an authorized agent, we require that either (a) the data subject must verify their identity and directly confirm with NETWARM they provided the authorized agent permission to submit the Rights Request, (b) the authorized agent must be provided power of attorney by the data subject in accordance with the law of the data subject’s jurisdiction, or (c) the Rights Request must otherwise be submitted in accordance with applicable privacy law.

## **8. DATA SECURITY, DATA INTEGRITY AND ACCESS**

We take all reasonable steps to protect information we receive from you from accidental or unlawful destruction, loss, alteration, and unauthorized disclosure or access. We have put in place appropriate physical, technical and administrative measures to safeguard and secure your information, and we make use of privacy-enhancing technologies such as encryption. If you have any questions about the security of your personal information, you can contact us at [admin@netwarm.org](mailto:admin@netwarm.org)

## **9. DATA RETENTION**

We store your personal information for a period of time that is consistent with the business purposes set forth in Section 3 of this policy or as long as needed to fulfill and comply with legal obligations (The Investigatory Powers Act).

## **10. NOTIFICATION OF CHANGES**

If we make changes to this Policy that we believe materially impact the privacy of your personal information, we will promptly provide notice of any such changes (and, where necessary, obtain consent), as well as post the updated Policy on this website noting the effective date of any changes.

## **11. BUSINESS TRANSACTIONS**

We may assign or transfer this Policy, as well as information covered by this Policy, in the event of a merger, sale, change in control, or reorganization of all or part of our business.

## **12. ENGLISH LANGUAGE CONTROLS**

Non-English translations of this Policy are provided for convenience only. In the event of any ambiguity or conflict between translations, the English version is authoritative and controls.