



Privacy Policy for Websites

ELB Learning

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Table of Contents

Table of Contents	2
Privacy Policy for Websites	3
Description	3
ELB Learning Privacy Policy	3
1.0 Introduction	3
2.0 Authoring Tools Overview	4
3.0 Template and Asset Library Overview	6
4.0 What Information is Collected	8
5.0 Cookies and Usage Data	10

Privacy Policy for Websites

The generic use and disclosure of personal information that is collected from the individuals online, through websites

Description

The generic use and disclosure of personal information that is collected from the individuals online, through websites and applications. This document references all products included within the ISO27001:2013 audit scope.

ELB Learning Privacy Policy

Last Updated: 10/18/2022

1.0 Introduction

ELB Learning (“we,” “our,” or “us”) is a technology company headquartered in **American Fork, UT**. ELB Learning is a developer and world leader in end-to-end eLearning software solutions consisting of authoring, reviewing, publishing and course management tools. Our solutions are used by major organizations and governments around the world, which drive innovation and improve delivery of training and certification for employees, partners and clients, providing transformational courses for the digital world. We care about your privacy, and strive to comply with applicable laws where we operate.

This Privacy Policy (“**Notice**”) covers the personal information that ELB Learning, its subsidiaries and affiliates located worldwide within the ELB Learning family of companies (“**Affiliates**”) collect through www.elblearning.com and other websites (e.g., www.thegameagency.com, <https://thetrainingarcade.com>, <https://lectoraonline.com>, <https://reviewlink.trivantis.com>, <https://cenariovr.com>, <https://library.elearningbrothers.com>, <https://rehearsal.com>, <https://potal.elblearning.com>, <https://app.coursemill.com>) (individually, “**Website**” and collectively the “**Websites**”), applications, products, and services owned or controlled by ELB Learning, social media messages, marketing campaigns or Websites that post a link to this Notice. In addition to this Notice, [The Training Arcade®](#) - a standalone service - has its own privacy policy. If you are looking for information about The Training Arcade®, please follow the link.

This Notice aims to inform you about the essential details relating to your personal data relationships with ELB Learning when you:

- Interact or use our Websites, including when you download materials or request a demo.
- Register and/or attend our events, conferences, or webinars (collectively “Events”).
- Provide your Personal Information for the purposes of administering our services and managing our relationship with you in any manner (collectively the “Services” e.g. setting up an account or collecting Personal Information to process an invoice for accounting purposes).

2.0 Authoring Tools Overview

2.1 What Data Do We Collect About You.

This Notice explains what personal data we collect about you, which includes (a) **identity data** (first name, last name, maiden name, and could include title, date of birth, gender), (b) **contact data** (your physical address, billing address, delivery address, email address and telephone numbers). When you make purchases from ELB Learning or the Site, you also are asked to fill in some (c) **financial data**, such as credit card information, but that is not available to ELB Learning, and actually is collected on a third-party payment website that is compliant with credit card security standards (PCI-DSS). When you make a purchase on the Site, we also maintain (d) **transaction data** about products purchased from us and payments made. We may collect (e) **technical data** when you make use of the Site, such as your internet protocol (IP) address and browser, often using cookies, as well as (f) **profile data** (login information: username and password) which you may enter for such purposes as when you create a Community account. We collect (g) usage data, retained in the aggregate and anonymized, about website usage, and certain (h) **marketing and communications data**, such as whether or not you want to join a User Group (requiring an opt-in to receive notices and announcements regarding meetings and other Group information), or to subscribe to the Blog or receive offers and discounts by email. Much of this, but especially information that identifies you personally, and financial information about you, is called "**personal data** " in this Policy.

We collect only personal data that we believe to be strictly necessary in order to provide you with the Site services to which you indicate a desire to subscribe, or the Products which you desire to purchase/license. In each case, you are given the option of providing the personal data, if you wish us to fulfill delivery of the Site service or Product in question, or not provide it (except for certain technical data and website usage data, which are used to facilitate and enhance Site usage, and in most cases is only retained and used in the aggregate generally anonymized and de-identified).

2.2 How We Collect This Data.

Much of the data we collect from you is collected on the Site. For example:

- a. If you click the "Get in Touch" bar on the ELB Learning Complete webpage, regarding the Product ELB Learning Complete or another solution, we collect your Name, Email Address, Phone, Company, State if applicable, and Country.
- b. If you click "Free Trial" on the Lectora Online channel on the Products webpages, we collect your Name, Email Address, Company and Phone.
- c. If you click "Buy Now" on the Lectora Online channel or any other Product channel or the Shop webpage, you must fill in Name, Email Address, Company, Phone, Physical Address, and also the requested billing information, including Credit Card information.
- d. If you click Upgrade on the Lectora Inspire or Lectora Publisher channel, in addition to Name, Email Address, Company and Phone, you must input your Lectora Product License Key.
- e. If you already have an ELB Learning account, or a Product account (such as CourseMill), you will be asked to input your User ID and Password.
- f. If you wish to participate in the ELB Learning Community, you will be asked to Register or Log In, and to Register you need to provide Email Address, Name, Company, Website or Linked URL, and to choose a Password.
- g. If you wish to subscribe to the ELB Learning Blog or to get offers and discounts by email on the Shop channel, you will be asked to provide your Email Address.
- h. In general, these options (Free Trial or Request a Demo, Buy Now, Upgrade, Log In) exist for most ELB Learning Products, and you drive what personal data you are asked to provide based on what you want to do relating to our solutions. We seek what is necessary to fulfill a contract with you, or in the case of Free Trials, to contact you afterwards, based on your consent.

2.3 What Is the Basis for Our Personal Data Collection.

We have explained what personal data we collect, how and why. Under certain laws applicable to European residents who may use our Site services and Products, such as the General Data Protection Regulation (GDPR), we need to clarify the basis for the collection of your personal data. In many cases of data collection described above, we collect the personal data we need to perform the contract we are about to enter with you, or which we have entered with you.

- a. **Contractual Basis:** If you indicate that you want to purchase a Product from us, we need you to provide the identity, contact, financial and possibly transaction data described above, so that you can pay for the Product purchased and we can deliver it, although as mentioned, we do not retain any credit card data, which is provided and maintained on a third-party [payment processing] site with commercially appropriate security and data protection for such financial data. Therefore, this has a contractual basis: we need this information to be able to perform a contract with you.
- b. **Legitimate Interests:** If you indicate that you want to participate in the ELB Learning Community, or you want to receive special offers from ELB Learning, then you understand that it is reasonable for us to collect the personal data necessary to be able to provide you with the offer or item or participation you have requested, even if it falls short of a contractual requirement. Moreover, when we collect data analytics to improve the user experience, we believe that our users recognize that there would be legitimate interests in doing so.
- c. **Consent:** When we obtain your data so that we can make further contact with you, so that you might choose to buy/subscribe to a Product, but there is no requirement that we collect your data to achieve this result, such as when we ask for your Email address before you can open a Demo, we will seek your consent, and you will have the rights to revoke that consent as indicated below. Often there is a marketing objective when we ask for your consent. And we also seek your consent when persistent cookies are placed on your device to ensure a better user experience.

2.4 How We Use Your Personal Data.

We primarily use personal data that you provide to us market, sell, license and deliver our Products or services to you, as described above, or to maintain, customize and add new resources and products and services that may be of interest to you, to enable you to participate in Site services such as the ELB Learning Community, and to allow communication and interaction between you and ELB Learning. In addition, we will share the personal data we collect from you under the following circumstances:

- a. **Protection of Rights.** We will share personal data if we have a good faith belief that (i) access, use, preservation or disclosure of such information is reasonably necessary to satisfy any applicable law, regulation, legal process, such as a court order or subpoena, or a request by law enforcement or governmental authorities, (ii) such action is appropriate to enforce the Terms of Use for the Site, including any investigation of potential violations thereof, (iii) such action is necessary to detect, prevent, or otherwise address fraud, security or technical issues associated with the Products or Site services, or (iv) such action is appropriate to protect the rights, property or safety of ELB Learning, its employees, customers, Site users, or others.
- b. **Asset/Equity Transfers.** If we become involved in a merger, acquisition or other transaction involving the sale of some or all of ELB Learning's assets or equity, information on customers and Site users, including personal data collected from you through your use of the Site and its services, could be included in the transferred assets, subject to applicable law. Users of the Site will be notified via a prominent notice on the Site prior to a change of ownership or control that would involve a transfer of your information held by us, subject to applicable law, including any statutory periods restricting disclosure.
- c. **Service Providers.** In the event that we engage service providers as data processors on our behalf, then subject to appropriate confidentiality and security measures, including compliance with this Privacy Policy, we may share your personal data with them. Any such third-party data processors are and/or will be subject to contractual agreements to ensure that they only process personal data provided by ELB Learning in a manner consistent with our obligations under GDPR requirements as more fully described and made accessible to you below. ELB Learning remains liable under such Principles if its agent processes your personal data in a manner inconsistent with the Principles, unless we can prove that we are not responsible for the event giving rise to any damage.
- d. **Marketing Purposes.** We will occasionally use your personal data for our own marketing purposes, subject to

applicable law, and subject to your clearly indicated right to opt-out of receiving any such communications from us. If you are a resident of the European Union, we will require your express consent in order to be able to send your marketing-related communications. See the expanded Marketing section below.

- e. Usage Data. We may share Usage Data and other aggregated, anonymized information that shows patterns, trends, preferences, and other collective characteristics of our customers and Site users, with third parties. Disclosure of this information helps us and our marketing partners evaluate and tailor our communications, advertisements, services and general business practices to the needs of our Users.
- f. Public Authorities. We may disclose your personal data in response to lawful requests by public authorities, including to meet national security or enforcement requirements.

3.0 Template and Asset Library Overview

The following discloses the information gathering and dissemination practices for our website: 'ELB Learning' (the "website").

'ELB Learning' gathers visitor information in the following two ways:

- Information provided voluntarily in order to request our electronic newsletters and class schedules, register for courses, etc.; and
- Information gathered through aggregated tracking information derived mainly by tallying page views and similar visitor activity thereby allowing us to better tailor our content to visitors' needs.

3.1 Optional Voluntary Information

Electronic Newsletters (Dispatches)

'ELB Learning' distributes electronic newsletters and class announcements. In so doing we gather the e-mail addresses of the visitors who want to be included on our distribution. Subscribers to these emails may remove themselves from this mailing list by unsubscribing on each email's subscription management page.

3.2 Registration and Information Request Forms

'ELB Learning' offers online registration for events and courses which ask the website visitor to voluntarily provide personal information. The website's registration forms may ask website visitors for contact information (like their name and email address), and/or financial information. We may also ask the website visitor to voluntarily provide personal information such as names and addresses.

3.3 Sharing of Voluntary Information

'ELB Learning' does not voluntarily sell or disclose personal information gathered through the website without permission.

3.4 Opting Out

To opt out from any future mailings or to opt out of having personal information shared with Affiliates, Resellers, and Licensee Partners of ELB Learning please call or email the contact information posted on our [contacts page](#).

3.5 Public Forums

The website may make forums, message boards, and/or news groups available to its visitors. Please remember that any information that is disclosed in these areas becomes public information and you should exercise caution when deciding to disclose your personal information.

3.6 Links

The website contains links to other sites. 'ELB Learning' is not responsible for the privacy practices or the contents of such other websites. Use these linking features at your own discretion.

3.7 Children

Consistent with the Children’s Online Privacy Protection Action of 1998, the ‘ELB Learning’ will not knowingly request personally identifiable information from anyone under the age of thirteen without first requesting parental consent.

3.8 Security

‘ELB Learning’ operates secure data networks protected by industry standard firewall and password protection systems [specifically Secure Socket Layer (SSL), other server authentication or data encryption products]. Although our security and privacy policies are periodically reviewed and enhanced as necessary and only authorized individuals are given access to the information provided by our visitors, perfect security does not exist on the Internet. We cannot guarantee that any visitor information will remain secure and therefore you should use extreme caution when revealing information on the website.

3.9 Your Consent

By using this site, each website visitor hereby consents to the collection and use of information as disclosed herein by the ‘ELB Learning’.

3.10 Privacy Policy Updates

This privacy statement will be continuously assessed with respect to new technologies, business practices and our visitors’ changing needs. ‘ELB Learning’ may change its privacy practices from time to time. If we make any changes, we will update this privacy statement accordingly (the date of the most recent change is displayed at the bottom of this statement).

3.11 Contacting the Website

If you have any questions about this privacy statement, the practices of the website, or your dealings with the website, you can use the contact information posted on our contact page to contact us.

3.12 Safe Harbor

This website has certified its adherence to the US-EU and US-Swiss Safe Harbor Privacy Principles. For further information on Safe Harbor please visit <http://export.gov/safeharbor>

3.13 Independent Recourse Mechanism

The recourse mechanism for ELB Learning is the [American Arbitration Association](#).

This Privacy Policy governs the manner in which ELB Learning collects, uses, maintains and discloses information collected from users (each, a “User”) of the website (“Site”). This policy is in line with the EU General Data Protection Regulation (GDPR). This privacy policy applies to the Site and all products and services offered by ELB Learning and covers the following:

- What information is collected
- How we use collected information
- Sharing your information
- Legal basis for processing information
- User’s rights
- Security, storage, and transfer of information
- Third party websites
- Compliance with the Children’s Online Privacy Protection Act
- Changes to the Policy and Contact Information
- Your acceptance of these terms
- Contacting us

4.0 What Information is Collected

4.1 Personal Identification Information

We may collect personal identification information from Users in a variety of ways, including, but not limited to, when Users visit our site, register on the site, place an order, subscribe to the newsletter, respond to a survey, fill out a form, and in connection with other activities, services, features or resources we make available on our Site. Users may be asked for, as appropriate, name, email and address, phone number. ELB Learning does not store financial, health, government, or other kinds of more sensitive user information. Users may visit our Site anonymously. We will collect personal identification information from Users only if they voluntarily submit such information to us. Users can always refuse to supply personally identification information, except that it may prevent them from engaging in certain Site-related activities.

4.2 Non-Personal Identification Information

We may collect non-personal identification information about Users whenever they interact with our Site. Non-personal identification information may include the browser name, the type of computer and technical information about User's means of connection to our Site, such as the operating system and the Internet service providers utilized and other similar information.

4.3 Web Browser Cookies

Our Site may use "cookies" to enhance User experience. User's web browser places cookies on their hard drive for record-keeping purposes and sometimes to track information about them. User may choose to set their web browser to refuse cookies, or to alert you when cookies are being sent. If they do so, note that some parts of the Site may not function properly.

4.4 How We Use Collected Information

ELB Learning may collect and use User's personal information for the following purposes:

- To improve customer service
- Information you provide helps us respond to your customer service requests and support needs more efficiently. To personalize user experience
- We may use information in the aggregate to understand how our Users as a group use the services and resources provided on our Site. To improve our Site
- We may use feedback you provide to improve our products and services. To process payments
- We may use the information Users provide about themselves when placing an order only to provide service to that order. We do not share this information with outside parties except to the extent necessary to provide the service. To run a promotion, contest, survey or other Site feature
- To send Users information they agreed to receive about topics we think will be of interest to them. To send periodic emails
- We may use the email address to send User information and updates pertaining to their order. It may also be used to respond to their inquiries, questions, and/or other requests. If User decides to opt-in to our mailing list, they will receive emails that may include company news, updates, related product or service information, etc. If at any time the User would like to unsubscribe from receiving future emails, we include detailed unsubscribe instructions at the bottom of each email.

4.5 Sharing Your Personal Information

We do not sell, trade, or rent User's personal identification information to others. We may share generic aggregated demographic information not linked to any personal identification information regarding visitors and users with our business partners, trusted affiliates and advertisers for the purposes outlined above. We may use third party service providers to help us operate our business and the Site or administer activities on our behalf, such as sending out newsletters or surveys. We may share your information with these third parties for those limited purposes provided that you have given us your permission.

4.6 Legal Basis for Processing Information

ELB Learning only collects information with User's consent. Any User may withdraw their consent and have their personal information removed from ELB Learning databases. User information is used for legitimate Interests in the course of marketing, sales or other legitimate purpose as outlined in the section of How we use your collected information.

4.7 User's Rights

- Users have the right to withhold their personal information
- Users have the right to request ELB Learning via email at info@elblearning.com the following:
 - What User information ELB Learning has
 - With whom ELB Learning has shared User's information
- Users have the right to withdraw their consent for personal information and to have ELB Learning remove their information from ELB Learning database

4.8 Security, Storage, and Transfer of Information

ELB Learning uses Amazon Web Services (AWS) as its cloud services provider. AWS provides the physical security of the cloud and uses the most advanced security protocols to do so. In addition, to the extent the seven principles relate to AWS services, AWS complies with those principles. It has fully registered under the Privacy Shield framework, so any processing accomplished by AWS is fully authorized under EU law. We adopt appropriate data collection, storage and processing practices and security measures to protect against unauthorized access, alteration, disclosure or destruction of your personal information, username, password, transaction information and data stored on our Site. Sensitive and private data exchange between the Site and its Users happens over a SSL secured communication channel and is encrypted and protected with digital signatures.

4.9 Third Party Websites

Users may find advertising or other content on our Site that links to the sites and services of our partners, suppliers, advertisers, sponsors, licensors and other third parties. We do not control the content or links that appear on these sites and are not responsible for the practices employed by websites linked to or from our Site. In addition, these sites or services, including their content and links, may be constantly changing. These sites and services may have their own privacy policies and customer service policies. Browsing and interaction on any other website, including websites which have a link to our Site, is subject to that website's own terms and policies.

4.10 Compliance with Children's Online Privacy Protection Act

Protecting the privacy of the very young is especially important. For that reason, we never collect or maintain information at our Site from those we actually know are under 13, and no part of our website is structured to attract anyone under 13.

4.11 Changes to this Privacy Policy

ELB Learning has the discretion to update this privacy policy at any time. When we do, we will revise the updated date at the bottom of this page. We encourage Users to frequently check this page for any changes to stay informed about how we are helping to protect the personal information we collect. You acknowledge and

agree that it is your responsibility to review this privacy policy periodically and become aware of modifications.

4.12 Your Acceptance of these Terms

By using this Site, you signify your acceptance of this policy and terms of service. If you do not agree to this policy, please do not use our Site. Your continued use of the Site following the posting of changes to this policy will be deemed your acceptance of those changes.

4.13 Contacting Us

If you have any questions about this Privacy Policy, the practices of this Site, or your dealings with this Site, please contact us at:

732 E Utah Valley Dr Suite 100

American Fork, UT 84003

801.796.2767

info@elblearning.com

5.0 Cookies and Usage Data

1. How We Use Cookies and Usage Data.

- a. Cookies. "Cookies" are small bits of electronic information or files that a website sends to your browser for storage on your hard drive, which makes your interaction with the Site more efficient by remembering you, so for example you may not have to reenter a User ID on a subsequent Site visit. Like most websites, we employ the use of "cookies" on our Site so that you can navigate easily on the Site, as well as to collect Site analytics (usage data), which generally are used on an aggregate and de-identified basis to improve the Site experience. Cookies may also be used to allow us to provide information that is targeted to your interests and optimizes your online experience, such as information of potential interest to you based on your use of the Site and certain channels on it. Most cookies are "session cookies," meaning that they are automatically deleted at the end of your session. You always have the right to decline our cookies by setting your web browser to reject cookies, generally found in the browser's Tools or Options menu, although this may adversely affect the usability of the Site or make certain features unavailable to you. If you are a resident of the European Union, you will be given the opportunity to consent to store the described cookies on your device (other than those that are essential to provide a service) in order to continue to use the Site and its offerings. To review ELB Learning's complete Cookie Policy, please [click here](#).
- b. Additional Information about Site Usage Data. Tracked information: our servers automatically track certain information about you as you use our Site, some of which may contain personal data. This information may include the URL that you just came from, which URL you go to next, what browser you are using, which webpages and services you use on the Site, how long you spend on particular webpages, and your IP address. Our Site logs track and collect aggregate and sometimes anonymized or de-identified Site usage data, such as the number of hits and visits to our Site ("Usage Data"). This information is used for internal purposes by technical support staff to provide better services to you, the public and Site visitors and may also be provided to third parties, but the statistics are aggregate and contain no individual personal data. We do not ask for, collect or knowingly receive sensitive personal data. To the extent that the aggregate and anonymized Usage Data is obtained from European residents and is not fully de-identified, either we will rely on the legitimate interests of ELB Learning in collecting such data to provide a better Site experience, or we will ask for your express consent.

2. How Marketing Uses Personal Data.

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising.

- a. **Promotional Offers from Us.** We may use your Identity, Contact, Technical, Usage and Profile Data to determine what may be of interest to you. This is how we decide which products, services and offers may be relevant for you. You will receive marketing communications from us if you have requested information from us or purchased Products from us and, in each case, you have not opted out of receiving that marketing.
- b. **Third-party Marketing.** We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.
- c. **Opting Out.** You can ask us or third parties to stop sending you marketing messages at any time by following the opt-out links on any marketing message sent to you or by contacting us at any time. Where you opt out of receiving these marketing messages, this will not apply to personal data that you have provided to us as a result of a purchase of Products or similar transactions.
- d. **Change of purpose.** We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

1. How You May Control, Rectify and Erase Your Information; Data Portability.

- a. **Residents of European Union and Switzerland: Personal Data Control Rights.** You have the rights to (i) request access to your personal data, and receive a copy of it and to check it we are lawfully processing it; (ii) request correction or rectification of your personal data, which means to have incomplete or inaccurate data we hold about you corrected, subject to our right to verify the accuracy of the new data you provide; (iii) request erasure of your personal data, where there is no good reason for us continuing to process it, where you have successfully exercised your right to object to processing, where we may have processed your information unlawfully or where we must erase your personal data to comply with applicable law.
- b. **Additional Commentary and Right to Restrict Processing.** To provide a bit more detail, you can request rectification verbally or in writing, and we will respond within 30 days if your request is appropriate. While we are checking out your request, you have the right to ask that we restrict the processing of your personal data. After review, we may respond that we believe the personal data is accurate, and we will not be amending it. If we believe that your rectification request is manifestly unfounded or excessive, or repetitive, we may condition our response on your payment of a reasonable fee to deal with your request, or refuse to deal with it, explaining our decision. In either case, you can then make a complaint to the pertinent data protection authority as indicated below.
- c. **GDPR Rectification Requests.** We suggest that you send any request to info@elblearning.com, and call it "GDPR Rectification Request" in the header. This is not a legal requirement, but it increases the likelihood of a timely response if we can catalog your request. If your request is complex or part of multiple requests from you, we have the right to extend our response time by an additional two months provided we keep you informed. If we are uncertain or suspicious about the identity of the person making the rectification request, we can ask you for additional ID.
- d. **Right to Erasure: Some Limits.** The right to "erasure" of your personal data is sometimes called the right to be forgotten. However, you only have the right to erasure if our basis for holding your personal data is consent, because your giving consent implies your right to reverse your consent. However, much of the personal data we hold is NOT based on your consent, but rather has another basis such as a contractual or legitimate interests basis. For example, if we hold personal data about you as a party to which we have fulfilled a license of software, and we are continuing to provide support services, we are under no obligation in such circumstance to remove your personal data (or existence) from the case record. In relation to a request for erasure, we will not charge any fee. We mentioned above that you have the right to request us to restrict the processing of your data, and we will not charge a fee for

this provided that the request is not excessive or unreasonable. You have this right in the following circumstances: (i) you contest the accuracy of the personal data; (ii) the personal data has been unlawfully processed, but instead of erasure, you want processing restricted; (iii) we no longer need the personal data, but you would like us to keep it in order to establish, exercise or defend a legal claim; or (iv) you object to our processing of personal data, but we have not yet responded to your request. At that point we will store but not process the data, and we will not lift the restriction until we have rendered a decision on the accuracy of the data or whether our grounds for resuming processing override your legitimate grounds for restriction. We will inform you of our decision before lifting the restriction.

- e. **Data Portability:** if we process your personal data by automated means based on your consent, or performance of a contract, and not another legal basis, then you have the right to request that we provide you a copy of your personal data in a structured, commonly used, machine-readable form, such as a CSV file. We will do this free of charge. If it is technically feasible, you can request that we transmit the personal data directly to another organization, rather than to you. We will respond to your request within 30 days, unless the request is complex or you send us multiple requests, in which case we have the right upon notice to you to extend our response by another two months. We also have the right to obtain sufficient information about your identity to ensure that the request is not fraudulent. If we determine that access should be restricted, we will provide you with an explanation as to why we made that determination, and give you a contact point for any further inquiries. For example, if we are unable to separate confidential commercial information from your personal data, we have the right to deny or limit access to avoid revealing such confidential commercial information or redact the confidential commercial information. Moreover, we have the right to set reasonable limits on the number of times within a given period you have the right to make access requests, so as to limit repetitious or vexatious requests.
- f. **Data Protection Authority for EU Residents.** Given that our only data center in the European Union is at Amazon Web Services in Ireland, we suggest that the Irish Data Protection Commissioner would be the appropriate Data Protection Authority (DPA) for recourse under the GDPR for any cross-border processing activity, or that involves citizens of more than one EU country, if you are dissatisfied with our handling of your request.
- g. **All Other Users (Outside EU).** You have the right to access your personal data. You may choose to opt out of certain disclosure if you do not want your information to be disclosed to a third party or to be used for a purpose materially different than the purpose for which it was originally collected or subsequently authorized by you (unless the disclosure is merely to an agent performing tasks for us under our instructions or control). You may request that we update, correct, amend or delete any of the personal data or other information we have collected from you, or you may opt out of receiving ELB Learning emails and other communications, by sending an email to us at info@elblearning.com. We may choose not to fulfill any request that we determine is illegal or incorrect, where we need to maintain the personal data because of our contractual or legal obligations (e.g., personal data in case files), where the burden or expense of providing access would be disproportionate to the risks to the individual's privacy, or where the rights of persons other than the individual would be violated, but our intention is to comply with opt-out requests, and other requests that seek to correct, update or delete your personal data, as fully as possible in accordance with applicable law.
- h. **Sensitive Personal Data.** We do not ask for, collect or knowingly receive sensitive personal data, i.e., personal data specifying medical or health conditions, racial or ethnic origin, political opinions, religious beliefs, or information relating to sex life (unless this is part of case information that we administer). Organizations that seek or disclose such sensitive personal data must receive your affirmative express consent (opt in) before disclosing it to a third party or using it for a purpose other than that for which it was originally collected or subsequently authorized.

2. **Third-Party Websites.**

- a. While using the Site and its various channels and services, you may have access to or link to third-party websites, or your use of the services may involve transfer to a third-party website, e.g., you may be referred to a payment processor website to provide credit card information. Linked third-party websites are independent of ELB Learning, and have their own terms of use/service and privacy policies, which govern your use of such websites. Any link does not imply ELB Learning endorsement of the third-party website.

3. **Security.**

- a. Any personal data that you provide to us is stored on servers located in secure third-party data centers with restricted access, and which are protected by protocols, procedures and best practices designed to ensure the security of such information. In addition, we restrict access to personal data to ELB Learning employees, independent contractors and agents who need to know this information in order to develop, operate and maintain the Site and Products, and are subject to confidentiality obligations. For further information, please see ELB Learning Information Security Policy [here](#). However, no server, computer or communications network or system, or data transmission over the Internet, can be guaranteed to be 100% secure. As a result, while we strive to protect your information, we cannot guarantee the security of any information you transmit to us or through the use of the Site or any of the services. In the event that we believe that there has been a security breach involving your personal data, we would endeavor to notify you promptly in accordance with applicable law. In the event such notification is appropriate under the circumstances, we would first try to notify you at the latest email address we have for you on record, subject to legal requirements.

4. Children's Privacy.

The Site is a general audience website not intended for any person under 18 years old. We do not knowingly collect personal data from any person under the age of 13.

