

# Personal Data Protection Policy

## 1. INTRODUCTION

- i. This is the personal data privacy policy ("**Policy**") of Fifty Seven Network (and [bitdefender-my.com](http://bitdefender-my.com) owned by Fifty Seven Network) ("**we**", "**us**", or "**our**").
- ii. This Policy applies to personal information about individuals (customers, vendors, distributors, suppliers, service providers, business partners) held by us. We will only process your Personal Data in accordance with the Personal Data Protection Act 2010, the applicable regulations, guidelines, orders made under the Personal Data Protection Act 2010 and any statutory amendments or re-enactments made of the Personal Data Protection Act 2010 from time to time (collectively referred to as the "**PDPA**") as well as this Policy.
- iii. The PDPA requires us to inform you of your rights in respect of your Personal Data that is being processed or that is to be collected and further processed by us and the purposes for the data processing. The PDPA also requires us to obtain your consent to the processing of your Personal Data. In light of the PDPA, we are committed to protecting and safeguarding your Personal Data.
- iv. By providing your Personal Data to us and/or continuing access to our website ("**Site**"), you declare that you have read and understood this Policy and agree to us processing your Personal Data in accordance with the manner as set out in this Policy.
- v. We reserve the right to modify, update and/or amend this Policy from time to time without prior or future notice of the changes. The new version will enter into force when published on the website and it will be marked accordingly. Please check the Site from time to time to see if there are amendments to this Policy. By continuing to use the services and/or access to the Site, you will be treated as having agreed to and accepted those amendments.
- vi. If you do not agree to this Policy or any amendments to this Policy, we may not be able to render all services to you and you may be required to terminate your relevant agreement with us and/or stop accessing or using the Site.

## 2. COLLECTION OF PERSONAL DATA

- i. The term "**Personal Data**" means any information in our possession or control that relates directly or indirectly to an individual to the extent that the individual can be identified or are identifiable from that and other information in our possession such as name, address, telephone number, date of birth, photograph, email address, household information, etc. The types of Personal Data collected depend on the purpose of collection. We may "**process**" your Personal Data by way of collecting, recording, holding, storing, using and/or disclosing it.
- ii. Your Personal Data may be collected from you during your course of dealings with us in any way or manner including pursuant to any transactions and/or communications made from/with us. We may also collect your Personal Data from a variety of sources, including without limitation, at any events, seminars, road shows, customer satisfaction surveys organised and/or sponsored by us, as well as from publicly available sources. Some examples of how personal data can be collected:
  - Register your details on our website, apps or kiosks;
  - When you complete purchase orders, requests or applications for our products or services (by phone, in person, snail mail, or electronically);

- When you communicate with us directly via our customer service centre, or directly via our co-workers in relation to our products and services (in person, by email, telephone, direct mail or any other means);
  - When you conduct certain types of transactions such as refunds;
  - When you enter, and when you interact with us during promotions, competitions, contests, lucky draws, special events, or by using devices within our stores;
  - Subscribe to any of our newsletter or updates;
  - Participate in surveys and other types of research; or
  - If you are a candidate for employment, when you complete forms in relation to the recruitment and selection process for the purpose of assessment. We may also collect information about you from your nominated referees where you have authorised us to do so.
- iii. In addition, we may also receive, store and process your Personal Data which are provided or made available by any third parties, credit reference bodies, regulatory and law enforcement authorities, for reasons including delivery of our products and/or services, performance of conditions of agreements and/or to comply with our legal and regulatory obligations.

### **3. PURPOSE OF ACQUIRING AND PROCESSING YOUR PERSONAL DATA**

The Personal Data as provided/furnished by you to us or collected by us from you or through such other sources as may be necessary for the fulfilment of the purposes at the time it was sought or collected, may be processed for the following purposes (collectively referred to as the “**Purposes**”):

- to communicate with you;
- to maintain and improve customer relationship;
- to assess, process and provide products, services and/or facilities to you;
- to administer and process any payments related to products, services and/or facilities requested by you;
- to establish your identity and background;
- to respond to your enquiries or complaints and resolve any issues and disputes which may arise in connection with any dealings with us;
- to provide you with information and/or updates on our products, services, upcoming promotions offered by us and/or events organised by us and selected third parties which may be of interest to you from time to time;
- for direct marketing purposes via SMS, phone call, email, fax, mail, social media and/or any other appropriate communication channels;
- to facilitate your participation in, and our administration of, any events including contests, promotions or campaigns;
- to maintain and update internal record keeping;
- for internal administrative purposes;
- to send you seasonal greetings messages from time to time;
- to send you invitation to join our events and promotions and product launch events;
- to monitor, review and improve our events and promotions, products and/or services;
- to conduct credit reference checks and establish your credit worthiness, where necessary, in providing you with the products, services and/or facilities;
- to administer and give effect to your commercial transactions with us (such as tender award, contract for service, tenancy agreement);
- to process any payments related to your commercial transactions with us;
- to process and analyse your Personal Data either individually or collectively with other individuals;
- to conduct market research or surveys, internal marketing analysis, customer profiling activities, analysis of customer patterns and choices, planning and statistical and trend analysis in relation to our products and/or services;
- to share any of your Personal Data with the auditor for our internal audit and reporting purposes;

- to share any of your Personal Data pursuant to any agreement or document which you have duly entered with us for purposes of seeking legal and/or financial advice and/or for purposes of commencing legal action;
- to share any of your Personal Data with our business partners to jointly develop products and/or services or launch marketing campaigns;
- to share any of your Personal Data with insurance companies necessary for the purpose of applying and obtaining insurance policy(ies), if necessary;
- to share any of your Personal Data with financial institutions necessary for the purpose of applying and obtaining credit facility(ies), if necessary;
- for audit, risk management and security purposes;
- for detecting, investigating and preventing fraudulent, prohibited or illegal activities;
- for enabling us to perform our obligations and enforce our rights under any agreements or documents that we are a party to;
- to transfer or assign our rights, interests and obligations under any agreements entered into with us;
- for meeting any applicable legal or regulatory requirements and making disclosure under the requirements of any applicable law, regulation, direction, court order, by-law, guideline, circular or code applicable to us;
- to enforce or defend our rights and your rights under, and to comply with, our obligations under the applicable laws, legislation and regulations; and/or
- for other purposes required to operate, maintain and better manage our business and your relationship with us; which we notify you of at the time of obtaining your consent;

and you agree and consent to us using and processing your Personal Data for the Purposes in the manner as identified in this Policy. If you do not consent to us processing your Personal Data for one or more of the Purposes, please notify us at the contact details below.

#### **4. CONSEQUENCES OF NOT CONSENTING TO THIS POLICY**

The collection of your Personal Data by us may be mandatory or voluntary in nature depending on the Purposes for which your Personal Data is collected. Where it is obligatory for you to provide us with your Personal Data, and you fail or choose not to provide us with such data, or do not consent to the above or this Policy, we will not be able to provide products and/or services or otherwise deal with you.

#### **5. DISCLOSURE OF YOUR PERSONAL DATA**

We will not sell, rent, transfer or disclose any of your Personal Data to any third party without your consent. However, we may disclose your Personal Data to the following third parties, for one or more of the above Purposes:

- successors in title to us;
- any person under a duty of confidentiality to which has undertaken to keep your Personal Data confidential which we have engaged to discharge our obligations to you;
- any party in relation to legal proceedings or prospective legal proceedings;
- our auditors, consultants, lawyers, accountants or other financial or professional advisers appointed in connection with our business on a strictly confidential basis, appointed by us to provide services to us;
- any party nominated or appointed by us either solely or jointly with other service providers, for purpose of establishing and maintaining a common database where we have a legitimate common interest;
- data centres and/or servers located within or outside Malaysia for data storage purposes;
- payment channels including but not limited to financial institutions for purpose of assessing, verifying, effectuating and facilitating payment of any amount due to us in connection with your purchase of our products and/or services;

- government agencies, law enforcement agencies, courts, tribunals, regulatory bodies, industry regulators, ministries, and/or statutory agencies or bodies, offices or municipality in any jurisdiction, if required or authorised to do so, to satisfy any applicable law, regulation, order or judgment of a court or tribunal or queries from the relevant authorities;
- our business partners, third party product and/or service providers, suppliers, vendors, contractors or agents, on a need to know basis, that provide related products and/or services in connection with our business, or discharge or perform one or more of the above Purposes and other purposes required to operate and maintain our business;
- insurance companies for the purpose of applying and obtaining insurance policy(ies), if necessary;
- financial institutions for the purpose of applying and obtaining credit facility(ies), if necessary;
- financial institutions, merchants and credit card organisations in connection with your commercial transactions with us;
- the general public when you become a winner in a contest by publishing your name, photographs and other Personal Data without compensation for advertising and publicity purposes;
- in the event of a potential, proposed or actual sale/disposal of any of our business or interest, merger, acquisition, consolidation, re-organisation, funding exercise or asset sale relating to us, or in the event of winding-up (“Transaction”), your Personal Data may be required to be disclosed or transferred to a third party as a result of, or in connection with, the Transactions. You hereby acknowledge that such disclosure and transfer may occur and permit us to disclose and transfer your Personal Data to such third party and its advisers/representatives; and/or
- any other person reasonably requiring the same in order for us to operate and maintain our business or carry out the activities set out in the Purposes.

## 6. ACCURACY OF YOUR PERSONAL DATA

We aim to keep all Personal Data as accurate, complete, not misleading, up-to-date and reliable as possible. Therefore, the accuracy of your Personal Data depends to a large extent on the information you provide. As such, it is a condition of us providing the products, services and/or facilities to you that you:

- warrant and declare that all your Personal Data submitted or to be submitted to us are accurate, not misleading, updated and complete in all respects for purposes of acquiring or using the relevant products, services and/or facilities, and you have not withheld any Personal Data which may be material in any respect and that we are authorised to assume the accuracy and updatedness of the Personal Data given by you when processing such Personal Data); and
- promptly update us as and when such Personal Data provided earlier to us becomes inaccurate, incomplete, misleading, outdated or changes in any way whatsoever by contacting us at the contact details below.

## 7. YOUR RIGHTS

- i. Subject to the exceptions provided under the PDPA, you have the right to request for access to, request for a copy of, request to update or correct, your Personal Data held by us. We may charge a small fee (such amount as permitted by the PDPA) to cover the administration costs involved in processing your request to access your Personal Data.
- ii. In respect of your right to access and/or correct your Personal Data, we have the right to refuse your request to access and/or correct your Personal Data for the reasons permitted under the law, such as where the expense of providing access to you is disproportionate to the risks to your privacy, or where the rights of others may also be violated, amongst other reasons.

- iii. You have the right at any time to request us to limit the processing and use of your Personal Data (for example, requesting us to stop sending you any marketing and promotional materials or contacting you for marketing purposes).
- iv. In addition, you also have the right, by notice in writing, to inform us on your withdrawal (in full or in part) of your consent given previously to us subject to any applicable legal restrictions, contractual conditions and a reasonable duration of time for the withdrawal of consent to be effected. However, your withdrawal of consent could result in certain legal consequences arising from such withdrawal. In this regard, depending on the extent of your withdrawal of consent for us to process your Personal Data, it may mean that we will not be able to continue with your existing relationship with us or the contract that you have with us will have to be terminated.

## **8. RETENTION OF YOUR PERSONAL DATA**

Any of your Personal Data provided to us is retained for as long as the purposes for which the Personal Data was collected continues; your Personal Data is then destroyed from our records and system in accordance with our retention policy in the event your Personal Data is no longer required for the said purposes unless its further retention is required to satisfy a longer retention period to meet our operational, legal, regulatory, tax or accounting requirements.

## **9. SECURITY OF YOUR PERSONAL DATA**

- i. We are committed to ensuring that your Personal Data is stored securely. In order to prevent unauthorised access, disclosure or other similar risks, we endeavour, where practicable, to implement appropriate technical, physical, electronic and procedural security measures in accordance with the applicable laws and regulations and industry standard to safeguard against and prevent the unauthorised or unlawful processing of your Personal Data, and the destruction of, or accidental loss, damage to, alteration of, unauthorised disclosure of or access to your Personal Data.
- ii. We will make reasonable updates to its security measures from time to time and ensure the authorised third parties only use your Personal Data for the Purposes set out in this Policy.
- iii. The Internet is not a secure medium. However, we will put in place various security procedures with regard to the Site and your electronic communications with us. All our employees and data processors, who have access to, and are associated with the processing of your Personal Data, are obliged to respect the confidentiality of your Personal Data.
- iv. Please be aware that communications over the Internet, such as emails/webmails are not secure unless they have been encrypted. Your communications may be routed through a number of countries before being delivered – this is the nature of the World Wide Web/Internet.
- v. We cannot and do not accept responsibility for any unauthorised access or interception or loss of Personal Data that is beyond our reasonable control.

## **10. PERSONAL DATA FROM MINORS AND OTHER INDIVIDUALS**

To the extent that you have provided (or will provide) Personal Data about your family, spouse and/or other dependents, you confirm that you have explained to them that their Personal Data will be provided to, and processed by, us and you represent and warrant that you have obtained their consent to the processing (including disclosure and transfer) of their Personal Data in accordance with this Policy and, in respect of minors (i.e. individuals under 18 years of age) or individuals not

legally competent to give consent, you confirm that they have appointed you to act for them, to consent on their behalf to the processing (including disclosure and transfer) of their Personal Data in accordance with this Policy.

## 11. TRANSFER OF YOUR PERSONAL DATA OUTSIDE OF MALAYSIA

Our information technology storage facilities and servers may be located in other jurisdictions outside of Malaysia. This may include, but not limited to, instances where your Personal Data may be stored on servers located outside Malaysia. In addition, your Personal Data may be disclosed or transferred to entities located outside Malaysia or where you access the Site from countries outside Malaysia. Please note that these foreign entities may be established in countries that might not offer a level of data protection that is equivalent to that offered in Malaysia under the laws of Malaysia. You hereby expressly consent to us transferring your Personal Data outside of Malaysia for such purposes. We shall endeavour to ensure that reasonable steps are taken to procure that all such third parties outside of Malaysia shall not use your Personal Data other than for that part of the Purposes and to adequately protect the confidentiality and privacy of your Personal Data.

## 12. WEBSITE

### i. External links

- If any part of the Site links you to other websites, those websites do not operate under this Policy and we do not accept any responsibility or liability arising from those websites.
- Likewise, if you subscribe to an application, content or a product from our strategic partner and you subsequently provide your Personal Data directly to that third party, that Personal Data will be subject to that third party's privacy/personal data protection policy (if they have such a policy) and not to this Policy.
- We recommend you to read and understand the privacy/personal data protection statement/policy posted on those other websites in order to understand their procedures for collecting, processing, using and disclosing personal data and before submitting your Personal Data to those websites.

### ii. Cookies

- We employ an industry standard technology called "cookies". The cookie is a small piece of information stored on the hard drive of your computer or device for record-keeping purposes, and is used by us to track your visits to the Site. Cookies may be used to save your preferences for your ease and convenience when using the Site. Third party advertising networks may issue their separate cookies to your hard drive when serving advertisements.
- The type of anonymous click stream data collected by us through the cookies may include your Internet Protocol address, web browser software, date and time of visit to the Site, and whether your requests (including search requests and clicking on links to parts of the Site) were met with successfully. All such information collected through cookies are not Personal Data and you cannot be identified from this information. Such information is only used for the purpose of managing and creating a better user experience and to identify areas for improvement on the Site.
- The use of cookies is now an industry standard, and you will find them used on most major websites. Most browsers are initially set up to accept cookies. If you prefer, you can reset your browser either to notify you when you have received a cookie, or to refuse to accept cookies. You should understand that certain features on the Site will not function properly if you set your browser to not accept cookies.
- Most browsers are configured to automatically accept cookies. However, you can decide to reinstall the browser or to set it up in order to notify you each time a cookie is placed or even to refuse cookies. If your browser is configured not to allow all cookies some sections of our website may not be correctly displayed.

- If you would like to refuse cookies, go to your browser settings in order to delete or block cookies or install plug-ins which have this function. The current settings depend on the browser that you use:
  - Internet Explorer - <http://windows.microsoft.com/en-gb/internet-explorer/delete-manage-cookies>
  - Mozilla Firefox - <https://support.mozilla.org/en-US/kb/cookies-information-websites-store-on-your-computer>
  - Google Chrome - <https://support.google.com/chrome/answer/95647?hl=en>
  - Safari - [https://support.apple.com/kb/PH19214?locale=en\\_US](https://support.apple.com/kb/PH19214?locale=en_US)

### 13. CONTACT DETAILS

If you have any questions about this Policy, or have any further queries, or would like to make a complaint or data access or correction request in respect of your Personal Data, you may contact us at the contact details below:

**Privacy Policy Officer**

Contact No.: +(603) 9212 0157

Email Address: [privacy@bitdefender-my.com](mailto:privacy@bitdefender-my.com)