

Service Data Privacy Statement

Version 2025-10-01

This Service Data Privacy Statement (“**Statement**”) is intended to supplement and clarify the Z33 Website Privacy Notice with regard to Personal Data processed by Z33 on behalf of our Customers during provision of the Services. This Statement is incorporated by reference in your Master Service Agreement (“**MSA**”). Your use of Services under the MSA is subject to the Statement. Unless otherwise defined in the Statement, capitalized terms have the meaning given in the MSA.

1. Definitions

“**Customer**” means a legal entity with whom Z33 has an agreement to provide the Services. For clarity, a Customer may be a Controller or a Processor of Personal Data. Where a Customer is a Processor of Personal Data, Z33 shall process Personal Data as sub-processor on behalf of the Controller. Instructions from the Controller regarding the processing Personal Data shall be given through the Processor.

“**Controller**” means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

“**Processing/To Process/Processed**” means any operation or set of operations which is performed upon Personal Data, whether or not by automatic means, such as collection, recording, organization, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, blocking, erasure or destruction.

“**Processor**” means a natural or legal person, public authority, agency or other body which Processes Personal Data on behalf of the Controller.

“**Third Party**” means a natural or legal person, public authority, agency or body other than the data subject, controller, processor and persons who, under the direct authority of the Controller or Processor, are authorized to process Personal Data.

2. Scope of this Statement

This Statement governs our security and privacy practices in connection with your access to and use of Z33 Services. This Statement does not apply to our security and privacy practices in connection with your access to and use of Z33’s website (<https://www.z33.ca>). These security and privacy practices are detailed in and governed by Z33 Website Privacy Notice.

Customers of our Services are solely responsible for establishing policies for and ensuring compliance with all applicable laws and regulations, as well as any and all privacy policies,

agreements or other obligations, relating to the collection of Personal Data in connection with the use of our Services by Data Subjects with whom our Customers interact. If you are an individual who interacts with a Customer using our Services, then you will be directed to contact our Customer for assistance with any requests or questions relating to your Personal Data.

We collect information under the direction of our Customers and have no direct relationship with individuals whose Personal Data we process in connection with our Customers' use of our Services. If you are an individual who interacts with a Customer using our Services (such as an employee of one of our Customers) and would either like to amend your contact information or no longer wish to be contacted by Z33, please contact the Customer that you interact with directly.

3. Personal Data we Process and How we collect it

Z33 may Process Personal Data about Data Subject for the purposes of account creation, billing, usage tracking, and on behalf Customer to provide the Services. Data that is not related to an identified or identifiable natural person, including aggregated or de-identified data, is not Personal Data and is not addressed by this document.

Types of Personal Data

Account Information. We may collect first and last name, email address, postal address, phone number and other similar contact data about Customer's authorized employees, consultant or independent contractors, by using the online form on our website.

Call Recording. Z33 monitors and records calls to or from Z33 regarding the Services, including Technical Support and account managers, for training, support, and quality control purposes.

Content. We process content of Customer's files and communications when necessary to provide the Services. Other data we collect to provide Services to Customer include the following:

- subject line and body of an email,

- text or other content of an instant message,

- audio and video recording of a video or audio message,

- audio recording and transcript of a voice message you receive or a text message you dictate, and

- Text or other content of a file or data Customer places on Z33's servers, or uses, posts, stores or otherwise transfers or transmits in connection with the Services.

Voluntary Customer Surveys. We may periodically conduct both business and individual customer surveys. We encourage our Customers to participate in these surveys because they provide us with important information that helps us to improve the types of services we offer and how we provide them to you. Personal Data and responses submitted through these surveys will remain strictly confidential, even if the survey is conducted by a third party. Participation in our customer surveys is voluntary. We take the information we receive from individuals responding to our customer surveys and combine (or aggregate) it with the responses of other customers to create broader, generic responses to the survey questions (such as gender, age, residence, hobbies, education, employment, industry sector, or other demographic information). We then use the aggregated information to improve the quality of our Services to you, and to develop new services and products. This data can be share on an aggregate and anonymous basis with third parties.

4. Purposes for Personal Data Processing

Z33 processes the Personal Data outlined above for the following purposes:

- To operate our business;

- To provide and enhance our Services;

- To respond to Customer requests for support or assistance; and

- To send communications, including promotional communications.

This policy is not intended to place any limits on what we do with data that is aggregated and/or de-identified. It is no longer associated with an identifiable user or Customer of the Services and is therefore not Personal Data.

5. How we Protect Personal Data

To the extent Service Data constitutes Personal Data, Z33 acts as a Processor on behalf of Customers under Data Protection Laws. Customers have primary responsibility for interacting with Data Subjects, and the role of Z33 is generally limited to assisting Customers as needed. Z33 processes Personal Data only upon a Customer's instruction and shall have a duty to respect the security and confidentiality of Personal Data, pursuant to the measures outlined in agreements with Customers and as required by applicable law.

Information Security

Z33 takes security seriously. We take various steps to protect Personal Data from loss, misuse, and unauthorized access or disclosure. These steps take into account the sensitivity of Personal Data, and the current state of technology.

Z33 implements and maintains a variety of technical and organizational security measures to protect Personal Data from loss, misuse, and unauthorized access or disclosure.

Personal Data Breach Notification

In the event that Z33 becomes aware of a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to Personal Data while Processed by Z33 and that has the potential to cause harm to Customer's systems, employees, information or the Customer's brand name (each a "**Data Breach**"), Z33 will promptly and without undue delay (1) notify Customer of the Data Breach; (2) investigate the Data Breach and provide Customer with detailed information about the Data Breach; (3) take reasonable steps to mitigate the effects and to minimize any damage resulting from the Data Breach.

Notification shall take the form of an email or a phone call or any other means to the designated Customer Account contact(s) and shall include at a minimum, (a) problem statement or description and (b) expected resolution time (if known).

Z33 agrees to keep Customer informed of progress and actions taken to resolve the Data Breach. Customer is solely responsible for complying with its obligations under applicable law and fulfilling any third-party notification obligations related to any Data Breach. Z33 reserves the right, in its sole discretion, to notify pertinent government authorities of such incidents, such as those involving criminal acts.

6. Transparency and Cooperation with Customers

Z33 undertakes to be transparent regarding its Personal Data processing activities and to provide Customers with reasonable cooperation to help facilitate their respective data protection obligations regarding Personal Data.

Upon a Customer's request, and subject to appropriate confidentiality obligations, Z33 shall make available to the Customer (or such Customer's independent, third-party auditor) information regarding Z33 processing activities affecting Customer.

7. Sharing and Disclosure

This section discusses how Z33 may share Personal Data with Third-Parties in the context of the Services.

Z33 reserves the right to disclose or use aggregate or de-identified information for any purpose. For example, we may share aggregated or de-identified information with our partners or others for business or research purposes.

Z33 Affiliates. Z33 may share Personal Data to its Affiliates to provide certain limited or ancillary services on its behalf. Customer consents to this engagement and to Z33 Affiliates as sub-processors.

Sub-processing by Third Parties. Z33 may retain a sub-Processors and depending on the location of the sub-Processor, Processing of Personal Data by such sub-Processors may involve transfers of Personal Data. Such sub-Processors shall process Personal Data only in accordance with the Customer's instructions set forth in the Customer's contract with Z33.

Such sub-Processors have entered into written agreements with Z33 in accordance with them applicable requirements. Z33 maintains an up-to-date list of the names and locations of all sub-Processors engaged in processing Personal Data, including a description of their Processing activities, which is available upon request by contacting privacy@z33.ca.

Compliance with Laws. Z33 may share or disclose data to comply with legal or regulatory requirements and to respond to lawful requests, court orders and legal processes.

Enforcing Our Rights, Preventing Fraud, and Safety. Z33 may share or disclose data to protect and defend the rights, property, or safety of us or third parties, including enforcing contracts or policies, or in connection with investigation and preventing fraud.

Changes to our Business Structure. Z33 may share or disclose data if we engage in a merger, acquisition, bankruptcy, dissolution, reorganization, sale of some or all of Z33's assets, financing, acquisition of all or a portion of our business, a similar transaction or proceeding, or steps in contemplation of such activities (e.g. due diligence).

8. Personal Data Locations

Personal Data is hosted on Z33's servers located in Canada. The government authorities of such territory may have access to Personal Data pursuant to orders issued in those jurisdictions and under the applicable laws.

9. Personal Data Retention

We will retain Personal Data for as long as Customer maintains an Account for our Services, or as needed to provide Customer with our Services, comply with our legal obligations, resolve disputes and enforce our agreements. If we have no ongoing legitimate business need to process or retain Personal Data, we will either delete, depersonalize, or anonymize it, or, if this is not possible (for example, because your Personal Data has been stored in backup archives), then we will securely store it and isolate it from any further Processing until deletion is possible.

10. Data Subject Rights

To the extent Service Data constitutes Personal Data, Z33 acts as a data Processor on behalf of Customers under Data Protection Laws. Customers have primary responsibility for interacting with Data Subjects, and the role of Z33 is generally limited to assisting Customers as needed.

Access, Correction, Amendment or Deletion Requests

Z33 shall promptly notify a Customer if Z33 receives a request from a Data Subject for access to, correction, amendment or deletion of that person's Personal Data. Z33 shall not respond to any such Data Subject request without the Customer's prior written consent except to confirm that the request relates to that Customer.

Z33 shall provide Customers with cooperation and assistance in a reasonable period of time and to the extent reasonably possible in relation to any request regarding Personal Data to the extent Customers do not have access to such Personal Data through their respective uses of the Services.

Customers may update or change their Account Information by contact Z33 by email at privacy@z33.ca.

If you are a Customer or otherwise provide us with Personal Data in connection with your use of our Services, we will delete this information upon your request, provided that, notwithstanding such request, this information may be retained for as long as you maintain an Account for our Services, or as needed to provide you with our Services, comply with our legal obligations, resolve disputes and enforce our agreements.

For any requests related to the Processing of Personal Data in terms of payments and transactions, we encourage you to communicate directly with our payment processor.

Regulatory Enquiries and Complaints

Z33 shall, to the extent legally permitted, promptly notify a Customer if it receives an enquiry or complaint from a data protection authority in which that Customer is specifically named. Upon a Customer's request, Z33 shall provide the Customer with cooperation and assistance in relation to any regulatory inquiry or complaint involving Z33's Processing of Personal Data.

Legal Requests

In certain situations, Z33 may be required to disclose Personal Data in response to lawful requests by public authorities, to respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. Z33 may also share such information with relevant law enforcement agencies or public authorities if we believe same to be necessary in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our MSA, or as otherwise required by law.

11. Changes to this Statement

We may change this Statement from time to time and if we do, we will post any changes on this page. If you continue to use the Services after those changes are in effect, you agree to the revised policy.

12. How to Contact Z33

Z33 has appointed François-Philippe Vanier Bourgeois from our Montreal office as Privacy Officer, to oversee compliance with this Privacy Policy and applicable privacy laws. If you have any questions about Z33's Service Privacy Policy, its commitments or practices, please contact us by email at privacy@z33.ca.