

DATA PRIVACY POLICY
IN THE PEOPLE'S REPUBLIC OF CHINA
中华人民共和国数据隐私政策

Last Updated: May 26, 2020

最近更新: 2020年5月26日

Kyriba Software Technology (Shanghai) Limited (“Kyriba”, “we”, “us”, or “our”) provides the software as a service solution and related support services (collectively, the “SaaS Services”) in the People’s Republic of China (“China” or the “PRC”, for the purpose of this Privacy Policy, excluding the Hong Kong Special Administrative Region, the Macau Special Administrative Region and Taiwan). We understand your concerns about privacy and your interest in knowing how your information is used and safeguarded, and we want to provide you with more information on these topics. This Data Privacy Policy (this “Privacy Policy”) applies to the use of the SaaS Services and any other services provided by us to you (collectively, the “Services”).

珂立柏软件技术(上海)有限公司(下称“Kyriba”或“我们”)在中华人民共和国(简称“中国”,为本隐私政策目的不包括香港特别行政区,澳门特别行政区和台湾)境内提供软件即服务解决方案及配套支持服务(合称“SaaS服务”)。我们理解您对隐私问题的担忧以及您对于您的信息将如何被使用及保护的关注,我们希望为您在这些问题上提供更多的信息。本数据隐私政策(下称“隐私政策”)适用于 SaaS 服务的使用及我们提供的任何其他服务(合称“服务”)。

This Privacy Policy is written for customers of the Services provided by us (collectively, “Customers”). All references to “you” or “your” in this Privacy Policy are to our Customers for the use of the Services provided by us. Any personal information we collect or handle in such circumstances is processed by us on behalf of our Customer, who controls the collection and use of the personal information. The control of and responsibility for such information shall at all times remain with our Customer, and we are delegated by our Customer as its/his/her delegate, as defined in the National Standards on Information Security Technology – Personal Information Security Specification (GB/T 35273-2017), to process the personal information.

本隐私政策是为我们所提供的服务的客户所编写的(合称“客户”)。本隐私政策中所有提及“您”或“您的”都是指使用我们所提供的服务的客户。我们在该等情况下收集或处理的任何个人信息都是由我们代表我们的客户处理的,我们的客户控制该等信息的收集和使用。我们的客户将始终对该等信息的进行控制并对其负责,我们受客户委托作为其受托者(定义见国家标准《信息安全技术 个人信息安全规范》(GB/T 35273-2017))处理该等个人信息。

By using the Services, you are accepting all of the practices, policies and procedures described herein, and you are further indicating that you agree to be bound by the terms of this Privacy Policy. All capitalized terms used in this Privacy Policy will have the meaning ascribed to them in the Terms and Conditions for Online Cloud Services in the People’s Republic of China (the “Customer Agreement”), unless otherwise defined in this Privacy Policy.

使用服务意味着您接受了本隐私政策提供的全部相关实践、政策和流程,也意味着您进一步同意受本隐私政策条款的约束。隐私条款中所用的全部术语,除在本条款中特别定义的以外,具有《中华人民共和国在线云服务条款与条件》(下称“客户协议”)中所规定的含义。

HOW WE COLLECT AND USE YOUR INFORMATION

我们如何收集和使用您的数据

We collect and use your data and information (“your information”) in the following scenarios, which may involve personal information. If we collect your personal information beyond the scope of the following statement, or use your personal information beyond the scope directly or reasonably associated with the stated purpose at the time of collection, we will inform you again and obtain your express consent before collecting or using your personal information.

我们会在下述场景中收集和使用您的数据和信息（下称“您的信息”），其中可能会涉及个人信息。如果我们收集您的个人信息超出了下述声明的范围，或使用您的个人信息超出了与收集时所声称的目的具有直接或合理关联的范围，我们将在收集或使用您的个人信息前，再次向您告知并征得您的明示同意。

- *Customer Data:* Customer Data is all the data, including all text, sound, software or image files that you provide, or are provided on your behalf, to us through your use of the Services. We only use Customer Data to provide the Services and for purposes compatible with providing the Services. This may include configuration, implementation, support and maintenance of the Services, improvement of underlying technology, troubleshooting aimed at preventing, detecting and repairing problems affecting the operation of the Services and the improvement of features that involve the detection of, and protection against, emerging and evolving threats to the user.

客户数据: 客户数据是指通过您使用服务由您提供或以您的名义提供给我们所有数据，包括所有文本、音频、软件或图片文件。我们仅为提供服务的目的以及与提供服务相容的目的使用客户数据。这可能包括服务的配置、实施、支持和维护，相关技术的改进，旨在防止、监测和修复影响服务运作的问题的故障排查以及涉及监测及保护用户免遭新生及衍生的威胁的功能改进。

- *Administrator Data:* Administrator Data is the information about administrators (including account contact and subscription administrators) provided during sign-up, purchase, or administration of the Services, such as name, address, phone number, and e-mail address. We use Administrator Data to complete the transactions you request, administer your account, provide and improve the Services, and detect and prevent fraud. We may contact you to provide information about new subscriptions, billing and important updates about the Services, including information about security or other technical issues. Subject to your contact preferences, you may also be contacted, by phone or e-mail, regarding information and offers about other products and services or to request your feedback.

管理员数据: 管理员数据是指在注册、购买或管理服务时提供的有关管理员（包括账户联系人和订购管理员）的信息，例如姓名、地址、电话号码和电子邮箱地址。我们使用管理员数据以完成您要求的交易、管理您的账户、提供并改善服务及检测并防止欺诈。我们可能联系您以提供有关服务的新订购、账单和重要更新的有关信息，包括安全信息及其他技术问题的信息。根据您的联络方式偏好，我们也可能通过电话或电子邮件联系您以提供关于其他产品及服务的信息或要约，或寻求您的反馈。

- *Real-Name Authentication Data:* We implement real-name management in accordance with laws and regulations. Real-Name Authentication Data refers to your business license, administrator's mobile phone number, or the scanned copy of ID card provided by you during real-name authentication. If you do not provide the above information, you will not be able to complete the real name authentication and may not be able to use the Services. In order to verify the accuracy and completeness of the Real-Name Authentication Data, we may verify the information provided by you with agencies that legally store your information.

实名认证数据: 我们会依据法律法规进行实名制管理。实名认证数据是指您在实名认证时提供的企业营业执照、管理员的手机号码或身份证的扫描件。如您不提供上述信息，将无法完成实名认证，并可能无法使用服务。为了验证实名认证数据的准确性和完整性，我们可能将您提供的信息与合法存有您信息的机构进行验证核对。

- *Support Data:* Support Data is the information we collect when you submit a support request or run an automated fault detector, including information about hardware and software, and other details related to support incidents, such as contact or verification information, chat session personalization, information about the conditions of the device and application during the period of error and diagnostics, system and registration data regarding software installation and hardware configuration, and error tracking files. Support services can be provided by phone, email, online support platform or online chat. With your permission, we may temporarily manipulate your account and/or machine through remote access. Calls, live chat, or remote access by professional support staff may be recorded and/or monitored. For remote access, you can also view the record after the operation has ended. You can choose to terminate live chat or remote access at any time. We use support data in accordance with this Privacy Policy, and we also use it to resolve your support issues and for training purposes.

支持数据: 支持数据是我们在您提交支持请求或运行自动故障检测器之时收集的信息, 包括有关硬件、软件的信息以及与支持事件相关的其他详情, 例如: 联系或认证信息、聊天会话个性化设置、出错及诊断期间有关设备和应用程序状况的信息, 有关软件安装和硬件配置的系统及注册数据, 以及错误追踪文件。支持服务可通过电话、在线支持平台、电子邮件或在线聊天的方式提供。经您允许, 我们可能会通过远程访问来临时操纵您的账户和/或机器。由专业支持人员进行的通话、在线聊天或远程访问可能会被记录和/或监控。对于远程访问, 您还可在操作结束后查看记录。对于在线聊天或远程访问, 您可以随时选择终止。我们按本隐私政策中的规定使用支持数据, 此外还将其用于解决您的支持事件以及培训用途。

- *Data from Other Sources:* We might receive data about you from other sources and use such data for the purpose of providing the Services to you.

其他来源的数据: 我们可能接受来自其他来源的有关您的数据并使用此种数据以为您提供服务。

HOW WE USE COOKIES AND SIMILAR TECHNOLOGIES

我们如何使用 Cookies 及同类技术

The Services' websites use "cookies", which are small text files placed on a device's hard drive by a web server. We may use cookies and similar technologies such as web beacons for storing users' preferences and settings, to prevent fraud, authenticate users and collect operational information about the Services. In addition to the cookies we may set when you visit our websites, third parties that provide certain services on our behalf, such as site analytics, may also set certain cookies on your hard drive when you visit our sites.

服务的网站使用 "cookies"。Cookies 是由网络服务器存储在设备硬盘的小文本文件。我们可能使用 Cookies 和类似的技术 (例如网络信标) 存储用户偏好和设置, 以防止欺诈、认证用户、并收集有关服务的操作信息。除在您访问我们网站时我们可能设置的 cookies 以外, 代表我们提供某些服务 (例如站点分析) 的第三方也可能在您访问我们的站点时在您硬盘上设置一定的 cookies。

You may object or manage cookies through changing the settings on your browser. However, please note that if you stop using cookies, you may not enjoy the best service experience, and some of our Services may not function properly.

您可以通过改变浏览器的设置拒绝或管理 cookies。但请注意, 如果停用 cookies, 您可能无法享受最佳的服务体验, 我们的某些服务也可能无法正常使用。

HOW WE STORE YOUR INFORMATION

我们如何保存您的信息

Your information will be stored in China. If necessary, your information may be transferred overseas upon your authorization or in accordance with applicable laws and regulations. When it is necessary to troubleshoot customer support incidents or solve technical problems, we may authorize an affiliate, supplier or subcontractor located within or outside the territory of China to access the your information according to applicable laws and regulations, and we will supervise such access and terminate such access when the problem is resolved in accordance with applicable laws and regulations.

您的信息将存储在中国境内。在必要的情况下, 您的信息可能会依据您的授权或者根据可适用的法律法规, 传输至境外。当需要解决客户支持事件的问题或解决技术问题时, 我们可能会授权中国境内或境外的关联方、供应商或分包商根据可适用的法律法规来获取您的信息, 我们将对此种获取进行监督, 并在问题解决后根据可适用的法律法规终止此种获取。

During your use of the Services, we retain the information you provided. After your Customer Agreement is terminated, we may retain your information, but we will not use or process your information during this period; upon expiry of the retention period set forth in your Customer Agreement, we will immediately delete or anonymize your information.

在您使用服务期间，我们持续保存您提供的信息。当您的客户协议终止后，我们可能会保留您的信息，但我们不会在此期间使用或处理您的信息；超出您的客户协议中规定的保留期限后，我们将立即对您的信息进行删除或匿名化处理。

HOW WE SHARE, TRANSFER, AND DISCLOSE YOUR INFORMATION

我们如何共享、转让和披露您的信息

We will not disclose or transfer your information to, or share your information with, any third party apart from our affiliates, or as described in your Customer Agreement or this Privacy Policy, or pursuant to applicable laws and regulations.

除非根据您的客户协议或本隐私政策，或根据适用的法律法规，我们不会向我们的关联方以外的任何第三方披露、转让或者分享您的信息。

- We contract with our affiliates or other companies within or outside China from time to time to provide technical support or services (such as customer support) on our behalf. We may provide these companies with access to your information where necessary for their engagement. This information mainly includes various technical information for providing technical support or services, and in certain cases involves your personal information. These companies are required to maintain the confidentiality of your information and are prohibited from using it for any purpose other than that for which they are engaged by us.

我们不时委托在中国境内或境外的关联方或其他公司代表我们提供技术支持或服务（例如客户支持）。我们可能允许该等公司在其开展工作的必要范围内获取您的信息。这些信息主要包括为提供技术支持或服务的各种技术信息，在某些情况下会涉及您的个人信息。该等公司被要求对您的信息予以保密并被禁止将其用于我们聘用该等公司的目的之外的其他目的。

- Should a third party contact us with a complaint about your use of the Services (for example, allegation of infringement by you or your user), we may ask the third party to contact you directly and may provide your basic contact information to the third party.

如某一第三方联系我们，就您对服务的使用提出投诉（例如声称您或您的用户有侵权行为），我们可让该等第三方直接与您联系，且可向其提供您的基本联系方式。

- The Services enable you to purchase, subscribe to, or use services, software, and contents from companies other than Kyriba (collectively, "Third Party Offerings"). If you choose to purchase, subscribe to, or use a Third Party Offering, we may provide the third party with your information to enable the third party to provide its offering to you (and subject to your contact preferences, send you promotional communications). That information and your use of a Third Party Offering will be governed by the Privacy Policy and policies applicable to the third party.

服务将使您能购买、订购或使用 Kyriba 外的其他公司的服务、软件和内容（合称“第三方产品”）。如果您选择购买、订购或使用第三方产品，我们将可能向第三方提供您的数据以使第三方能够向您提供其产品（并依照您的联络方式偏好，向您发送促销信息）。上述信息及您对第三方产品的使用将受制于本隐私政策和适用于第三方的政策。

- If your personal information has to be transferred due to acquisitions, mergers, reorganizations or similar transactions, we will endeavor to notify you such situation. The succeeding company that holds your personal information will continue to perform the responsibilities and obligations under this Privacy Policy. If the succeeding company modifies the purpose of using your personal information, it should acquire your explicit consent again with regard to such modification.

当发生收购、兼并、重组或类似交易时，如涉及到您的个人信息的转让，我们会尽力向您告知有关情况，并且持有您个人信息的承继公司将继续履行本隐私政策下的责任和义务。如果承继公司变更个人信息使用目的，则其应就该等变更重新取得您的明示同意。

- We may not need to obtain your explicit instruction when sharing, transferring or disclosing your personal information under the following circumstances:

以下情形中，我们共享、转让、披露您的个人信息无需事先征得您的明示指示：

- circumstances directly related to national security and national defense;
与国家安全、国防安全直接相关的；
- circumstances directly related to public security, public health and significant public interests;
与公共安全、公共卫生、重大公共利益直接相关的；
- circumstances directly related to criminal investigation, prosecution, trial, or execution of a sentence;
与犯罪侦查、起诉、审判和判决执行直接相关的；
- for securing significant lawful interests, such as your or other person's life or property, but it is difficult to acquire the consent from the personal information subject;
出于维护您或其他人的生命、财产重大合法权益但又很难得到个人信息主体同意的；
- where you have already publicly disclosed your personal information; and
您自行向社会公众公开的个人信息；以及
- where we collect your personal information from the information that is lawfully disclosed to the public, such as from legitimate news report or information published by the government.
从合法公开披露的信息中收集个人信息的，如合法的新闻报道、政府信息公开等渠道。

HOW WE PROTECT YOUR PERSONAL INFORMATION

我们如何保护您的个人信息

We are committed to protecting your personal information. We use a variety of security technologies and procedures to help protect your personal information from unauthorized access, use, or disclosure. When storing and transmitting your personal information, we will take appropriate security measures such as encryption. In the event of personal information security incidents, we will promptly notify you via push notifications or announcements in accordance with the requirements of laws and regulations, informing you of the basic circumstances and possible impacts of the security incidents, the measures we have taken or will take, advice for you on self-prevention and mitigation of risks, and remedial measures for you. In the event of a cybersecurity incident, we will follow our emergency response plan for cybersecurity incidents, take appropriate remedial measures, and if applicable, report to the competent authorities in accordance with relevant laws and regulations.

我们致力于保护您的个人信息。我们使用各种安全技术和程序来帮助保护您的个人信息，使其免遭未经授权的访问、使用或披露。在存储和传输您的个人信息时，我们将采取加密等适宜安全措施。如发生个人信息安全事件，我们将按照法律法规的要求以推送通知或公告等形式及时通知您，向您告知安全事件的基本情况和可能的影响、我们已采取或将要采取的处理措施、您可自主防范和降低风险的建议、对您的补救措施。如发生网络安全事件，我们会按照我们的网络安全事件应急预案，采取相应的补救措施，并按照相关法律法规规定向有关主管部门报告（如适用）。

HOW YOU CAN MANAGE YOUR PERSONAL INFORMATION

您如何管理您的个人信息

We provide you with ways to manage your personal information. You can access and manage your information in the websites for the Services. However, for security and identification considerations or as required by laws and regulations, you may not be able to modify the initial registration information provided at the time of registration, such as real-name authentication data. If you have other questions or needs for managing personal information, please contact customer support. If you choose to delete

your personal information or change the scope of the authorization, it may result in our failure to provide certain Services for you. If we decide to respond to your request for deletion, we will also notify the supplier or subcontractor who has obtained your personal information from us and request them to delete your personal information in a timely manner, unless otherwise required by laws and regulations.

我们为您提供了管理个人信息的方法。您可以在服务的网站中查询、管理您的信息。但出于安全性和身份识别的考虑或根据法律法规的要求，您可能无法修改注册时提供的初始注册信息，如实名认证数据。如您对于管理个人信息有其他疑问或者需求，请联系客户支持。如果您选择删除您的个人信息或改变授权同意的范围，可能导致我们无法为您提供某些服务。如果我们决定响应您的删除请求，我们还将同时通知从我们这里获得您的个人信息的供应商或分包商，要求其及时删除您的个人信息，除非法律法规另有规定。

To ensure security, we may ask you to verify your identity first in response to your request to manage personal information under this section. We will timely respond to your request above after verifying your identity, and reply or make reasonable explanations to you within 30 days or the time limit stipulated by applicable laws and regulations, or inform you about the external approaches you may choose to resolve the disputes.

为保障安全，在响应您根据本章节管理个人信息的请求时，我们可能会先要求验证您的身份。我们会在验证您的身份后，及时响应您的上述请求，并在三十天内或法律法规规定的期限内做出答复或合理解释，或者告知您解决纠纷的外部途径。

Notwithstanding the above, pursuant to applicable laws and regulations, we may not need to respond to your requests under the following circumstances, including but not limited to:

尽管有上述约定，但按照可适用的法律法规要求，在以下情况我们可能无需响应您提出的上述请求，包括但不限于：

- circumstances directly related to national security and national defense;
与国家安全、国防安全直接相关的；
- circumstances directly related to public security, public health and significant public interests;
与公共安全、公共卫生、重大公共利益直接相关的；
- circumstances directly related to criminal investigation, prosecution, trial, or execution of a sentence;
与犯罪侦查、起诉、审判和执行判决直接相关的；
- where the personal information controller has sufficient evidence showing that the personal information subject has mens rea or abuses his or her rights;
个人信息控制者有充分证据表明个人信息主体存在主观恶意或滥用权利的；
- where responding to the request of the personal information subject will result in serious damage to the legitimate rights and interests of the personal information subject or other individuals and organizations; and
响应个人信息主体的请求将导致个人信息主体或其他个人、组织的合法权益受到严重损害的；以及
- circumstances involving trade secrets.
涉及商业秘密的。

COMPLIANCE WITH LAW

遵守法律

You acknowledge that you shall comply with Chinese laws and regulations, and you shall not produce, reproduce, publish, or disseminate information that contains the following contents ("Prohibited Contents") through the Services provided by us. Prohibited Contents are contents that:

您知晓您需要遵守中国法律法规，您不得通过我们提供的服务制作、复制、发布或散播包含以下内容（“禁止内容”）的信息。有以下情况的内容属禁止内容：

- are against the basic principles determined by the Constitution;
反对宪法所确定的基本原则的;
- impair national security, divulge State secrets, subvert State sovereignty or jeopardizes national unity;
危害国家安全, 泄露国家秘密, 颠覆国家政权, 破坏国家统一的;
- damage the reputation and interests of the State;
损害国家荣誉和利益的;
- incite ethnic hostility and ethnic discrimination, or jeopardize unity among ethnic groups;
煽动民族仇恨、民族歧视, 破坏民族团结的;
- damage State religious policies or that advocate religious cults or feudal superstitions;
破坏国家宗教政策, 宣扬邪教和封建迷信的;
- disseminate rumors, disrupt social order or damage social stability;
散布谣言, 扰乱社会秩序, 破坏社会稳定的;
- disseminate obscenity, pornography, gambling, violence, homicide and terror, or that incite crime;
散布淫秽、色情、赌博、暴力、凶杀、恐怖或者教唆犯罪的;
- insult or slander others or that infringe their lawful rights and interests; or
侮辱或者诽谤他人, 侵害他人合法权益的;
- are otherwise prohibited by laws or administrative regulations.
含有法律、行政法规禁止的其他内容的。

You will provide your real identity and contact information when signing up for the Services and promptly update that information if there are any changes to the information. We will use this information to contact you, as detailed in this Privacy Policy. You guarantee that the information you provide is true, complete and valid; otherwise, you will bear all the consequences.

您在注册服务时必须提供您的真实身份和联系方式, 如信息发生变更的, 应及时进行变更。我们将通过上述信息联系到您, 详见本隐私政策中的规定。您保证您所提供的信息是真实、完整和有效的, 否则您将承担全部后果。

CHILDREN'S PRIVACY

儿童政策

Our Services are not designed to appeal to children under the age of 18. As such we do not knowingly collect, use, or disclose personally information about children less than 18 years of age. If you are under the age of 18, we ask that you do not access the websites for the Services. If you are the parent or guardian of a child under 18 years of age and believe that they have disclosed personally information to us, please contact us.

我们的服务并非旨在吸引未满 18 岁的儿童。因此, 我们不会故意收集、使用或披露有关 18 岁以下儿童的个人信息。如果您未满 18 岁, 我们要求您不要访问网站寻求服务。如果您是 18 岁以下儿童的父母或监护人并且认为他们向我们披露了个人信息, 请与我们联系。

CHANGES TO THIS PRIVACY POLICY

隐私政策的更改

We will update our Privacy Policy from time to time to reflect requirements of applicable laws and regulations, customer feedbacks and changes in our Services. When we post changes to the Privacy Policy, we will revise the "last updated" date at the top of the Privacy Policy. If there are substantial changes to the Privacy Policy or in how we will use your information, we will notify you either by posting a notice or by directly sending you a notification about such changes before they take effect. We encourage you to periodically review the Privacy Policy for the Services you use to learn about how we protect your information.

我们将不时更新我们的隐私政策以反映可适用的法律法规要求、用户反馈以及我们服务的变化。当我们发布更改的隐私政策时，我们将修订政策顶部“最近更新”的日期。如果本声明或我们使用您的信息的方式有实质性变更，我们将在该等变更生效前通过发布该等变更的通知或直接向您发送通知告知您。我们鼓励您定期审阅您使用的服务的隐私政策以了解我们如何保护您的信息。

HOW TO CONTACT US

We welcome your comments. If you believe that we are not adhering to our privacy or security commitments, or you need more help from us, please contact us through customer support. Our mailing address is:

我们欢迎您的评论。如果您认为我们未遵守我们的隐私或安全承诺，或者您需要我们的更多帮助，请通过客户支持联系我们。我们的邮寄地址如下：

Kyriba Software Technology (Shanghai) Limited
珂立柏软件技术（上海）有限公司
Room 3121-3621, L36, International Finance Center Tower 2, 8 Century Avenue, Pudong, Shanghai 200120, PRC
中国上海浦东新区世纪大道 8 号国金中心二期 36 楼第 3121-3621 室

We will respond to you within 30 days after the verification of your identity.

我们将在验证您身份后 30 天内予以回复。

This Data Privacy Policy has been written in both the English and Chinese languages. Both versions shall be equally authentic. If there is any conflict between the English and Chinese version, the English version shall prevail.

本隐私政策以英文和中文书就。两种文本具有同等效力。若中英文版本有冲突，应以英文版为准。