

Privacy and cookies policy

Last updated July 2024.

We respect your privacy and are committed to protecting your personal data. This policy explains the terms on which we collect and process your personal data, and how we protect your personal data when you visit our website at <https://kolo.app/>, you contact us, you use our Kolo application (“**application**”), or you otherwise engage with us. In addition, it explains your privacy rights and how the law protects you.

1. Who we are

This is the privacy and cookies policy of Kolo Inc, a Delaware corporation with its registered office at 31 Continental Dr, Suite 305, Newark, New Castle, Delaware, 19713 and Kolo Technologies Ltd, a company registered in England and Wales under company number 15794357 with its registered office at 20 Wenlock Road, London, England, N1 7GU (“**we**”, “**us**” or “**our**”). We are the controller responsible for your personal data.

We comply with “**Data Protection Laws**”, which means the General Data Protection Regulation (EU) (2016/679) (“**GDPR**”), and any applicable laws, regulations, and other legal requirements relating to (a) privacy, data security, and protection of personal data; and (b) the processing of any personal data, which may include, but are not limited to, the EU law retained version of the GDPR (“**UK GDPR**”), the California Consumer Privacy Act (“**CCPA**”) and the California Privacy Rights Act (“**CPRA**”). We also strive to comply with other state-specific privacy laws as they apply, including the Virginia Consumer Data Protection Act (“**VCDPA**”), the Colorado Privacy Act (“**CPA**”), the Connecticut Data Privacy Act (“**CTDPA**”), and the Utah Consumer Privacy Act (“**UCPA**”).

Kolo Technologies Ltd is registered with the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues (ico.org.uk), and the registration number is ZA556272. If you have any concerns about data protection, we would appreciate it if you contacted us first so we can discuss these with you before you approach the ICO. You can reach us at privacy@kolo.app.

2. The data we may collect about you

Personal data/information means any information about an individual from which that person can be identified. It doesn't include anonymous data. We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- **Identity Data** includes full name and account IDs.
- **Contact Data** includes email address and phone number.
- **Technical Data** includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access our website.
- **Profile Data** includes your account ID, your interests, preferences, feedback, and survey responses.
- **Usage Data** includes information about how you use our website, application and services.

- **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.

Aggregated Data such as statistical or demographic data for any purpose, isn't considered personal data in law as this data will **not** directly or indirectly reveal your identity to us. We may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature.

We don't automatically collect any other **Special Categories of Personal Data** about you. This includes details about your race or ethnicity, religious or philosophical beliefs, health, sex life, sexual orientation, political opinions, trade union membership, genetic and biometric data. We also don't collect any information about criminal convictions and offences.

3. How is your personal data collected?

We may use different methods to collect data from and about you including through:

- **Direct interactions.** You may give us your Identity Data and Contact Data by filling in forms or by corresponding or engaging with us by post, phone, email, social media or otherwise.
- **Automated technologies or interactions.** As you interact with our website, application and services, we will automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal data by using cookies, server logs and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies.
- **Third parties or publicly available sources.** We may receive personal data about you from various third parties and public sources, such as Google, Companies House, or the electoral register.

4. How we use your personal data

We will only use your personal data when we can rely on a legitimate (lawful) basis, such as:

- **Contract:** Where we need to perform the contract, we are about to enter into or have entered into with you.
- **Legitimate Interests:** Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- **Legal Obligation:** Where we need to comply with a legal obligation.

5. Purposes for which we will use your personal data

We have set out below the ways we may use your personal data, and which of the legitimate bases we rely on to do so:

Purpose/Activity	Type of data	Lawful basis for processing
To enable you to submit an enquiry to us, whether via email, through our website or via social media.	Identity Contact	Contract Legitimate Interests (to enable us to respond to your enquiry)
To process and deliver the application and services to you.	Identity Contact	Contract Legitimate Interests

	Profile Marketing and Communications	
To manage our relationship with you which will include: (a) Notifying you about changes to our terms and conditions or this privacy and cookies policy (b) Asking you to leave a review or take a survey	Identity Contact Profile Marketing and Communications	Contract Legal Obligation Legitimate Interests (to keep our records updated and to study how customers use our services)
To enable you to register for our mailing list/email marketing	Identity Contact Marketing and Communications	Contract Legitimate Interests (to enable us to provide you with the newsletter/email marketing and present you with information, or services we consider you will be interested in)
To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	Identity Contact Technical	Legitimate Interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) Legal Obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	Identity Contact Profile Usage Marketing and Communications Technical	Legitimate Interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, services, marketing, customer relationships and experiences	Technical Usage	Legitimate Interests (to define types of customers for our services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	Identity Contact Technical Usage Profile	Legitimate Interests (to develop our products/services and grow our business)

	Marketing and Communications	
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6. Marketing

You may receive marketing communications from us if you have requested information from us. We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

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.

7. Cookies

Our website uses cookies in accordance with the relevant parts of the Privacy and Electronic Communications (EC Directive) Regulations 2003 and Data Protection Laws to distinguish you from other users of our website. This helps us to provide you with a good experience when you browse our website and also allows us to improve our website. A cookie is a small file of letters and numbers that we store on your browser or the hard drive of your computer if you agree. Cookies contain information that is transferred to your computer's hard drive.

We use the following cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our website. They include, for example, cookies that enable you to log into secure areas of our website, use a shopping cart or make use of e-billing services.
- **Analytical or performance cookies.** These allow us to recognise and count the number of visitors and to see how visitors move around our website when they are using it. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily.
- **Functionality cookies.** These are used to recognise you when you return to our website. This enables us to personalise our content for you, greet you by name and remember your preferences (for example, your choice of language or region).

Please note that third parties may also use cookies, over which we have no control. These named third parties may include, for example, advertising networks and providers of external services like web traffic analysis services. These third-party cookies are likely to be analytical cookies or performance cookies or targeting cookies.

We will always ask for your consent to use non-essential cookies. You are free to withhold consent to this, but it means that we might not be able to provide the full website experience to you, including some elements of video advertising. If at any time you wish to disable our cookies, you can do so through the settings on your browser, or whenever the pop-up appears on the website (each time you access the website).

Browser cookie controls

You can block cookies by activating the setting on your browser that allows you to refuse the setting of all or some cookies. However, if you use your browser settings to block all cookies (including essential cookies) you may not be able to access all or parts of our website.

Information about how to configure your browser to block cookies can be found at:

- [Google Chrome](#)

- [Microsoft Edge](#)
- [Internet Explorer](#)
- [Firefox](#)
- [Safari](#)
- [Safari Mobile](#)
- [Opera](#)

8. Disclosures of your personal data

We may disclose your information in the following cases:

- If we want to sell our business, or our company, we can disclose it to the potential buyer
- We can disclose it to other businesses in our group, as defined in the UK Companies Act 2006
- We can disclose it if we have a legal obligation to do so, or in order to protect other people's property, safety, or rights
- We can exchange information with others to protect against fraud or credit risks.

We use a variety of third party services (sub-processors) as part of our business activities and you/we will therefore share your personal data with these sub-processors. The types of sub-processors we might use fall into different categories, as follows:

- Analytics service providers
- Event/campaign management service providers
- Website management service providers
- Information technology and related infrastructure provision
- Email delivery services
- Our auditors and legal advisors.

It is important to note that all third parties and sub-processors are bound by data protection obligations and, in the case of any third parties we subcontract our services to, we will enter into a contract with them with comprehensive data protection obligations to ensure the security of your personal data.

9. Data security

Data security is of great importance to us, and to protect your data we have put in place suitable physical, electronic, and managerial procedures to safeguard and secure data we collect. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

If there is an incident where we become aware that there has been a data breach, we will let you know without undue delay. We will then take all necessary steps, including informing the ICO, to limit the extent of the breach and to prevent a further recurrence.

10. International transfers

We may transfer your personal data outside of the UK or the European Economic Area (EEA) where we engage third parties to provide services on our behalf, such as to receive services or deal with payment. Whenever we transfer your personal data out of the UK or the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- we will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data
- where we use certain service providers, we may use specific contracts approved for use in the UK which give personal data the same protection it has in the UK.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the UK or the EEA.

11. Data retention

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

12. Your legal rights

Under certain circumstances, you have rights under Data Protection Laws in relation to your personal data:

- Request access to your personal data.
- Request correction of your personal data.
- Request erasure of your personal data.
- Object to processing of your personal data.
- Request restriction of processing your personal data.
- Request transfer of your personal data.
- Right to withdraw consent.

If you wish to exercise any of the rights set out above, please contact us by emailing us at privacy@kolo.app.

You won't have to pay a fee to access your personal data (or to exercise any of the other rights), but we can charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive, or we can refuse to comply in these circumstances.

We may need you to provide evidence of your identity as a security measure and we may also contact you to ask you for further information in relation to your request to speed up our response.

We try to respond to all legitimate requests within one month, but it could take longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

13. Notice for California and other state residents of privacy practices and rights

If you are a resident of California, Virginia, Colorado, Connecticut, or Utah, you have specific rights regarding your personal information. This section describes your rights and how to exercise them.

California Residents

Right to Know and Access

You have the right to request that we disclose certain information to you about our collection and use of your personal data over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal data we collected about you.
- The categories of sources for the personal data we collected about you.
- Our business or commercial purpose for collecting or selling that personal data.
- The categories of third parties with whom we share that personal data.
- The specific pieces of personal data we collected about you (also called a data portability request).

Right to Delete

You have the right to request that we delete any of your personal data that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal data from our records, unless an exception applies.

Right to Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Do Not Sell My Personal Data

We do not sell your personal data. However, if in the future we decide to sell personal data, we will update this privacy policy to inform you of your right to opt-out of the sale of your personal data.

Exercising Your CCPA Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by contacting us.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal data. We may only respond to two verifiable consumer requests per consumer per 12-month period.

Other State Residents (Virginia, Colorado, Connecticut, Utah)

Right to Access and Data Portability

You have the right to request access to and obtain a copy of your personal data we have collected and maintained.

Right to Correct

You have the right to request that we correct any inaccuracies in your personal data, taking into account the nature of the personal data and the purposes of the processing.

Right to Delete

You have the right to request that we delete the personal data we have collected from you, subject to certain exceptions.

Right to Opt-Out

You have the right to opt-out of the processing of your personal data for purposes of:

- Targeted advertising,
- Sale of personal data,
- Profiling in furtherance of decisions that produce legal or similarly significant effects concerning you.

Exercising Your Privacy Rights

To exercise the access, data portability, correction, and deletion rights described above, please submit a verifiable consumer request to us by contacting us.

Only you, or someone legally authorised to act on your behalf, may make a verifiable consumer request related to your personal data. We may only respond to a reasonable number of verifiable consumer requests per consumer per 12-month period.

14. Third party links

This policy only relates to our website and our business. We might have links on/within our services to other websites, and these websites will have their own terms and conditions and privacy policies. You should check those privacy policies before providing your personal data to those websites.

15. Changes to this policy

We can update this policy from time to time as laws change or as our website, application or services change. If we make material changes to this policy, and we need your consent to those changes, we will contact you by email to do so.