

PRIVACY POLICY

1 BACKGROUND

- 1.1 This policy explains what data we collect from you, how we use it, conditions where we may disclose this data to others and how we keep it secure.
- 1.2 Forum Energy Technologies (UK) Limited (SC238859) (“**Forum Energy**”, “**we**”, “**our**” and “**us**”) takes the issue of security and data protection seriously and strictly adheres to the Data Protection Act 2018, the General Data Protection Regulation (EU) 2016/679 and any other applicable laws. We are the data controller of any personal data that you provide us in accordance with this policy.
- 1.3 Any questions relating to this policy and our privacy practices should be sent to visualsoft.admin@f-e-t.com or VisualSoft, Forum Energy Technologies, Cumberland House, Endeavour Drive, Arnhall Business Park, Westhill, AB32 6UF, UK.

2 HOW WE COLLECT INFORMATION FROM YOU AND WHAT INFORMATION WE COLLECT

- 2.1 We collect your personal information in the following ways:
 - 2.1.1 you may give us information about you by corresponding with us by e-mail, telephone or in person. This includes information you provide when downloading software or documents from our website, when renting or purchasing our products and services, when contacting our support team, or when you correspond with us for any purpose;
 - 2.1.2 by visiting our website we may automatically collect technical information which may form personal information;
 - 2.1.3 by licensing our products or contacting our support team we may automatically collect technical information like your IP address which may form personal information;
 - 2.1.4 when we provide you with services including sales and rental advice, product support or advice for hardware or software products, or software installation and licensing;
 - 2.1.5 when we provide you with training at our own or other premises;
 - 2.1.6 when you purchase goods from us including computer hardware or software for sale or rental; and
 - 2.1.7 in accordance with section 4 below, if you opt in to receiving communications from us (further details of which are below).

- 2.2 We collect the following personal information about you:
- 2.2.1 Title/salutation, name, address, e-mail addresses, telephone numbers, dietary information;
 - 2.2.2 Technical information including the IP address, operating system and Windows TM Serial Number, workgroup or domain name, computer asset numbers, and the computer name of any computers where our licensed software is installed; and
 - 2.2.3 Details of your company and the location where our software is being installed and used.

3 **WHY WE NEED THIS INFORMATION ABOUT YOU**

- 3.1 We collect and process personal information held about you: (i) when we are required to comply with a legal obligation; (ii) if the processing is for our legitimate interests or those of a third party (please see section 3.4 below); (iii) where required by a contract we have entered with you, as noted below; and/or (iv) if we have your consent to do so.

- 3.2 We rely on the following lawful basis for the information that we gather about you:

- 3.2.1 Legal Obligation: *where we process your personal information to meet legal obligations*

This includes compliance with sanctions imposed by UK, EU, USA or other applicable law.

- 3.2.2 Contractual Performance: *where we process your personal information for contractual performance*

This includes enabling us to take steps you request prior to us entering into a contract; and then once we have entered into a contract, to enable us to perform the contract and to provide you with the products and services. We will process your personal information in accordance with the contract.

- 3.2.3 Legitimate interests: *where we process your personal information for our legitimate interests*

We are a commercial organisation engaged in the provision of software solutions and associated hardware and services. We have an interest in promoting, marketing, selling and supporting our products and services. Where we process your personal information for our interests we will do so only where we have carefully considered both our and your interests. We will not process your personal information if our interests are overridden by your interests or fundamental rights and freedoms.

- 3.2.4 Consent: *where we rely solely on your consent to process your personal information*

There may be circumstances where we need to or are required to obtain and/or rely upon your consent to process your personal information. If this is the case we will give you:

- the reason for needing your consent, including details as to how we will process your information;
- the choice as to whether to provide consent; and
- information to enable you to withdraw your consent.

3.3 We need your information and use the information we collect about you:

- 3.3.1 to enable us to supply you with products and services that you have requested;
- 3.3.2 to be able to respond to your query;
- 3.3.3 to be able to send you communications when software updates are available as part of an ongoing Support and Maintenance Agreement (“**SAMA**”) contract
- 3.3.4 to be able to send you communications to alert you when your software licences are due to expire, thus helping you to avoid periods of downtime
- 3.3.5 to be able to send you communications to alert you when your SAMA contract is due to expire, thus ensuring continuity of service and the avoidance of downtime
- 3.3.6 to be able to send you communications that may be of interest to you (please see section 4 below); and
- 3.3.7 for all other purposes consistent with the proper performance of our operations.

3.4 We have a legitimate interest in:

- 3.4.1 Meeting the obligations of any contract with you;
- 3.4.2 Providing you with timely warning of contract expiry; and
- 3.4.3 Responding to your enquiries and queries.

3.5 We will only use your personal information for the purposes for which we collected it as detailed above, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so, or we will seek your consent if required.

- 3.6 Unless you are notified otherwise, we will not use profiling, or automated decision making in any form, to make important decisions that will affect you.

4 VISUALSOFT UPDATES

- 4.1 It is your choice whether you receive information from us such as notifications of new software releases. If you indicated that you are interested in receiving such information, we will send you communications electronically. We will not contact you for such purposes unless you have given your prior consent. If, at any time, you no longer wish to receive this information, please send a request to visualsoft.support@f-e-t.com.

- 4.2 Also, all of such email notifications give you the option to opt-out of receiving further notification emails. Please note that you will still receive emails directly related to an enquiry you have submitted.

5 HOW WE USE COOKIES

- 5.1 We use cookies, pixels and tags (collectively “**Cookies**”) on our website in order to help improve our website and provide you with a more personalised web service.

- 5.2 Cookies are small text files, placed on your hard disk by a web page server. They are uniquely assigned to you, and can only be read by a web server in the domain that issued the Cookie to you.

- 5.3 We use encrypted information gathered from Cookies to improve your online experience with Forum Energy.

- 5.4 We use per session Cookies which are deleted when you leave our website. They help keep track of your progress so you don’t have to enter the same information more than once.

- 5.5 If you wish to restrict or block the cookies which are set by our website, or indeed any other website, you can do this through your browser settings. If you chose to restrict or block any cookies, this may result in certain features of the website not being provided and accordingly you may not be able to take full advantage of the website’s features.

6 DATA SECURITY

Please be aware that the transmission of information via the internet is not always completely secure. Although we will do our best to protect your personal data, we cannot guarantee the complete security of your data transmitted to us electronically; any transmission is at your own risk. Once we have received your information, we will use strict procedures and security features to restrict unauthorised access.

7 **SHARING OF YOUR INFORMATION**

The information you provide to us will be treated by us as confidential. We may disclose your information to other third parties who act for us for the purposes set out in this notice or for purposes approved by you, including group companies and providers hosting our licensing and customer support systems.

8 **TRANSFERS OUTSIDE THE UK AND EUROPE**

8.1 We may transfer your personal data outside of the European Economic Area (“EEA”). In particular we may transfer personal data when our operations are based outside the EEA.

8.2 Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented where required:

- We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data by the European Commission ([Please click here for further information](#));
- Where we use certain service providers, we may use specific contracts approved by the European Commission which give personal data the same protection it has in Europe ([Please click here for further information](#)); and/or
- Where we use providers based in the US, we may transfer data to them if they are part of the Privacy Shield which requires them to provide similar protection to personal data shared between the Europe and the US ([Please click here for further information](#)).

9 **HOW LONG WE WILL KEEP YOUR INFORMATION**

9.1 We review our data retention periods regularly and will only hold your personal data for as long as is necessary for the relevant activity, or as required by law (we may be legally required to hold some types of information), or as set out in any relevant contract we have with you.

9.2 We will generally keep your information as long as is necessary to fulfil our obligations to you after which this will be destroyed if it is no longer required for the reasons it was obtained.

10 **YOUR RIGHTS**

10.1 Under certain circumstances, by law you have the right to:

- 10.1.1 Request access to your personal information (commonly known as a “data subject access request”). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it;

- 10.1.2 Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected;
 - 10.1.3 Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below);
 - 10.1.4 Object to the processing of your personal information where we are relying on a legitimate interest (or a legitimate interest of a third party) and there is something about your particular situation which makes you want to object to processing on this ground;
 - 10.1.5 Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it;
 - 10.1.6 Withdraw your consent to our processing of your personal data in rare situations where we rely on your consent as our legal basis to do so; and
 - 10.1.7 Request the transfer of your personal information to another party.
- 10.2 If you want to access, verify, correct or request erasure of your personal information, object to the processing of your personal information, or request that we transfer a copy of your personal information to another party, please contact visualsoft.admin@f-e-t.com.
- 10.3 You also have the right to complain to the Information Commissioner's Office in relation to our use of your information.

11 **CHANGES TO OUR PRIVACY POLICY**

Any changes we make to our privacy policy in the future will be posted on our support site at <https://fet-visualsoft.freshdesk.com/> and, where appropriate, notified to you by e-mail.