

# Privacy and Security – Done Right!

## Our Commitment to Your Privacy

**We take privacy very seriously, always have, always will.** SpeechGear got its start working with the U.S. Department of Defense to develop secure communication systems that allow U.S. and United Nations peacekeeping forces to talk directly with the locals of any country, in any language, at any time, and do so with complete security and privacy. As such, privacy and security are not an accident, or something new to our products and corporate culture. Rather, privacy and security have been and continue to be a key element of everything we do, ever since our beginning back in 2001. This Privacy Policy (“Privacy Policy”) is put together by SpeechGear to help you understand how we protect any information we may collect as you are using our products, including personal information that you may provide to us, or that we may obtain as you are using our products. “Personal Information” includes information that alone or when in combination with other information may be used to readily identify, contact, or locate you or a specific individual.

**We may update this Privacy Policy from time to time, so please check back with us periodically.** There are always changing threats to the ways people may try to access your data. SpeechGear continually monitors these events, and as such to ensure your data is secure we may at time may change this document to reflect updates we make to ensure your data remains private and secure. This Privacy Policy applies to <https://www.streamer.center> (“Website”) and to certain SpeechGear products, and services, including those for consumer use (“SpeechGear Products”). This Privacy Policy explains SpeechGear information practices including:

- How SpeechGear protects the personal information you share with us and that we learn about you because of our relationship.
- What personal information, if any, SpeechGear may share about you and the conditions we use to protect your information if it must be shared.
- Other things you should know about privacy and SpeechGear.

## Protecting Your Data

**SpeechGear does not, nor does it plan to, sell any of your data to anyone, anywhere, at any time.** Unlike “free” captioning and translation systems, with SpeechGear’s products, including of course *Streamer*<sup>™</sup>, your data is yours alone. You alone control all access to your transcripts, and when you delete the transcript, it is gone forever. There are no backup or archived copies kept by SpeechGear, anywhere.

**SpeechGear does not, nor does it plan to, store or keep any audio, including audio of speech or conversations, that are generated by you as a user.** Recording a conversation has legal implications. If you are doing that without that person's knowledge and consent, then you may very well be in violation of multiple laws. SpeechGear does not store any audio recordings of your conversations. Once the captioning has been generated (which occurs nearly instantaneously), the audio is not saved nor stored by SpeechGear in any location. And because that information does not exist, it is not accessible by anyone at any time, including yourself.

**SpeechGear is designed to be fully compliant with student privacy requirements.** Whether used face-to-face in a school setting or during online education, Streamer™ maintains the highest level of security and privacy to protect students and teachers. The aim of COPPA (the Children's Online Privacy Protection Act) is to protect children's privacy and safety online. COPPA requires companies that collect personal information online from children under age 13 to provide notice of their data collection and use practices and obtain verifiable parental consent. In the educational context, however, schools can consent on behalf of parents to the collection of student personal information — but only if such information is used for a school-authorized educational purpose and for no other commercial purpose. This is true whether the learning takes place in the classroom or at home at the direction of the school. Unlike "free" captioning apps, Streamer™ never sells any information from a captioning transcript to a third-party. Because Streamer is fully COPPA compliant a school would not be required to obtain verifiable parental consent.

**SpeechGear is designed to be fully compliant with the Family Educational Rights and Privacy Act (FERPA).** As per FERPA guidelines, SpeechGear's products do not re-disclose any education records or Personal Identifiable Information (PII) to other parties beyond what is specifically described in this document (such as the name on a credit card when you make a purchase). As per section 34 CFR §99.31(a)(1)(i) for the FERPA requirements, *Schools should use only software products that apply best practices like encryption, strong identity authentication, and a statement and terms of service that explain how the vendor's use of personally identifiable information (PII) from student education records complies with FERPA.* Unlike "free" captioning, translation and note-taking products, SpeechGear's products meet FERPA requirements. Strong protections for all personally identifiable information are in place.

**SpeechGear is designed to be fully compliant with the Health Insurance Portability and Accountability Act (HIPAA).** HIPPA addresses the use and disclosure of individual's health information. A major goal of the HIPPA Privacy Rule is to assure that individuals' health information, like information related to hearing loss, is properly protected while allowing the flow of health information needed to provide and promote high quality health care and to protect the public's health and well-being. SpeechGear's products places full control of the captioning transcript in the hands of you, the customer. You alone who defines who can view the captions and who, or if anyone, can download the transcript, and no audio voice recording of captioning transcripts is kept by SpeechGear.

**To help ensure your privacy and secure your data, we do collect and maintain some information.** Information on your user account is used and stored by SpeechGear. Examples include the name of your User Account, the email you entered when you created your account, and your password. These data items are required to ensure that your account is continually protected and to prevent any unauthorized access. By using the Website or SpeechGear Products, you consent to the collection and use of your Personal Information by SpeechGear consistent with applicable data protection law and this Privacy Policy which is expressly incorporated into any applicable Website or SpeechGear Product Terms of Use or End-User License Agreement. You also represent to us that you have any and all authorizations necessary to use these SpeechGear Products including using them to process Personal Information. You acknowledge that SpeechGear does collect and use the information you provide to us, including information obtained from your use of this Website or a SpeechGear Product. We may use or share Personal Information (e.g., name, address, telephone number, email address, and location) where it is necessary for us to complete a transaction or do something that you have asked us to do. Also, we may use some information that we collect for our internal purposes to develop, tune, enhance, and improve our products and services, and for advertising and marketing consistent with this Privacy Policy. By using SpeechGear products and services, you acknowledge, consent and agree that SpeechGear may collect, process, and use the information that you provide to us and that such information shall only be used by SpeechGear or third parties acting under the direction of SpeechGear, pursuant to confidentiality agreements, to develop, tune, enhance, and improve SpeechGear services and products. SpeechGear will not use the contents of any communications provided to us through your use of SpeechGear Products for any purpose except as set forth above. SpeechGear collects and uses information from you in several ways:

**Website or SpeechGear Product Usage.** SpeechGear (or SpeechGear vendors and suppliers) may observe your activities, preferences, and transactional data (such as your IP address and browser type) as well as related usage behavior depending on whether you are using our Website or a particular SpeechGear Product. We may use this data for any purpose unless we tell you otherwise in connection with a particular Website or product. While we may collect or log this information, we do not identify you or match this non-Personal Information with your other Personal Information unless or except if we believe doing so will help us better respond to a request you have made. Where such non-Personal Information is linked to your Personal Information, we will treat such information as Personal Information. For clarity, when we refer to usage of Website or SpeechGear Product Usage Data in this section, we do not mean the contents of your voice data or text and related data derived from the contents of your communications using SpeechGear Products. For information about specific SpeechGear Products, please see specific privacy notices directed to such products.

**SpeechGear Product Usage.** “Speech Data” means the audio files, associated text and transcriptions and log files provided by you hereunder or generated in connection with SpeechGear Products. Speech Data may include Personal Information. SpeechGear Products may require you to enter Speech Data to use and derive the benefits of the particular product. These SpeechGear Products process the Speech Data you input into the SpeechGear Products. Once the audio has been processed (for example, the captioning has been generated), the audio recording is deleted. SpeechGear does not store any of the audio files that you generate. SpeechGear will not use the contents of any Speech Data provided to us through your use of SpeechGear Products for any purpose except as set forth above.

**E-Commerce.** You may be asked to share Personal Information such as your name, address, telephone number, and email address when you make purchases, seek customer or technical support or otherwise interact with SpeechGear. When you shop online or buy direct from SpeechGear, these purchase transactions may be conducted through SpeechGear vendors and suppliers. Vendors and suppliers engaged by SpeechGear on behalf of SpeechGear may have their use of your Personal Information limited by this Privacy Policy, contractual restrictions, and applicable law. SpeechGear (through its vendors or suppliers) may limit the acceptance of orders to particular jurisdictions and as permitted by applicable law. You may also make purchases of SpeechGear Products; seek customer or technical support through SpeechGear’s distributors, resellers, or service providers. In these circumstances, the collection of your Personal Information may occur directly by the distributor or service provider or a third-party partner on their website, which will state the privacy policy or policies governing the collection of such information.

**Product Registration & Technical Support.** SpeechGear may allow customers to register products online or through similar ways. Personal Information or data provided for such purposes may be used to carry out the request, service, or agreement for which the information is submitted. With your consent, we may also use the information you provide in online registration forms to notify you periodically about important changes to the Website or Application (such as a change to this Privacy Policy or notice of a security breach), new SpeechGear products and services, and special offers and promotions that may be of interest to you. If you register, we may ask for, among other things, your name, address, email, telephone number, type of product purchased, or other product-identifying information.

**Children.** The SpeechGear Website and SpeechGear Consumer Products are not directed at children. If you are under 18 or otherwise would be required to have parent or guardian consent to share information with SpeechGear, you should not send any information about yourself to us. As required by law, if a person under 13 submits information through any part of a SpeechGear Website or a SpeechGear Product, and we learn the person submitting the information is such a child, we will attempt to delete this information as soon as possible.

*Failure to register any SpeechGear product will not diminish the rights you have under the applicable product warranty.*

**Online Promotions, Contests and Sweepstakes.** You may be asked to provide an email address or screen name, or other Personal Information, for entry into a particular promotion, including sweepstakes and contests, so that we can let you know if you won a prize. The specific rules and regulations governing the particular promotion, contest or sweepstakes will vary and your participation constitutes your agreement to abide by those rules and regulations. Certain promotions, contests or sweepstakes may be run by a SpeechGear service provider or vendor or co-branded with one of our partners. In these instances, the collection of your Personal Information may occur directly by the service provider or vendor or a third-party partner on their website. The promotion will state the privacy policy or policies governing the collection of such information if they should differ from this Privacy Policy.

**When SpeechGear may share collected information.** SpeechGear may share Personal Information within SpeechGear to fulfill its obligations to you and operate its business consistent with this Privacy Policy and applicable data protection law. In addition to what is expressly stated in this Privacy Policy, we may also share your Personal Information with third parties in the following situations:

**SpeechGear Affiliates, Vendors and Suppliers.** SpeechGear works with affiliated third parties, vendors, distributors, and suppliers. To the extent it is necessary for these groups to provide their products and services to us and provide products and services you have requested, these third parties may have access to or process your Personal Information and/or Speech Data. SpeechGear may also sometimes permit our authorized service providers to have access to aggregate statistics about our customers, sales, traffic patterns, and related Website or Application information. These transfers of aggregate statistics do not involve Personal Information or data.

**Recruitment and Job Applications.** Residents of the United States may provide us with Personal Information through our Websites. Personal information such as that contained on a resume or curriculum vitae may be submitted in connection with a job application or inquiry. We may use this information throughout SpeechGear (worldwide) for the purpose of employment consideration or your inquiry. We may keep your information on file for future consideration.

**Enabling Services.** SpeechGear offers a variety of services and functions through its Websites ("SpeechGear Services"). Personal Information that is collected through a Website may be used and/or disclosed to third parties in order to enable us to provide SpeechGear Services. For example, a SpeechGear Website may allow you to interface with a third-party website or application. To facilitate that connection, we may use your Personal Information and/or disclose your Personal Information to third parties.

**Public Areas.** Any information disclosed in public areas of a SpeechGear Website or to the extent possible in a SpeechGear Product or other website (Facebook, YouTube, Twitter, etc.) will become public information. We cannot control the use of information disclosed in public forums, such as open rooms on the Websites, forums, bulletin boards, blogs, chat rooms, and networking functions of mobile-device applications. You should exercise caution when

disclosing information in these public areas and be careful how you disclose your Personal Information. Content posted in public areas of the SpeechGear Website or SpeechGear Products, including advice and opinions, represent the views and is the responsibility of those who post the content. SpeechGear does not necessarily endorse, support, verify, or agree with the content posted.

**Mergers, Acquisitions, and Insolvency.** If SpeechGear should ever file for bankruptcy or merge with another company, or if SpeechGear should decide to buy, sell, or reorganize some part or all of its business, SpeechGear may be required to disclose your Personal Information and Speech Data to prospective or actual purchasers in connection with one of these transactions

**As Required by Law and Other Extraordinary Disclosures.** SpeechGear may be required to disclose your Personal Information and Speech Data if it: (i) believes it is reasonably necessary to comply with legal process (such as a court order, subpoena, search warrant, etc.) or other legal requirements of any governmental authority, (ii) would potentially mitigate our liability in an actual or potential lawsuit, (iii) is otherwise necessary to protect our rights or property, or (iv) is necessary to protect the legal rights or property of others.

**Security.** If SpeechGear learns of a security system's breach, we may attempt to notify you electronically so that you can take appropriate protective steps. By using the Website or a SpeechGear Product or providing Personal Information to us, you agree that we can communicate with you electronically regarding security, privacy, and administrative issues relating to your use of this Website or SpeechGear Product. SpeechGear may post a notice on the Website if a security breach occurs. If this happens, you will need a web browser or mobile device enabling you to view the SpeechGear Website or Application. SpeechGear may also send an email to you at the email address you have provided to us in these circumstances or communicate with you by other means if we can. Depending on where you live, you may have a legal right to receive notice of a security breach in writing.

**Special notice to international visitors and customers.** Because SpeechGear operates globally, we may transfer your Personal Information and Speech Data within our global operations to fulfill our obligations to you, but always subject to the limitations of applicable data protection law and this Privacy Policy. Privacy laws differ across the globe. To help visitors whose native language may not be English understand our privacy practices, we may provide special information on our Privacy Policies that may be applicable to these visitors in different languages. SpeechGear entities outside the United States may have supplemental privacy policies that may apply in those countries.

If you are visiting from the European Union or other regions with laws governing data collection and use that may differ from U.S. law, including those whose privacy laws may be more strict than U.S. law, please note that you are transferring your personal data to the United States to SpeechGear. By providing your personal data you consent to that transfer and processing.

**Marketing communications.** When you provide SpeechGear with Personal Information, we may communicate with you using the information you have given us to provide you with information we think may be of interest to you.

**Your California Rights.** California Civil Code Section 1798.83, permits California residents to request and obtain from us a list of what personal information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. Requests may be made only once a year and are free of charge. Under Section 1798.83, we currently do not share any personal information with third parties for their direct marketing purposes. You may choose to opt-out of the sharing of your personal information with third parties for marketing purposes at any time by submitting a request in writing to SpeechGear, Inc, 205 South Water Street, Northfield, MN 55057 or by emailing us at [legal@speechgear.com](mailto:legal@speechgear.com). It is important to note that this opt-out does not prohibit disclosures made for non-marketing purposes or for purposes of assisting us with our own marketing.

**Cookies.** SpeechGear uses “cookies” to help personalize your use of our site, including for storing user preferences, such as your language preference. A cookie is a text file stored on your computer. Cookies store bits of information that we use to help make our site work. They cannot run any code and do not contain viruses. No one can read our cookies except us.

**Information About Cookies.** A cookie is a text file stored on your computer. Cookies store bits of information that we use to help make our site work. They cannot run any code and do not contain viruses. No one can read our cookies except us.

**How We Use Cookies.** SpeechGear uses cookies to improve your experience on this site; some are essential to the proper function of this site. We also use cookies to help us understand how people use our site and to serve SpeechGear ads when you visit other sites.

### **Types of Cookies We Use**

**Security:** These cookies allow us to secure access to your account

- **Preference:** These cookies are used to store your preferences like language choice and display of job search results
- **Analytics:** We track site traffic patterns so we can identify popular site content and potential site problems
- **Advertising:** We use non-identifiable information about you to show you advertising on our site

**Your Choices Regarding Cookies.** You can choose to have your computer warn you each time a cookie is being set, or you can choose to turn off all cookies. You do this through your browser settings. Each browser is a little different, so look at your browser’s Help menu to learn the correct way to modify your cookies. If you clear your cookies, you will need to opt out again. If

you use a different computer or browser, your choices will not be carried over. SpeechGear adheres to the Self-Regulatory Principles for Online Behavioral Advertising from the Digital Advertising Alliance. You can opt out of targeted advertising by third parties by setting your browser to decline third party cookies. You can also delete the advertiser's cookie each time. Many of the third parties are members of the Network Advertising Initiative. You can opt-out of targeted advertising by all NAI members by visiting the NAI site. The cookies and other information stored in your terminal will not be kept beyond 13 months after your last expression of consent. Personal Information collected through the cookies will not be kept beyond 13 months as from their collection.

**Changes to this privacy policy by SpeechGear.** If in the future we change our Privacy Policy, we will post the new Privacy Policy on this Website or Application. We reserve the right to change this Privacy Policy in the future. Your continued use of this Website or SpeechGear Product following a change in the Privacy Policy represents consent to the new Privacy Policy to the fullest extent permitted by law. We encourage you to periodically review this Privacy Policy.

**Thanks for Partnering With Us.** Thanks for being part of our team and for reading our privacy policy. By working together, we can ensure that everyone can speak with anyone, anywhere and anytime. If you have any questions, comments, or concerns about this Privacy Policy, please email us at [legal@speechgear.com](mailto:legal@speechgear.com) or write to us at:

SpeechGear, Inc.  
205 South Water Street  
Northfield, MN 55057

/\* Updated September 2020 \*/