

**OIX  
PRIVACY POLICY  
(Effective October 15, 2018)**

**PURPOSE**

This Open Identity Exchange Privacy Policy (“**Privacy Policy**”) explains the data collection and usage practices of the Open Identity Exchange (“**OIX**,” “**we**,” “**our**,” or “**us**”) with respect to personal data that we collect, store, use, transfer, and otherwise process.

If and to the extent you are in the European Union or UK (both referred to as an “**EU Individual**”), this Privacy Policy provides you with the information required by the Regulation (EU) 2016/679 of the European Parliament and Council on the protection of natural persons with regard to the processing of personal data (General Data Protection Regulation) (“**GDPR**”) and by any other equivalent UK law relating to data protection, the processing of personal data and privacy enacted as a consequence of the United Kingdom leaving the European Union.

**APPLICABILITY**

This Privacy Policy applies to all of the personal data that OIX collects or processes from or about individuals from all sources. It does not apply to personal data collected or processed by any OIX chapter (including the Open Identity Exchange Europe chapter), which are separate legal entities governed by separate privacy policies.

**POLICY**

**1. Definitions**

“**Personal data**” means any information that relates to an identified or identifiable natural person who can be identified from it.

“**Processing**” means any operation or set of operations which is performed upon personal data, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

“**You**” means any individual person identified or identifiable by personal data, as relevant for the context in which it is used in this Privacy Policy.

**2. Who Has Responsibility for Your Personal Data**

Open Identity Exchange, a Washington State non-profit corporation located in the United States, is responsible for the processing of your personal data under this Privacy Policy and is the data “controller” for the purposes of GDPR. You may contact OIX regarding any questions or complaints as specified in the “How to Contact Us” section below.

If you are an EU Individual, OIX’s designated representative under GDPR ZmartZone IT BV, which can be contacted at [info@zmartzone.eu](mailto:info@zmartzone.eu).

### **3. Categories of Individuals About Whom We Process Personal Data**

We process personal data from or about the following categories of individuals:

- Users of an OIX website;
- Individuals who are, or are associated with, OIX members, prospective members, OIX chapters, registrants on OIXnet, vendors, or other business contacts with whom we interact or seek to establish a relationship, including individuals who participate in OIX activities, attend OIX events, communicate with OIX, or subscribe to its blogs, newsletters, or other materials, or who are identified in data provided by or on behalf of OIX members or OIXnet registrants in connection with their participation in OIX; or
- Individual contractors who provide services to OIX.

### **4. Categories and Sources of Personal Data Processed**

We may collect and store various types of personal data about you. The following describes the personal data about you that we may process and the sources of such personal data

#### **4.1. Users of an OIX Website**

You do not have to submit any personal data in order to use our Website.

Categories: When you visit an OIX website, we may collect two types of data: (1) personal data about you that you voluntarily choose to provide to us, and (2) information related to your activities on the OIX website that we automatically collect as you interact with the Website (“**Website Usage Information**”).

- Information You Voluntarily Provide: We collect personal data that you voluntarily provide in response to requests we may make at various places and through various mechanisms on an OIX website. The personal data we collect is business-oriented data and is usually limited to contact information necessary for the relationship, such as name, company name, job title, and email address. We may collect such information, for example, when you fill out and submit a form, such as if you register for an event, register to receive a newsletter or email communications, when you submit an inquiry or request to us using a form or e-mail address link on an OIX website, and when you send an email to an OIX address or OIX mail list that is listed on an OIX website. In such case, we will collect whatever personal data you voluntarily provide in response to our request. .
- Special Categories of Personal Data: In connection with the registration for and provision of access to an event or seminar, we may ask for information about your health for the purpose of identifying and accommodating any disabilities or special dietary requirements you may have. Any use of such information is based on your consent. If you do not provide any such information about disabilities or special dietary requirements, we will not be able to take any respective precautions.
- Website Usage Information and Cookies: The OIX websites use cookies for analytical and functionality purposes that allow us to improve our website based on visitor experience. Cookies are small text files placed on a computer hard drive to record a visitor’s information such as user ID and browsing behavior. Our cookies do not collect any personal data such as your name or email address. We use the following types of cookies:

(a) Necessary cookies. These are cookies that are required for the operation of our website. They include, for example, cookies that enable the website to perform as intended and to access secure areas of our website.

(b) Analytical/performance cookies. They allow us to recognize and count the number of visitors and repeat visitors, to see how visitors move around our website when they are using it, to see which search engine is being used to access our website, the region a visitor is browsing from, and the type of device a user is visiting from. This helps us to improve the way our website works, for example, by ensuring that users are finding what they are looking for easily. We use third-party services, currently Google Analytics, to collect standard internet log information and details of visitor behavior patterns. This information is only processed in a way that does not identify anyone. To opt out of being tracked by Google Analytics across all websites visit <http://tools.google.com/dlpage/gaoptout>.

If you do not wish to receive cookies, most browsers allow you to change your cookie settings. Please note that if you choose to change cookie settings you may not be able to use the full functionality of our website. These settings will typically be found in the "options" or "preferences" menu of your browser. Further, most browsers permit individuals to decline cookies. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, visit [www.aboutcookies.org](http://www.aboutcookies.org) or [www.allaboutcookies.org](http://www.allaboutcookies.org).

- Links to Third Party Websites. OIX websites may contain links to other third party websites, all of which are separate legal entities whose information practices may be different from ours. This Privacy Policy does not cover any such third party websites. If you provide personal data to such third party websites all information you disclose will be subject to the privacy policy and practices of such third parties. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review the specific privacy policies posted on those websites prior to submitting personal data to them.
- Information about Children. Neither any OIX website nor any of our products or services are directed to children younger than age sixteen (16). We do not knowingly collect personal data from children under the age of sixteen (16) via any OIX website and we will delete any such information later determined to be from a person younger than age sixteen (16).

Sources: We obtain data about you from your use of OIX Websites (i) directly from you if you voluntarily choose to enter personal data on an OIX website, and (ii) from the data analytics software, cookies, and web beacons that we may use on an OIX website.

#### **4.2. OIX Members, Participants in OIX Activities, Business Contacts, and Associated Individuals**

As any business, we collect, receive, and process Personal Data regarding our members, potential members, and other third parties (e.g., vendors, industry participants, registrants on OIXnet, and other business and professional contacts) with whom we may interact from time to time, including participants in OIX working groups, projects, meetings, conferences, seminars, and other activities or events and individuals whose data is provided to us by our members.

Categories: The Personal Data that we collect and process typically consists of information such as your name, title, position, employer, email address, other business contact data (e.g., business card data), and similar relationship type data.

Sources: We obtain Personal Data about you (i) directly from you, such as when you contact us, attend a seminar or another event, or sign up to receive newsletters, emails, or other information from us, when you or your organization register on OIXnet, or when you or your organization offer to provide or provide services to us, (ii) from members and others (e.g., referrals), (iii) from third parties, such as industry groups or government agencies, and (iv) from publicly available sources, such as websites (e.g., LinkedIn, your business' website, etc.).

### **4.3. Individual Contractors We Engage to Provide Services**

Where we engage self-employed individual contractors to provide services, we collect and process information relating to those contractors or proposed contractors.

Categories. The personal data we collect and process consists of information we require in connection with the engagement, such as your name, address, title, position, email address, bank account information, tax and social security related information, and information relating to any background checks.

Sources: We obtain such Personal Data primarily from the contractor or proposed contractor and sometimes from organizations who carry out background checks on our behalf.

## **5. Purposes and Legal Basis for the Processing:**

We process Personal Data for the following purposes:

- building relationships with, or providing products and services to, existing and potential OIX members, participants in OIX activities, and other interested parties, including communicating with such parties;
- analyzing and improving the OIX websites;
- keeping people informed of the latest industry developments and notifying them of projects, products, seminars, and hosted events;
- providing products and services to our members and the general public;
- publishing material which has been submitted by members or other individuals for publication;
- engaging individuals as contractors;
- generally operating OIX's business; and
- in connection with an actual or proposed merger, sale or other organizational change of OIX.

For EU Individuals, the legal basis for such processing is that:

- it is necessary for legitimate business interests pursued by OIX which are not overridden by your interests, rights or freedoms;
- in some cases because it is necessary for the performance of a contract with you or to take steps at your request before entering into a contract;
- in some cases because it is necessary to comply with our legal obligations (such as record-keeping obligations), compliance screening or recording obligations;
- in some cases, on your freely given consent which is specific to the processing.

## **6. Sharing of Personal Data - Recipients**

We may share selected personal data about you with the following parties or in the following circumstances.

- 6.1. **OIX Chapters.** We may share personal data with OIX Chapters (such as OIX-UK) that require access to personal data for business purposes related to processing any application, request, inquiry, membership service, event, project, or other participation activity consistent with the business of OIX.
- 6.2. **Third Party Service Providers.** We may share personal data about you with third parties who perform services for us or on our behalf, for the limited purpose of carrying out such services. This includes, without limitation, third parties that assist in managing our organization, hosting meetings, hosting or administering the OIX websites or other systems, sending communications on our behalf, maintaining or analyzing our data, providing marketing assistance, or in otherwise providing services to us or our members.
- 6.3. **Visitors to OIX Websites.** We may publish and make available to all OIX website visitors, personal data submitted in connection with OIXnet registrations. Such personal data typically consists of name, affiliation, title, and contact information. If you are an EU Individual, we will only do this with your specific consent.
- 6.4. **Corporate Change.** We reserve the right to disclose and transfer personal data about you in connection with a merger, consolidation, restructuring, financing, sale of substantially all assets, or other organizational change of OIX.
- 6.5. **Legal Requirements and Law Enforcement.** We may disclose personal data about you to governmental authorities or a court when we believe in good faith that the law requires it; at the request of governmental authorities conducting an audit or investigation; pursuant to a court order, subpoena, or discovery request in litigation; to verify or enforce compliance with our agreements or policies and applicable laws, rules, and regulations; or whenever we believe disclosure is necessary to limit our legal liability or to protect or enforce the rights, interests, or safety of OIX, its users, or other third parties. We also reserve the right to report to law enforcement agencies any activities that we, in good faith, believe to be unlawful.
- 6.6. **Consent.** We may also share personal data about you in accordance with any express consent you or your authorized agent give us which is specific to the purposes of the processing which you will be informed about at the time we request such consent. You do not have to give such consent. If you do give consent, you may withdraw it at any time by contacting us (see “How to Contact Us” section below), however please be aware that such withdrawal will not affect the lawfulness of personal data collected and processed prior to the date of your withdrawal of consent. In addition, if you withdraw your consent you may also forfeit other benefits, such as the participation in projects or registrations on OIXnet.

## 7. **Choice**

If personal data covered by this Privacy Policy is to be used for a new purpose that is materially different from that for which the personal data was originally collected or subsequently authorized, or is to be disclosed to a non-agent third party in a manner not specified in this policy, OIX will provide you with an opportunity to choose whether to have your personal data so used or disclosed. Requests to opt out of such uses or disclosures of Personal Data should be sent to us as specified in the “How to Contact Us” section below.

Certain personal data, such as information about medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, is considered “Sensitive Information.” OIX will not use Sensitive Personal for a purpose other than the purpose for which it was originally collected or

subsequently authorized by the individual unless OIX has received your affirmative and explicit consent (opt-in).

## **8. Accountability for Onward Transfer**

If you are an EU Individual, where we transfer your personal data to third party service providers (see above) who perform services for us or on our behalf, we are responsible for the processing of that data by them and shall remain liable if they process your personal data in a manner inconsistent with GDPR or the Privacy Shield Principles referred to below, unless we prove that we are not responsible for the event giving rise to the damage.

## **9. Cross-Border Transfers of Personal Data**

OIX is located in the United States, and many of its members, participants, events, and projects are located in different countries. The OIX websites (and all personal data collected via such OIX websites) are hosted in Switzerland, with additional copies located in Germany, the United Kingdom, and the United States. All personal data that we collect and maintain via the OIX websites will also be processed and stored in one or more of these countries, where data protection and privacy regulations may provide different levels of protection compared with your jurisdiction.

Whenever OIX transfers personal data from one country to another, it will do so in compliance with applicable privacy and data protection law.

If you are an EU Individual, please be aware that we will transfer your personal data to the United States, where we are established. The United States does not have the same data protection laws as the EU. To provide the relevant safeguards in relation to your personal data transferred to the United States, OIX complies with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States. OIX has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

## **10. Privacy Shield Recourse, Enforcement, and Liability.**

OIX uses a self-assessment to assure compliance with this Privacy Policy and annually verifies that this Privacy Policy is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented and accessible and in conformity with the Privacy Shield Principles.

We encourage EU Individuals to contact us should you have a Privacy Shield-related (or general privacy-related) question or complaint.

In compliance with the Privacy Shield Principles, OIX commits to resolve complaints about your privacy and our collection or use of your personal data transferred to the United States pursuant to Privacy Shield. EU Individuals with inquiries or complaints regarding our Privacy Shield policy should first contact OIX as specified in the “How to Contact Us” section below. We will investigate your complaint, take appropriate action, and report back to you within forty-five (45) days.

If OIX is unable to resolve that complaint directly, OIX has committed to refer unresolved Privacy Shield complaints to an independent dispute resolution mechanism, i.e., the International Dispute Centre of the American Arbitration Association (“ICDR/AAA”), an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not resolved your complaint, please contact or visit ICDR/AAA at <http://go.adr.org/privacysield.html> for more information or to file a complaint. The services of ICDR/AAA are provided at no cost to you.

Under certain conditions, more fully described on the Privacy Shield website, you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted. In addition, under Privacy Shield, OIX is subject to the investigatory and enforcement powers of the Federal Trade Commission.

## **11. Data Retention Period.**

All personal data retained by OIX will be deleted when such personal data are no longer necessary for the purposes for which it was processed, unless applicable law requires a longer retention period, in accordance with our retention policy noted below.

Our policy is that if you engage in any transaction or contract with us, such as membership, we will usually retain your personal data for 5 years from the later of the date the contract expires or the last transaction with you is concluded. Otherwise, we will usually delete your data 2 years from the date on which we last received a communication (e.g., event registration) from you, except that if you sign up for a listserv we will retain your data until you unsubscribe. This is however subject to the requirements of applicable data protection laws and the purpose for which the data is collected and used, taking into account legal and regulatory requirements to retain data for a minimum period.

## **12. EU Individual Rights as Data Subjects under GDPR**

If you are an EU Individual, you have the following rights:

- to obtain confirmation as to whether we process your personal data
- to access a copy of your personal data that we do process, along with information on what personal information we use, why we use it, who we share it with and, how long we keep it for
- to request the correction of inaccurate personal data we hold about you
- to request that we delete your data, or stop processing it or collecting it, in some circumstances
- in certain cases, to request that we transfer or port elements of your personal data either to you or a third party providing you with similar services

We do not generally impose any charge for these requests (except where excessive or unfounded). For any such request, you can contact us by e-mail, postal mail, or phone as specified in the “How to Contact Us” section below. We will endeavor to respond to all reasonable requests in a timely manner, but in no event longer than the amount of time required by applicable law.

To the extent OIX is not the controller of your data, we will notify the controller of your request if required by applicable law.

### **Updating personal data about you**

If any of the personal data that you have provided to us changes, for example if you change your email address or if you wish to cancel any request you have made of us, or if you become aware we have any inaccurate personal data about you, please contact us as specified in the “How to Contact Us” section below. We will not be responsible for any losses arising from any inaccurate, inauthentic, deficient or incomplete personal data that you provide to us.

### **Withdrawing consent**

Where the lawful basis of our processing under the GDPR is that you have consented to it for a particular identified purpose, you have the right to withdraw that consent at any time. To do so, please contact us as specified in the “How to Contact Us” section below. If you do withdraw consent, this will not affect the lawfulness of any processing that was based on your consent before its withdrawal.

### **Filing a Complaint**

In addition to the foregoing, you have the right to lodge a complaint in respect of your data protection rights with the applicable supervisory authority for data protection in your jurisdiction. If you are in the United Kingdom, that supervisory authority is the UK’s Information Commissioner’s Office:

<https://ico.org.uk/>.

### **13. Security of Personal Data**

We have implemented appropriate technical and organizational measures to protect your personal information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the personal information.

### **14. Data Integrity and Purpose Limitation**

OIX shall only process personal data in a way that is compatible with and relevant for the purpose for which it was collected or authorized by you. To the extent necessary for those purposes, OIX shall take reasonable steps to ensure that personal data is accurate, complete, current and reliable for its intended use.

### **15. Privacy Policy Changes**

We may revise this Privacy Policy from time to time, which will become effective as of posting on our OIX websites. We will use personal data about you in a manner consistent with the Privacy Policy in effect at the time you submitted the information, unless we receive your consent to the new or revised policy.

### **16. How to Contact Us**

For any questions about this Privacy Policy, to exercise any of your rights as a data subject, or for any questions or complaints regarding the manner in which we handle or protect personal data, we can be contacted as follows:

By e-mail: [help@openidentityexchange.org](mailto:help@openidentityexchange.org);

By phone: +1 925-275-6648;

By postal mail:

Open Identity Exchange  
2400 Camino Ramon, Suite 375  
San Ramon, CA 94583  
ATTN: Help Desk