

# **BrandSpark International Privacy Policy – (Corporate Policy)**

## **Introduction**

At BrandSpark International (BrandSpark) respecting privacy is of utmost importance. We understand that privacy is one of the biggest concerns for Internet users. BrandSpark respects the privacy of every person who visits our Web site or uses our products. We've created this statement to demonstrate our commitment to your privacy and to show the value we place on the information you provide to us. In all interactions with us, including participation in survey research with us, you can remain sure that you are protected by confidentiality, security, and most importantly, common sense.

This Privacy Notice will inform you of the privacy practices and policies implemented on the BrandSpark site and the sites of BrandSpark's authorized affiliates, including Best New Product Awards, BrandSpark Most Trusted, and Shopper Army. More specifically, this privacy policy (hereinafter the "policy") describes the way we in which we collect, use, disclose and process information concerning you and how BrandSpark manages the personal information that we collect through our websites [www.BrandSpark.com](http://www.BrandSpark.com) and [www.BestNewProductAwards.biz](http://www.BestNewProductAwards.biz), [www.BrandSparkMostTrusted.com](http://www.BrandSparkMostTrusted.com) and [www.ShopperArmy.com](http://www.ShopperArmy.com), as well as related BrandSpark websites, social media page, internal website, intranet and any BrandSpark mobile application (collectively the "site" or "websites"). This Privacy Policy gives you information about choices as to how to contact us if you have any further queries about our management of your personal information as well as choices as to how we use it.

The BrandSpark Privacy Policy applies to personal information collected, used, or disclosed by BrandSpark in the course of commercial activities, and to the management of the information in any form whether oral, electronic or written. It does not impose any limits on the collection of, use or disclosure of a) non-personally identifiable information; b) the name, title, business address and/or telephone number of an employee of an organization; other information about an individual that is publicly available and specified by regulation pursuant to the Personal Information Protection and Electronic Documents Act (Canada).

This Privacy Policy is effective as of May 30, 2015. We suggest that you review this Privacy Policy periodically as we may update it from time to time. BrandSpark International reserves the right to change this policy at any time by notifying users of the existence of a new privacy statement. This statement and the policies outlined herein are not intended to and do not create any contractual or other legal rights in or on behalf of any party. This Privacy Policy does not cover personal information collected or held by BrandSpark about its employees.

## **Definitions**

"Consent" is voluntary agreement for the collection, use and disclosure of personal information for defined purposes. Consent can be either express or implied and can be provided directly by the individual or by an authorized representative. Express consent can be given orally, electronically or in writing, but is always unequivocal and does not require any inference on the part of BrandSpark. Implied consent is consent that can reasonably be inferred from an individual's action or inaction.

“Personal information” is broadly defined as information about an identifiable individual that could be used to specifically identify you as the user. This includes information such as your name, address, telephone number, birth date and e-mail address. Personal information does not include the name, title, business address, or telephone number of an employee of an organization. Data we collect with personal identifiers removed, so that it is impossible to determine the identity of the person to whom the information relates, is not considered personal information.

“Respondent” is a member of the public who provides personal information to BrandSpark, for example in the course of participating in a panel survey or during quantitative or qualitative marketing or social research.

“Third party” is an individual or organization outside of BrandSpark.

## **Privacy Principles**

BrandSpark is required to comply with Personal Information Protection and Electronic Documents Act and its ten Privacy Principles as detailed below. BrandSpark is also required to comply with Electronic Consumer Protect Act, and the Do Not Call provisions of the Telecommunications Act.

### ***The Ten Privacy Principles that BrandSpark follows:***

1. **Accountability:** BrandSpark is responsible for maintaining and protecting all personal information under its control. BrandSpark has designated an individual to oversee the company's compliance with this Privacy Policy and its principles. Responsibility for compliance with the provisions of the BrandSpark Privacy Policy rests with the BrandSpark Privacy Officer, who can be contacted by email at [privacy@brandspark.com](mailto:privacy@brandspark.com) or by mail at: 1 St. Clair Avenue West, Suite 503, Toronto, Ontario M4V 1K6, attention: Privacy Officer.

Other individuals within BrandSpark may be delegated to act on behalf of the Privacy Officer or to take responsibility for the day-to-day collection and/or processing of personal information.

2. **Identifying Purposes (for collection of personal information):** We will identify the purposes for which personal information is collected, either before or at the time of collection.

Personal information will not be used by BrandSpark without your consent for purposes other than those for which it was collected. We may collect, use and disclose personal information from the public for the following purposes:

- a) To conduct quantitative or qualitative marketing and social research;
- b) To understand respondent opinions to establish suitability for further quantitative and qualitative marketing and social research;
- c) To respond to questions and requests
- d) To provide an experience that is more relevant to the individual's needs
- e) To improve the site's content and interface
- f) To conduct competitions and promotions
- g) To reach you in the event you win a prize
- h) To ensure that we are complying with our own site rules for control purposes

- i) Only if you have so indicated, to communicate with you from time to time
- j) To meet legal and regulatory requirements or for other purposes required or authorized by or under law

BrandSpark will specify orally, electronically or in writing the identified purpose(s) to the respondent at or before the time personal information is collected in a survey. Upon request, persons collecting personal information will explain these identified purposes or refer the individual to a designated person within BrandSpark who can explain the purposes.

When personal information that has been collected is to be used or disclosed for a purpose not previously identified, the new purpose will be identified and the consent of the respondent will be acquired prior to use or disclosure, unless the new purpose is permitted or required by law.

Where personal information collected by BrandSpark is to be used for research purposes, you will never be asked to purchase anything or directly contacted for marketing purposes based on the information you provide us, unless you have provided express consent.

If any information from a survey is provided to clients or third parties in aggregate form, it is impossible to identify an individual respondent's personal information.

**3. Obtaining Consent (for collection, use or disclosure of personal information):**

We will only collect, use and disclose your personal information with your knowledge and consent, except where otherwise required or permitted by law.

No personal information will be collected on the Site without your consent. Under special circumstances, and always honestly and lawfully, BrandSpark may prompt you to enter personal information. For example, we might collect this information during your registration for one of our personalized services, emails and online contests, or when you indicate you are interested in receiving information about other services, contests or news regarding BrandSpark or its partners. When BrandSpark requests such information, you will be expressly notified in advance that you are providing personal information that will be subject to our practices regarding the collection, recording, development, modification, retention and destruction of such personal information. You will always have the option to decline our request for personal information or terminate a subscription to a personalized service you have previously accepted.

Participation by respondents in panel research is always voluntary. A respondent is always free to choose whether or not to participate in a panel survey, free to choose not to answer any specific questions and free to discontinue participation at any time. When agreeing to participate in a panel survey, a respondent gives consent to the panel survey by participating. There may also be express written consent given by the respondent.

Generally, any personal information collected during a panel survey is not disclosed to third parties other than the client sponsoring the research project. Where BrandSpark does disclose information to a third party other than the client sponsoring the research project, BrandSpark always explains the reason for the disclosure to the respondent

and obtains express permission from the respondent before making any such disclosure.

In attaining consent, BrandSpark will use reasonable efforts to ensure that a respondent is advised of the identified purposes for which personal information will be used or disclosed, and these purposes will be stated in a manner that can be reasonably understood by the respondent.

BrandSpark will generally seek consent to use and disclose personal information at the same time that it collects the information. However, BrandSpark may seek such consent after the personal information has been collected but before it is used and/or disclosed for a new purpose. In determining the appropriate form of consent, BrandSpark will take into account the sensitivity of the personal information and the reasonable expectations of respondents.

Participation in a BrandSpark quantitative or qualitative marketing or social research study or survey or emailing a BrandSpark employee may constitute implied consent for BrandSpark to collect, use and disclose personal information for the identified purposes, including communicating with the individual.

4. **Limiting Collection (of personal information):** We will limit the collection of your personal information to only those details that are necessary for the purposes identified, and information will be collected fairly and lawfully. BrandSpark limits the amount and type of personal information it collects in research and in conducting surveys, and collect only the amount and type of information needed for the purposes identified. We collect personal information about an individual primarily from that individual or a member of the individual's household. Except as permitted by law, BrandSpark will only collect personal information from external sources, such as client organizations, if the individuals have consented to such collection.
  
5. **Limiting Use, Disclosure and Retention (of personal information):** Your personal information will only be used or disclosed for the purpose for which it was collected, unless you have otherwise consented, or when it is required or permitted by law. We will not disclose, trade, rent, sell or otherwise transfer your personal information, without your consent, except as otherwise set out herein. We will only retain your personal information only for as long as required to fulfill the purposes for which it was collected.

BrandSpark may disclose a respondent's personal information to:

- a) A client of BrandSpark where the respondent has consented to such disclosure;
- b) A third party engaged by BrandSpark to perform functions on its behalf;
- c) A public authority or agent of a public authority if, in the reasonable judgement of BrandSpark, it appears that there is imminent danger to life or property which could be avoided or minimized by disclosure of the information; or
- d) A third party or parties, where the respondent consents to such disclosure or disclosure is required or permitted by law.

Access to personal information about respondents is granted only to BrandSpark employees with a business need-to-know or whose duties reasonably require it.

Personal information is kept by BrandSpark only as long as it remains necessary or relevant for the identified purposes or as required by law. Where a respondent may have to be re-contacted for purposes of clarifying responses to a survey or to seek additional responses, and depending on the circumstances, BrandSpark will retain the personal information for a period of time that is reasonably sufficient to allow this re-contact.

BrandSpark will maintain reasonable and systematic controls, schedules and practices for information and records retention and destruction which apply to personal information that is no longer necessary or relevant for the identified purposes or required by law to be retained. Such information will be destroyed, erased or made anonymous.

6. **Accuracy (of personal information):** We will keep personal information we collect as accurate, complete and up-to-date as necessary to fulfill the purposes for which it was collected. To minimize the possibility that inappropriate information may be used to make a decision about a respondent, personal information used by BrandSpark will be sufficiently accurate, complete and up-to-date. BrandSpark will update personal information about respondents and employees as necessary to fulfill the identified purposes or upon notification by the individual.

7. **Security Safeguards:** We will protect the personal information we collect with security safeguards appropriate to the sensitivity of the information. We have implemented measures designed to help protect personal information and we maintain reasonable administrative, technical and physical safeguards in an effort to protect personal information in our custody and control. Through such appropriate security measures and regardless of the format in which the personal information is held, we will protect it against risks such as loss or theft, unauthorized access, disclosure, copying, use, modification or destruction. Unfortunately, no collection or transmission of information over the Internet or other publicly accessible communications networks can be guaranteed to be 100% secure, and therefore, we cannot ensure or warrant the security of any such information.

We have personal information retention processes designed to retain personal information of our customers for no longer than necessary for the purposes stated above or to otherwise meet legal requirements.

We will protect personal information disclosed to third parties by contractual agreements stipulating the confidentiality of the information and the purposes for which it is to be used. BrandSpark employees will be required to respect the confidentiality of personal information

8. **Openness (concerning policies and procedures):** Information about our policies and practices relating to the management of personal information will be made readily available to you as an individual. We will make information about BrandSpark policies and procedures easy to understand, including:

- a) The title and address of the person or persons accountable for compliance with the BrandSpark privacy policy and to whom inquiries can be forwarded;
- b) The means of gaining access to personal information held by BrandSpark
- c) A description of the types of personal information held by BrandSpark and a general account of its use;
- d) A description of what personal information is made available to related organizations.

9. **Individual Access:** At your request, we will inform you of the existence, use and disclosure of your Personal Information, as well as give you access to the information. You will be able to challenge the accuracy and completeness of your information, and to amend it as necessary.

Respondents and employees can obtain information or seek access to their individual information by contacting the BrandSpark Privacy Officer. Upon written request to the Privacy Officer, BrandSpark will inform an individual of the existence, use and disclosure of his/her personal information and will be given access to it.

In certain situations BrandSpark may not be able to provide access to all such personal information, such as when, for example, doing so would likely reveal personal information about a third party or could reasonably be expected to threaten the life or security of another individual or where disclosure would reveal confidential commercial information.

In order to safeguard personal information, we may request certain personal information for the purposes of verifying the identity of the individual seeking access to their personal information records. You as a respondent may be required to provide sufficient identification information to permit BrandSpark to account for the existence, use and disclosure of personal information and to authorize access to the individual's file. Any such information will be used only for this purpose.

Subject to certain exceptions prescribed by law, you may request access, updating and corrections of inaccuracies in personal information we have in our custody or control by emailing or writing to us at the contact information set out below. BrandSpark will correct or complete any personal information found to be inaccurate or incomplete, and note any unresolved differences. Where appropriate, BrandSpark will transmit amended information or the existence of unresolved differences to third parties having access to the personal information in question.

10. **Challenging Compliance:** You may contact BrandSpark with any questions, complaints or suggestions with respect our compliance with the above principles. BrandSpark will have procedures for addressing and responding to all such inquiries or complaints regarding the handling of personal information and will, on written request, inform respondents about the existence of these procedures and the availability of complaint procedures.

The person or persons accountable for compliance with the BrandSpark Privacy Policy may seek external advice where appropriate before providing a final response to individual complaints. BrandSpark will investigate all complaints concerning compliance with its Privacy Policy. If a complaint is found to be justified, BrandSpark

will take appropriate measures to resolve the complaint, including amending its policies and procedures if necessary. The respondent will be informed of the outcome of the investigation regarding the complaint.

### **Navigational Data, IP Addresses, Cookies and Third Parties**

Navigational Data is not Personal Information in that we do not use it, either alone or coupled with other information, with the intent of revealing your identity. The Navigational Data is used solely for the purposes expressed in this Policy.

In general, you can visit our Website without telling us who you are or submitting any personal information. However, BrandSpark International might also collect general anonymous information about visitors to our site, including date and time of the visit, particular pages of the site visited, type of browser used, the IP (Internet Protocol) address of the device, the number of clicks during your visit, the type of device you used, your general geographic location (province or country), the advertisements or videos that you watched during your visit, the name of the internet service provider. We do not in any way link IP addresses with any personal information about individual visitors. We use this information only to determine how to make future visits more convenient and productive.

Navigational Data is collected by means of "Cookies" which are small text files a website can use to recognize repeat users. They provide the convenience to recognize visitors and more quickly provide personalized content or grant you unimpeded access to the website. With cookies enabled, you will not need to fill in information that you have already entered.

Information gathered through cookies also helps us measure use of our website. Cookie data allow us to track usage behavior and compile data that we can use to improve the site. This data will be used in aggregate form; no specific users will be tracked. Generally, cookies work by assigning a unique number to the user that has no meaning outside of the website that he or she is visiting. You can easily turn off cookies. Most browsers have a feature that allows the user to refuse cookies or issues a warning when cookies are being sent. However, our site will not function properly without cookies. Enabling cookies ensures a smooth, efficient visit to our website.

Unless you expressly authorize us to do so, we will not share your Navigational Data with any third parties other than our Partners. Even when we share the Navigational Data with our Partners, they are also bound by the rights, uses and limitations disclosed in this policy. We aim to ensure that the Navigational Data is solely used per our instructions and in accordance with this policy, and all applicable laws, security measures and confidentiality requirements. We may also use a third party to help us gather and analyze information about the areas that you visit on the Website to evaluate and improve the customer experience and the convenience of the Website, and to help us evaluate some of the specific information related to your Website visits.

Our Website may contain links to other sites that BrandSpark does not own or operate. Except as provided herein, our policy is that we will not provide any of your personal information to these third parties without your consent. We provide links to third party websites as a convenience to the user. These links are not intended as an endorsement of or referral to the linked websites. The linked websites have separate and independent privacy statements, notices and terms of use, which we recommend you read carefully. We do not have any control over such websites, and therefore we have no

responsibility or liability for the manner in which the organizations that operate such linked websites may collect, use or disclose, secure and otherwise treat your personal information.

### **ADDITIONAL INFORMATION**

Please contact us if: a) you have any questions or comments about this Privacy Notice, or how your privacy is protected at BrandSpark; b) you wish to opt-out of marketing emails, or access, update, and/or correct inaccuracies in your personal information; or c) you otherwise have a question or complaint about the manner in which we treat your personal information.

For more information regarding the BrandSpark Privacy Policy, please contact the BrandSpark Privacy Office by email at: [privacy@brandspark.com](mailto:privacy@brandspark.com) or by mail at: 1 St. Clair Avenue West, Suite 503, Toronto, Ontario M4V 1K6, Attention: Privacy Officer