

# Privacy Policy

LAST UPDATED: NOVEMBER 20TH, 2019

## 1. Introduction

This Privacy Policy applies to all the products, services, websites and apps offered by SurveyMonkey Inc., SurveyMonkey Europe UC, SurveyMonkey Brasil Internet Eireli, Usabilla BV, and other SurveyMonkey affiliates (collectively “SurveyMonkey”), except where otherwise noted. We refer to those products, services, websites and apps collectively as the “services” in this policy. Unless otherwise noted in your contract, our services are provided by SurveyMonkey Inc. inside of the United States, by SurveyMonkey Brasil Internet Eireli inside of Brazil, and by SurveyMonkey Europe UC everywhere else.

References to "data" in this Privacy Policy will refer to whatever data you use our services to collect, whether it be survey responses, data collected in a form, or data inserted on a site hosted by us – it's all your data! Reference to personal information or just information, means information about you personally that we collect or for which we act as custodian.

If you want to identify your data controller please see the “Who is my data controller” section below.

ALTHOUGH THIS POLICY APPLIES TO ALL OUR SERVICES, IF YOU ARE USING THE SERVICES IN THE BELOW LIST PLEASE FEEL FREE TO CLICK ON THE RELEVANT LINK TO BRING YOU DIRECTLY TO SERVICE SPECIFIC INFORMATION:

TECHVALIDATE

SURVEYMONKEY APPLY OR FLUIDREVIEW

WUFOO

USABILLA

SURVEYMONKEY CONTRIBUTE/REWARDS (IN-HOUSE PANEL)

## 2. Information we collect

### 2.1 Who are “you”?

We refer to “you” a lot in this Privacy Policy. To better understand what information is most relevant to you, see the following useful definitions.

#### Creators

You hold an account within a SurveyMonkey service and you either directly create surveys, forms, applications, or questionnaires or you are collaborating on, commenting on, or reviewing surveys, forms, applications, or questionnaires within an account.

#### Respondents

You have received a survey, form, application, or questionnaire powered by a SurveyMonkey service.

## Panelists

You have signed up and agreed to take surveys sent to you by SurveyMonkey on behalf of creators. We deal with panelists in an entirely separate section of our Privacy Policy, which you can read [here](#).

## Website Visitor

You are just visiting one of our websites because you are Curious or you have heard about us from our marketing and sales channels!

## 2.2 Information we collect about you.

- **Contact Information (for example name or email address).**

You might provide us with your contact information, whether through use of our services, a form on our website, an interaction with our sales or customer support team, or a response to one of SurveyMonkey's own surveys.

- **Usage information.**

We collect usage information about you whenever you interact with our websites and services. This includes which webpages you visit, what you click on, when you perform those actions, what language preference you have, what you buy and so on.

- **Device and browser data.**

We collect information from the device and application you use to access our services. Device data mainly means your IP address, operating system version, device type, device ID/MAC address, system and performance information, and browser type. If you are on a mobile device we also collect the UUID for that device.

- **Information from page tags.**

We use first party and third party cookies and tracking services that employ cookies and page tags (also known as web beacons) to collect data about visitors to our websites. This data includes usage and user statistics. Emails sent by SurveyMonkey or by users through

our services also include page tags that allow the sender to collect information about who opened those emails and clicked on links in them. We provide more information on cookies below and in our Cookies Policy.

- **Log Data.**

Like most websites today, our web servers keep log files that record data each time a device accesses those servers. The log files contain data about the nature of each access, including originating IP addresses, internet service providers, the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system versions, device type and timestamps.

- **Referral information.**

If you arrive at a SurveyMonkey website from an external source (such as a link on another website or in an email), we record information about the source that referred you to us.

- **Information from third parties and integration partners.**

We collect your personal information from third parties where, for example, you give permission to those third parties to share your information with us or where you have made that information publicly available online.

### **If you are a Creator we may also collect:**

#### **Account Information**

- **Registration information.**

You need a SurveyMonkey account before you can use SurveyMonkey services. When you register for an account, we collect your first and last name, username, password and email address. If you choose to register by using a third party account (such as your Google or Facebook account), please see “Information from third parties” below.

- **Billing information.**

If you make a payment to SurveyMonkey, we require you to provide your billing details, a name, address, email address and financial information corresponding to your selected method of payment (e.g. a credit card number and expiration date or a bank account number). If you provide a billing address, we will regard that as the location of the account holder to determine which SurveyMonkey entity with whom you contract and the sales tax, if applicable, to be applied to your purchase.

- **Account settings.**

You can set various preferences and personal details on pages like your account settings page (or in your account settings page for our other products as applicable). For example, your default language, time zone and communication preferences (e.g. opting in or out of receiving marketing communications from SurveyMonkey).

Use of some of our services will also result in us collecting the following data on your behalf:

- **Address book information.**

We may allow you to import email addresses and other contact information into an Address Book so you can easily invite people to take your surveys or fill in your form via our collectors. We don't use this data for our own purposes or contact anyone, except at your direction.

- **Survey/form/application data.**

We store your survey/form/application data (questions and responses) for you and provide analysis tools for you to use with respect to this data.

- **Profile information.**

When you sign up for our services you are asked to provide us with information about yourself and to give us more detailed insights into who you are.

## 3. How we use the information we collect

### 3.1 Creator

### 3.2 Respondent

### 3.3 Visitor

## 4. Information you share

Many of our services let you share information with others. Remember that when you share information publicly, it can be indexable by search engines. Our services provide you with

different options on sharing and deleting your content but we cannot delete content from search engines so you need to be careful about information you make public.

## 5. Information we share

We do not share your information or data with third parties outside SurveyMonkey except in the following limited circumstances:

- If you are a Creator that is part of a team plan or Enterprise plan using SurveyMonkey, your account information and data will be shared with the primary administrator(s) and your survey data may also be visible to other members in your team with whom you share your surveys or with whom you collaborate. Your administrator(s) will be able to view your account data, change your passwords, suspend, transfer or terminate your account or restrict your settings. Please refer to your organization's internal policies if you have questions about this.
- If your organization has purchased an Enterprise account and you are using an email address on a domain owned by your employer or organization linked to your individual account, you may be asked to migrate to the Enterprise Account and your email address, name and account data will subsequently be visible to the primary administrator for that account once you have been migrated. You may be notified in advance of this migration and given an opportunity to change the email address linked to your account if you are not using your account for business purposes.
- To help us provide certain aspects of our services we use our affiliates and trusted key partners – in particular, we engage third parties to:
  - facilitate our email collectors for sending surveys by email to Respondents.
  - facilitate customers in making payments.
  - deliver and help us track our marketing and advertising content.
  - help us track website conversion success metrics.
  - manage our sales and customer support services to you.

We enter into confidentiality and data processing terms with partners to ensure they comply

with high levels of confidentiality and best practice in privacy and security standards and we regularly review these standards and practices.

- On your instructions, we share your information or data if you choose to use an integration in conjunction with SurveyMonkey services, to the extent necessary to facilitate that use. See further information here on our API partners.
- We also may have to share information or data in order to:
  - meet any applicable law, regulation, legal process or enforceable governmental request.
  - enforce applicable policies, including investigation of potential violations.
  - detect, prevent, or otherwise address fraud, security or technical issues.
  - protect against harm to the rights, property or safety of our users, the public or to SurveyMonkey and/or as required or permitted by law.
  - facilitate a sale, merger or change in control of all or any part of our company or business or in preparation for any of these events.

Where we use any third parties to assist us in service delivery for you (the Creator), and they process your data as part of that service, we provide a list of these third parties which is available on completion of this form (<https://smprivacy.wufoo.com/forms/q1khl351392il3/>). This form contains a list of all sub-processors used across all services covered by this Privacy Policy so please keep in mind that your service may only be impacted by a subset of these sub-processors.

## 6. Cookies

We and our partners use cookies and similar technologies on our websites. For more information see our Cookies Policy. For information about cookies used in our surveys please see Cookies used on Survey Pages. If you are a customer of SurveyMonkey and separately use cookies or similar technologies in conjunction with any of our products and services, then you yourself will be responsible for complying with any laws related to the use of those technologies and this Privacy Policy is not applicable to that use by you.

We use certain cookies, as described in our Cookies Policy and here in our Privacy Policy, that

you agree to when you use our sites and, in the case of some cookies, for legitimate interests of delivering and optimizing our services (where the cookie delivers essential functionality).

Cookies are small bits of data we store on the device you use to access our services so we can recognize repeat users. Each cookie expires after a certain period of time, depending on what we use it for. We use cookies and similar technologies for several reasons:

- To gather metrics about your survey taking experience.

For example, we will collect data about the number of clicks it took Respondents to complete a survey, whether they left and returned to a survey, whether they skipped parts of a survey and how long it took to complete the survey and other details about the survey taking. However, this information is collated and kept at an aggregated and anonymized level only.

- To make our site easier to use.

Creators if you use the “Remember me” feature when you sign into your account, we store your username in a cookie to make it quicker for you to sign in whenever you return to SurveyMonkey.

- For security reasons.

We use cookies to authenticate your identity and confirm whether you are currently logged into SurveyMonkey or determine if an incident impacts you.

- To provide you with personalized content.

We store user preferences, your default language, device and browser information, your profile information which includes, the level of usage of service and the web-pages on our site which you visit, so we can identify you across devices and personalize the content you see.

- To improve our services.

We use cookies to measure your usage of our websites and track referral data, as well as to occasionally display different versions of content to you. This information helps us to develop and improve our services (it helps us focus on the parts of the service you seem most interested in) and optimize the content we display to you (which may include marketing content).

- To advertise to you.

We, or our service providers and other third parties we work with, place cookies when you visit our website and other websites or when you open emails that we send you, in order to provide you with more tailored marketing content (about our services or other services), and to evaluate whether this content is useful or effective. For instance, we evaluate which ads are clicked on most often, and whether those clicks lead users to make better use of our tools, features and services. If you don't want to receive ads that are tailored to you based on your online activity, you may "opt out" of many of the companies that are involved in such tailoring by going to <https://www.aboutads.info> (<https://www.aboutads.info/>), <https://preferences-mgr.truste.com/> (<https://preferences-mgr.truste.com/>) or, if you're located in the European Union, at <https://www.youronlinechoices.eu> (<https://www.youronlinechoices.eu/>). Opting out in this way does not mean you will not receive any ads; it just means that you will not receive ads from such companies that have been tailored to you based on your activities and inferred preferences.

- Google Analytics.

In addition to the above, we have implemented on our websites and other services certain Google Analytics features that support Display Advertising, including re-targeting. Visitors to our websites may opt out of certain types of Google Analytics tracking, customize the Google Display Network ads by using the Google Ad Preferences Manager and learn more about how Google serves ads by viewing its Customer Ads Help Center. If you do not wish to participate in Google Analytics, you may also download the Google Analytics opt-out browser add-on.

You can choose to remove or disable cookies via your browser settings.

## 7. Security

We have a security statement related to our self-serve businesses (SurveyMonkey and Wufoo) available to view here. For information about security related to our other business lines you can speak to a sales representative by completing the form here.

## 8. Data Retention

If you hold an account with SurveyMonkey we do not delete the data in your account – you are responsible for and control the time periods for which you retain this data. There are controls in your account where you can delete data at the account level (all data in your account) and at the response level. If you are a Respondent, you will need to ask the Creator how long your responses will be stored in SurveyMonkey services.

We also describe the expiry periods for cookies on our websites in our cookies policy.

## 9. Safety of Minors

Our services are not intended for and may not be used by minors. “**Minors**” are individuals under the age of 13 (or under a higher age if permitted by the laws of their residence). SurveyMonkey does not knowingly collect personal data from Minors or allow them to register. If it comes to our attention that we have collected personal data from a Minor, we may delete this information without notice. If you have reason to believe that this has occurred, please contact customer support.

## 10. Data Transfers and Privacy Shield Certification

Your information and data may be processed in and transferred or disclosed in the United States and countries in which our affiliates are located and in which our service providers are located or have servers. You can view where our affiliates are located on the Office Locations page.

### **EU-U.S. Privacy Shield and Swiss-U.S. Privacy Shield.**

SurveyMonkey Europe UC has entered into contractual terms to include standard contractual clauses with SurveyMonkey Inc. for the transfer of data to SurveyMonkey Inc. as part of delivery of service. SurveyMonkey Inc. is located in the United States and accordingly, data (to include Respondent data) will be transferred to the United States.

SurveyMonkey Inc. participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and Swiss-U.S. Privacy Shield. SurveyMonkey is committed to subjecting all personal information received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield List. <https://www.privacyshield.gov/> (<https://www.privacyshield.gov/>).

SurveyMonkey also complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions.

When SurveyMonkey receives personal information under the Privacy Shield and then transfers it to a third-party service provider acting as agent on SurveyMonkey's behalf, SurveyMonkey has certain liability under the Privacy Shield if both (i) the agent processes the information in a manner inconsistent with the Privacy Shield and (ii) SurveyMonkey is responsible for the event giving rise to the damage. With respect to personal data received or transferred pursuant to the Privacy Shield Framework, SurveyMonkey is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission. In certain situations, SurveyMonkey may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

Please contact SurveyMonkey as described in Section 14 below if you have any concerns or complaints of any nature. If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider, (free of charge) at <https://www.jamsadr.com/file-an-eu-us-privacy-shield-claim> (<https://www.jamsadr.com/file-an-eu-us-privacy-shield-claim>).

Under certain conditions, more fully described on the Privacy Shield website <https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint> (<https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>), you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

## 11. Changes to our Privacy Policy

We can make changes to this Privacy Policy from time to time. We will identify the changes we have made on this page. In circumstances where a change will materially change the way in which we collect or use your personal information or data, we will send a notice of this change to all of our account holders.

## 12. Personalized marketing

You can opt-out from direct marketing in your account and we provide opt-out options in all direct marketing emails. Finally, if you do not wish to see personalized marketing content on the web related to our service you can clear the cookies in your browser settings. See our Help Center article on how to do this here.

## 13. Who is my data controller?

As mentioned above – all response data at an individual level is controlled by the Creator. SurveyMonkey can be a data controller of data about Respondents only in the very limited ways described in the section here called “How we use the information we collect - Respondent”. To the extent that is the case we have identified the correct controller below.

For Creators, Respondents, Website Visitors and Panel who are addressed in this privacy policy and who are located outside the United States, your data controller is SurveyMonkey Europe UC to the extent that it is processing your personal data. For Usabilla please see section 16.4.

## 14. Your rights

For SurveyMonkey Apply users please see information on how to exercise your rights here (<https://help.smapply.io/hc/en-us/articles/360003749013-SurveyMonkey-Apply-Data-Privacy>). This section describes the rights you may have generally as a customer of any SurveyMonkey service.

You may wish to exercise a right to obtain information about yourself or to correct, update or delete that information. For more information about these rights you can read about it here ([https://help.surveymonkey.com/articles/en\\_US/kb/surveymonkey-gdpr](https://help.surveymonkey.com/articles/en_US/kb/surveymonkey-gdpr)). Some of these rights may be subject to some exceptions or limitations in local law. Please note your rights and choices vary depending upon your location. We will take reasonable steps to verify your identity and we will respond to your request to exercise these rights within a reasonable time (and in all cases within 30 days of receiving a request) subject to the below for specific categories of person.

**Creator**

**Respondent**

**Visitor**

### **Other rights and choices**

- For rights and choices specific to California consumers click here. Please note we will take reasonable steps to verify your identity and the authenticity of your request. Once verified, we will maintain your request in the event our practices change.

## **15. Exercising your rights**

Except as explicitly provided herein, please use the following Contact Information for Privacy Inquiries

SurveyMonkey Inc.

1 Curiosity Way

San Mateo, California 94403

United States

Or contact us here (<https://help.surveymonkey.com/contact?l=en&form=datarequest>).

SurveyMonkey Europe UC

2 Shelbourne Buildings,

Second Floor,

Shelbourne Rd,  
Ballsbridge  
Dublin 4,  
Ireland

Or contact us here (<https://help.surveymonkey.com/contact?l=en&form=datarequest>).

Note that our contact form is the best (<https://help.surveymonkey.com/contact?l=en&form=datarequest>) way to make a rights request with us.

## Complaints

If you are resident in the European Union and you are dissatisfied with how we have managed a complaint you have submitted to us, you are entitled to contact your local data protection supervisory authority. As SurveyMonkey Europe UC operates its business in Ireland, it operates under the remit of the Irish Office of the Data Protection Commissioner (see: ODPC Website (<https://www.dataprotection.ie/docs/Home/4.htm>))

## 16. Information specific to other services

16.1 TechValidate

16.2 SM Apply / FluidReview

16.3 Wufoo

16.4 Usabilla

16.5 Audience/ Contribute