



# Scram Software Privacy Policy

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Scram is committed to respecting your privacy and the confidentiality of your personal data, traffic data and communications content.

This Privacy Policy is designed to assist you in understanding how Scram Software Pty Ltd (“Scram”) uses and safeguards the information you provide in using Scram's internet communications, Scram's websites and/or Scram's products.

## 1 What Does This Privacy Policy Cover?

This Privacy Policy is part of Scram’s Terms of Service and covers the treatment of user information, including personally identifying information, obtained by Scram, including information obtained when you access Scram’s Site, use Scram’s Services or any other software provided by Scram.

This Privacy Policy does not apply to the practices of companies that Scram does not own or control, or to individuals whom Scram does not employ or manage, including any of the third parties to which Scram may disclose user information as set forth in this Privacy Policy.

## 2 Types of information covered by our privacy policy

The types of information covered by this privacy policy are:

1. Your content
2. User provided personal information
3. Cookies
4. Log files and usage statistics
5. Software activation and licensing
6. Technical support and diagnostic information

### 2.1 The privacy of your content

At Scram, the privacy of your content is our highest priority. We design our products and services in order that the absolute minimum amount of your content is stored by Scram on its servers and databases at any given time, and whatever content is stored by Scram on its servers and databases is encrypted.

For some of our products, namely those that function as standalone applications requiring no interaction with Scram’s servers, none of your content is collected or stored by Scram.

For other products, such as our instant messaging products, data must pass through Scram’s servers in order for the service to function.

**User provided content:** Scram will only collect the content that you have provided and that is obvious to you that will be submitted to our servers. For example, if you send a text message, photo



or video through our instant messaging product, this data is encrypted and transmitted to our servers. Only the content that is obviously being sent to the recipient is transmitted to our servers.

**Collection and storage:** Scram does not collect or store your content, other than the minimum required in order to deliver the services.

**Time:** We store your content for a minimum amount of time, after which it is deleted from our servers. In the case of instant messaging, once the message has been confirmed to have been delivered to the intended recipient, it is deleted from our servers. It is not possible to retrieve the content once they are deleted from our servers.

**Encrypted format:** Where your content is stored on our servers in encrypted format, we are unable to read that content.

**Encryption keys and passwords:** We do not collect or store your encryption keys or passwords. Consequently, we will be unable to assist if you lose your encryption keys or passwords.

## 2.2 User-provided personal information that we collect

Scram undertakes to collect your personal information only where it is necessary for the purposes of delivering the advertised services, and for marketing, supporting and maintaining our software products and services, and where requested distributing newsletters, licensing our software, updating our software, administering updates and responding to sales and technical queries.

In most circumstances this information will be limited to your personal information or the personal information of a third party whom you have consent to provide such information including but not limited to your name, address, e-mail address, company name, company ABN, company address, your job title and phone numbers. Where orders are made online using credit card details, all information is securely transmitted in an encrypted format to Scram.

You do not have to provide Scram with any personal information, however if you do not do so Scram may not be able to complete a transaction you have entered into, finalise payment of a product or service you have ordered, validate your entry in a promotion or otherwise provide you with the products or services that you have requested.

### 2.2.1 When do we collect user-provided personal information

Scram collects personal information when you complete one of the following actions:

- Order software licences or subscriptions;
- Download trial, beta and release versions of Software;
- Make an enquiry about software;
- Apply to become a reseller of Scram;
- Apply to receive newsletters from Scram;
- Lodge a technical support query regarding Software or Services;
- Participate in Scram promotional activities or surveys;
- Where you forward information to us in an email or as a hard copy document; and
- Other circumstances where collecting personal information is reasonable and permitted by the Laws of the State of Victoria, Australia.



## 2.2.2 Product or Service specific collection of user-provided personal information

Depending on the product or service, additional user-provided information will be stored by Scram. Only the minimum amount of this information will be stored, in order for us to deliver the product or service.

For example, in the case of our instant messaging products, your contact list and block list will be stored by Scram in order to deliver you the service.

## 2.3 Cookies

Scram's web sites may from time to time use cookies. A cookie is a piece of text that is saved to your browser by a web site to enable that website to save certain information to your machine so that it can later be retrieved. We do not use cookies to collect personal information about you. While you may set your browser to not accept cookies from the Scram web sites, some functions of the web sites may not be available when cookies are not accepted.

If you are using a mobile device to access our website, our website may use an anonymous identifier to track user traffic patterns. The anonymous identifier is a random string of characters that is used for the same purposes as a cookie on platforms, including certain mobile devices where cookie technology is not available.

We utilize Google Analytics and Google Adwords on our websites.

To opt out of Google advertising cookies, please visit:

<http://support.google.com/ads/answer/2662922>

To opt out of Google Analytics cookies, please visit: <http://tools.google.com/dlpage/gaoptout>

## 2.4 Log File Information and Usage Statistics

When you use Scram websites, our servers automatically record certain information that your web browser sends whenever you visit any website. These server logs may include information such as your web request, Internet Protocol ("IP") address, browser type, browser language, referring / exit pages and URLs, platform type, number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, the date and time of your request, one or more cookies that may uniquely identify your browser.

When you use Scram Services, our servers log certain general usage information that enable us to monitor the utilization of our services by users, detect abuse of the system, to help maintain service levels, and improve the quality of our services. Such usage information is specific to each Service used. In the case of instant messaging, this includes logging the number and dates of messages sent and received, bandwidth consumed, types of devices used. Data is de-identified where both possible and practical.

Scram may use and share aggregated non-personally identifiable information publicly. For example, Scram may share information publicly to show trends about the general use of our services and products.



## 2.5 Software activation and licensing

Some of our products may require software activation as part of our licensing and copy protection procedures. This requires some form of identifier to be sent and stored on Scram's servers to verify that the software is correctly licensed.

In order to protect the privacy of our users, we will take all reasonable measures to ensure that the identifier used is de-identified. For example,

- Where our products are licensed to a user, we may use a salted hash of the user's public encryption key as the identifier (noting that a user's public encryption key is public and does not compromise the security of their encrypted data), or a salted hash of the user's licensed email address
- Where our products are licensed per machine or device, we may use a hash of certain hardware configuration details or serial numbers.

## 2.6 Technical support and diagnostic information

In some cases, in order to deliver technical support to you, we may request that you compile diagnostic information and send it to us. We will use this diagnostic information only for the purposes of helping answer your questions; diagnosing and solving your technical issues, or otherwise for improving our software and services (for example, to enable us to fix bugs or develop enhancements). Diagnostic information may include items such as the Windows Event Log, crash reports, logs output by Scram's Software or other software, machine or device configuration information, Operating System information. Such information may be necessary for us to diagnose issues, especially bugs or interoperability / compatibility problems.

It is your option whether to agree to send such diagnostic information. If you elect not to, we may be unable to provide you technical support.

Upon resolution of your issue, or at any other time, you may request that Scram delete this diagnostic information by contacting our Helpdesk. We will comply with your request within 30 days.

## 3 Disclosure of personal information to third parties

We will share your personally identifiable information with other units within Scram and will use your personally identifiable information to keep you informed in the manner in which you have selected or to notify you of new developments we believe may be of interest to you. If you do not want to receive direct marketing, you can ask us not to contact you or not to disclose your personally identifiable information for that purpose without charge, by contacting our Privacy Officer by following the procedure outlined in section 4.2 of this document.

We do not sell or share your personally identifiable information with other third-party companies for their commercial or marketing use without your consent or except as part of a specific program, service or feature for which you will have the ability to opt-in or opt-out.



We may share your personally identifiable information with third party service providers to the extent that it is reasonably necessary to perform, improve or maintain the Scram Service. We may engage third party contractors to:

- Help market our software;
- Provide email and helpdesk services;
- Handle and process trial downloads and reseller applications;
- Provide electronic funds transfer services, credit card account processing and related services;
- Operate call centres;
- Collect commissions payable to Scram;
- Conduct market research;
- Assist with obtaining payment from creditors

In these situations, we may send your information out of Australia but when we do this, we use our best endeavors to ensure that appropriate data handling and security arrangements are in place and prohibit the third party contractor from using personal information about you except for the specific purpose for which Scram supplies it. Please note that Australian law may not apply to some of these third party contractors and entities.

Scram may also disclose your personal information in the following circumstances:

- Where Scram is required by law to disclose your information; and
- Where Scram discloses personal information to the related entities of Scram.

Scram also reserves the right to disclose personally identifiable information and/or non personally identifiable information that Scram believes, in good faith, is appropriate or necessary to enforce our End User Licence Agreement, Terms of Service Agreement, take precautions against liability, to investigate and defend itself against any third-party claims or allegations, to protect the security or integrity of the Scram Site or our servers, and to protect the rights, property, or personal safety of Scram, our users or others.

### **3.1 In the Event of Merger, Sale, or Bankruptcy**

In the event that Scram is acquired by or merged with a third party entity, we reserve the right to transfer or assign the information we have collected from our users as part of such merger, acquisition, sale, or other change of control. In the unlikely event of our wind-up, bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, we may not be able to control how your personal information is treated, transferred, or used.

## **4 Contacting us or making a complaint**

### **4.1 How You Can Access Your Personal Information?**

We will take reasonable steps to make sure that the personal information we collect, use or disclose is accurate, complete and up to date. If your personal details change, such as your address or phone



number, please contact our Privacy Officer by following the procedure outlined in section 4.2 of this document.

At your request, we will provide you with a copy of any personal information which we hold about you, unless an exception under the *Privacy Act 1988* (Cth) applies. We may charge a fee for retrieving this information, in which case we will inform you of the fee and obtain your agreement to that fee before providing the information.

## 4.2 How to contact us

If you have any questions about this Privacy Policy, if you wish to update information we hold about you or if you wish to make a complaint about our collection, use or disclosure of your personal information under this Privacy Policy, please contact us by writing to our Privacy Officer at:

Attn: Privacy Officer  
Scram Software Pty Ltd  
Suite 410  
365 Little Collins Street  
Melbourne VIC 3000  
Australia

## 4.3 How to make a complaint

If you wish to make a complaint, you may do so by contacting our Privacy Officer as described in section 4.2 of this document. We will take reasonable steps to remedy any issues resulting from our failure to comply with our privacy obligations and will promptly acknowledge and investigate any complaint about the way we manage personal information. Complaints will be investigated by Scram and a response will be provided within 30 days.

If you wish to, you can complain about interferences with your privacy to the Office of the Australian Information Commissioner. Their contact details are:

Email: [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
Post: GPO Box 5218, Sydney NSW 2001 Australia  
Phone: +61 1300 363 992  
Fax: +61 2 9284 9666  
Web: <http://www.oaic.gov.au>

## 5 Changes and updates to this Privacy Notice

This Privacy Policy may be revised periodically and this will be reflected by the "effective date" below. Please revisit Scram's website to stay aware of any changes. Your continued use of the Scram's website and Services constitutes your agreement to this Privacy Policy and any amendments.

Effective Date: 14 July 2016