

## Privacy Policy

HiSky S.C.S Ltd (“**HiSky**”, “**we**”) is committed to maintaining the privacy of its users (“**user**”, “**you**”). The following information describes how HiSky collects and processes information about you when you use our Smartellite Voice and Messaging application (the “**App**”).

Our Privacy Policy explains:

- What information we collect and why we collect it.
- How we use that information.
- Your rights with regard to the collection of such information.

By using our App, you agree to this Privacy Policy.

HiSky provides satellite communication solutions, while it operates as a network operator that draws capacity from an existing satellite infrastructure, to enable affordable connectivity throughout the world. Among its solutions, HiSky provides the App, which allows its users to engage in messaging and internet calling activities, using HiSky’s satellite communication solutions (the “**Services**”).

### Using the App on your Device

Users can access the Services only through the App on a “**Device**” which within this Privacy Policy – means a mobile phone, or a tablet. This Privacy Policy describes the practices in which HiSky collects Personal Information through the App in the course of the provision of the Services, and shall apply regardless of the manner in which access to the Services was provided.

### Collecting Information

Please note that the scope of this Privacy Policy is limited only to information collected by HiSky through your use of its Services. Some information may be automatically collected, and some is collected when you interact with our App. The type of information that may be automatically collected is non-personal information, which includes your session durations, the content you accessed on the Services, the frequency and scope of your use of the Services and information about your Device and internet connection including the operating system you use.

Information from which you can be personally identified may also be collected, including but not limited to your name, email address, telephone number and the location of the Device through which you used the App (hereinafter: “**Personal Information**”). Personal Information shall be collected, without limitation, via the following measures:

- 1) Registration to the Services – we collect Personal Information when you register to our Services.
- 2) Dialer and call history – we collect Personal Information when you use our App to call your recipients, such as your call history and length.
- 3) SMS and Chat – we collect Personal Information when you use our App to message your recipients, such as the content of your chats, audio, files, photos and any other information you choose to upload and send via our SMS and Chat tools.
- 4) Contacts – we collect Personal Information when you use our App to call existing or new contacts, such as your contact lists.

## **Use of Information**

We use the Personal Information we collect from you for a range of different business purposes according to different legal bases of processing. We may use or process your Personal Information for the following purposes. One or more purposes may apply simultaneously.

### **1. Providing the Requested Services**

- We collect your Personal Information to provide you with messaging and online calling capabilities using our internet connectivity solutions.
- We collect your Personal Information to ease your use of our Services by providing you with your everyday contact lists and allowing you to easily communicate with your contacts.
- We collect your Personal Information to provide you with technical and professional assistance, with regard to the Services you use or intend to use.

We process the Personal Information where it is necessary for the adequate performance of the contract regarding the requested Services.

### **2. Improvement and Development of the Services**

- We collect Personal Information to improve and develop our Services and understand feedback on HiSky's Services and to help provide more information on the use of those Services quickly and easily.
- We collect Personal Information for ongoing review and improvement of the information provided on our App to ensure it is user friendly.
- We collect Personal Information to improve the management and administration of our business and maintain compliancy with our internal policies and procedures.
- We conduct surveys and research, test features in development, and analyze the information we have to evaluate and improve our Services, develop new features, and conduct audits and troubleshooting activities.

We process this information in light of our legitimate interest in improving the Services, to allow our users to have the best experience.

### **3. Maintain a Safe and Secure Environment**

We may use your information to detect and prevent fraud, abuse and security incidents in the following ways;

- Verify and authenticate your identity and prevent unauthorized or illegal activity;
- Enhance the safety and security of our Services;
- Conduct security investigations and risk assessments;
- Prevent or take action against activities that are, or may be, in breach of our terms of service or applicable law.

We process this information in light of our legitimate interest in improving our Services and enabling our users to browse in a secure environment.

#### **4. Personalize Content**

- If you have used HiSky's Services in the past, we have a legitimate business interest for matching the data we collect with other data we had already collected.
- This enables us to understand your needs and interests, optimize the Service you are provided with and make it more suitable and relevant to your needs.
- This also enables us to improve your experience on the App by providing you with personalized content, recommendations, and features.

We process this information in light of our legitimate interest to personalize your experience and customize our content.

#### **Disclosure of Information and Transfer of Data**

Except as otherwise provided in this Privacy Policy, we reasonably attempt to ensure that we never intentionally disclose any of your Personal Information, to any third party without having received your permission, except as provided for herein or otherwise as permitted or required under law.

In order to perform our contractual and other legal responsibilities or purposes, we may, from time to time, need to share your Personal Information with third parties. We may as well share your Personal Information with our affiliates, subsidiaries or any third party service providers and individuals to facilitate our Services or any portion thereof, such as marketing, data management, hosting or maintenance services. In particular, we use AWS hosting services to securely retain your Personal Information. We may also share your information with analytics service providers for analytics services. Such analytics service providers set their own cookies or other identifiers on your Device, through which they can collect information about your usage of our App. This helps us compile aggregated statistics about the effectiveness of our Services.

The above mentioned third parties may be located in countries other than your own, and we may send them information we receive. When such third party service providers process your Personal Information on our behalf, we will assure that they comply with obligations similar to those which are set forth in this Privacy Policy. We will also assure that they will abide by our data privacy and security requirements, and will be allowed to use the Personal Information solely for the purposes we set. We will transfer your Personal Information while using appropriate and suitable safeguards, while using a variety of legal mechanisms, including contracts, to ensure your rights and protections travel with your data.

We may also transfer your information, including Personal Information, in connection with a corporate merger, consolidation, the sale of related assets or corporate division or other fundamental corporate changes. Furthermore, information about you may also be released in order to comply with any valid legal obligation or inquiry or process such as a search warrant, subpoena, statute or court order. We will also release specific information in special cases, such as if you use the App to perform an unlawful act or omission or take any act or omission that may damage HiSky, its property and goodwill, or if there is an attempted breach of the security

of the App or a physical or property threat to you or others. The authority supervising such activities is the Israeli Privacy Protection Authority, and you have the right to file a complaint to it or any other relevant supervisory authority.

### **Your Rights**

You have the right at any time to request to access or modify your information. To exercise these options, please contact us at [support@hiskysat.com](mailto:support@hiskysat.com).

In some jurisdictions, in particular those located within the European Union (the "EU") or within the European Economic Area (the "EEA"), you may be afforded specific rights regarding your Personal Information. Subject to such eligibility, you may have the following rights to:

1. Request a rectification of your Personal Information where the information we hold about you is incorrect or incomplete.
2. Object to the processing of your Personal Information for direct marketing purposes.
3. Object to the processing of your Personal Information where our legal basis for that processing is that such processing is necessary for our legitimate interests.
4. Object to an automated decision-making (including profiling) in certain circumstances.
5. Request the erasure of your Personal Information in certain circumstances, such as where processing is no longer necessary for the purpose it was originally collected for, and there is no compelling reason for us to continue to process or store it;
6. Receive your Personal Information, or ask us to transfer it to another organization that you have provided to us, which we process by automated means, where our processing is either based on your consent or is necessary for the performance of a contract with you.

Generally, with regard to information collected on our App, HiSky is a "Data Controller". Therefore, if you wish to exercise the above mentioned rights, please contact us, and we will make our best efforts to fulfill your request.

If you wish to file a request regarding any of the above, you may contact us at: [support@hiskysat.com](mailto:support@hiskysat.com).

### **California Privacy Rights**

The California Consumer Privacy Act of 2018 ("CCPA") permits users who are California residents to request and obtain from us once a year, free of charge, a list of the third parties to whom we have disclosed their Personal Information (if any) in the prior calendar year, as well as the type of Personal Information disclosed to those third parties.

Please note that we do not sell your Personal Information. If you choose to exercise your rights, we will not charge you different prices or provide different quality of our Services, unless those differences are related to your provision of your Personal Information.

Please note that you must verify your identity and request before further action is taken. As a part of this process, government identification may be required. Moreover, you may designate an authorized agent to make a request on your behalf.

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. Any disclosures we provide, will only cover the 12 month period preceding your verifiable request's receipt. If, for some reason, we cannot reply within such time frame, our response will include an explanation for our inability to comply. If you wish to exercise your CCPA rights, please contact us at: [support@hiskysat.com](mailto:support@hiskysat.com).

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

1. Deny you goods or services.
2. Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
3. Provide you with a different level or quality of goods or services.
4. Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### **CAN SPAM Act**

The CAN-SPAM Act is a Federal US law that sets the rules for commercial email, establishes requirements for commercial messages, gives recipients the right to have emails stopped from being sent to them, and spells out strict penalties for violations.

To be in accordance with CANSPAM, HiSky agrees to the following:

- Not use false or misleading subjects or email addresses.
- Identify the commercial message sent to you as an advertisement when required.
- Include the physical address of our business or site headquarters.
- Monitor third-party email marketing services for compliance, if one is used.
- Honor opt-out/unsubscribe requests quickly.
- Allow users to unsubscribe by using the link at the bottom of each email.

If at any time you would like to unsubscribe from receiving future emails, you can email us at [support@hiskysat.com](mailto:support@hiskysat.com) and we will promptly remove you from ALL correspondence.

### **Cookies**

We may use “cookies” and/or other technologies or files (collectively, “**cookies**”) to identify how visitors make use of this App. This aggregated tracking information may be used to help us improve and enhance the App experience for all of our visitors. In addition, cookies are used for adjusting the App to your personal preferences. Cookies contain information such as the pages you visited, the length of time you stayed on the App, the location from which you accessed the App and more. If you would prefer not to have cookies stored on your Device, you may modify your browser settings to reject most cookies, or manually remove cookies that have been placed on your Device. However, by rejecting the cookies, you may be unable to fully access the offerings on this App. To find out more about cookies, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

### **Opt In or Opt Out**

You are always in control of your data, and if you choose to receive information from us, or others, you can change your mind later. If, at any time, you would like to stop receiving such information or opt out of a feature, you may notify us by writing to [support@hiskysat.com](mailto:support@hiskysat.com). You should be aware, however, that it is not always possible to completely remove or modify information in our databases and servers, although we will always make reasonable efforts to do so upon your request.

### **Links to Other Websites**

This App may provide links to other websites. Please be aware that these other websites are not covered by our Privacy Policy. This Privacy Policy does not cover the information practices exercised by other providers of services, advertisers or other websites, companies or individuals, which are not owned or controlled by HiSky. We suggest that when linking to another website, you always read that website's privacy policy before volunteering any personally identifiable information.

### **Data Security**

We deploy industry standard measures to ensure the security, confidentiality, integrity and availability of the Personal Information we process. We maintain physical, technical and administrative safeguards, and test and update these periodically. We endeavor to restrict access to Personal Information on a 'need to know' basis for the provision of Services to you. No such measures are perfect or impenetrable. In the event of a security breach, we will take all reasonable action to minimize any harm. Although we will do our best to protect Personal Information, we cannot guarantee the security of data transmitted to our App and transmission is at the users own risk.

### **Data Retention**

Generally, HiSky does not retain information longer than necessary to provide its Services and for its reasonable business and lawful needs. If you withdraw your consent to us processing your Personal Information, we will erase your Personal Information from our systems, unless the Personal Information is required for HiSky to establish, exercise or defend against legal claims or it is necessary for the performance of the requested Services.

### **Children's Privacy**

The Services are not intended for children under the age of 16. We do not, knowingly or intentionally, collect information about children who are under 16 years of age.

**IF YOU ARE UNDER THE AGE OF 16 YOU MAY NOT USE THE SERVICES,  
UNLESS PARENTAL CONSENT IS PROVIDED ACCORDINGLY**

### **Questions Regarding Our Privacy Policy**

If you have any questions regarding this Privacy Policy or the practices described above, you are always welcome to contact us at [support@hiskysat.com](mailto:support@hiskysat.com).

### **Revisions and Modifications to our Privacy Policy**

We reserve the right to revise, amend, or modify this Privacy Policy at any time. When changing the policy, we will update this posting accordingly. Please review this Privacy Policy often so that you will remain updated regarding our current policies.

**Governing Law and Jurisdiction**

This Privacy Policy will be governed and interpreted pursuant to the laws of the State of Israel without giving effect to its choice of law rules. You expressly agree that the exclusive jurisdiction for any claim or action arising out of or relating to this Privacy Policy shall be to the competent courts in Tel Aviv, Israel, to the exclusion of any other jurisdiction.

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