



Privacy Notice for Marketing By Design LLC (“MBD”) (Updated November 15, 2023.)

This is the Privacy Notice of Marketing By Design LLC and its affiliates Workflow By Design and Lucid Studio.

This Notice applies to our current, former, and prospective clients.

It describes what Personal Information we may collect and how we use and protect that information.

In Part I of this Notice, we set forth MBD's Privacy Policy for Personal Information which we collect online through our website (mbdesign.com)

In Part II of this Notice we set forth MBD's Privacy Policy as to Personal Information which we collect other than through our website.

Personal Information is any information that enables us to identify you, directly or indirectly, by reference to an identifier such as your name, location data, online identifier or one or more factors specific to you.

Personal Information includes "sensitive Personal Information" and "pseudonymized Personal Information" but excludes anonymous information or information that has had the identity of an individual permanently removed.

Your use of the MBD website and/or provision of your Personal Information to MBD constitutes your consent to the use, storage, processing, and transfer of that information in accordance with this Privacy Notice.

For the purposes of the EU General Data Protection Regulation 2016/679 (the "GDPR"), except as otherwise expressly stated, the data controller is Marketing By Design LLC with an office at 500 Cummings Center, Suite 2500, Beverly, MA 01915. MBD is an organization based in the United States.

QUESTIONS

If you have any questions or complaints regarding this Privacy Notice, please contact us at HR@mbdesign.com.

If you have any questions about the MBD website, please contact us by e-mail at HR@mbdesign.com, by phone at (978) 998 6637 or send a letter to:

Marketing By Design LLC, 500 Cummings Center, Suite 2500, Beverly, MA 01915

CHANGES TO THIS PRIVACY NOTICE

We will update this Privacy Notice from time to time.

If at any point we decide to use Personal Information in a manner that is materially different from that stated at the time it was collected, we will endeavor to notify you of such changes.

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PART I – MBD WEBSITE PRIVACY POLICY

On the MBD website, there is a form (“Let’s Talk”) for visitors to request information about our services. We use Personal Information from these forms to provide the information that you request.

Unique identifiers (such as your name and e-mail) are collected from website.

This Privacy Policy discloses MBD's privacy practices and contains information about the following:

1. What information do we collect?
2. What are cookies and how does MBD use them?
3. Do we share information with third parties?
4. How do we use the information we collect?
5. How can you review and modify your Personal Information?
6. What is the opt-out policy for the MBD website?
7. Your European privacy rights.
8. What types of security procedures are in place to protect against the loss, misuse, or alteration of your information?

1. What information do we collect?

MBD collects the following Personal Information about site visitors: Name, e-mail, and phone number.

MBD collects technical information relating to each time a visitor comes to the MBD website, including IP address, browser type and version, time zone settings, browser plug-in types and versions, operating system, and platform type (e.g. Internet Explorer browser on a Windows platform).

We may also collect information about your visit, including pages you viewed or searched for, page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), methods used to browse away from the page, and any phone number used to call our customer service number. Gathering this technical information helps us to learn what browsers we need to support and helps us determine what sections of the MBD website are most popular and how many visitors come to our site. You do not have to register with the MBD website before we can collect this information.

MBD collects Personal Information in the following ways:

From the “Let’s Talk” pop up on the website.

From Employment Applications: When you apply for employment with MBD using the Bamboo HR website or from a third-party site, we may ask for your Personal Information, including copies of your Resume or CV, and any other information required to verify your identity and qualifications.

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2. What are "cookies" and how does MBD use them?

A cookie is a small text file containing a unique identification number that is transferred from a website to the hard drive of your computer. This unique number identifies your web browser to MBD computers whenever you visit the MBD website. The use of cookies is an industry standard, and cookies are currently used on most major websites. Most web browsers are initially set up to accept cookies. If you prefer, you can reset your browser to notify you when you have received a cookie. You can also set your browser to refuse to accept cookies altogether.

While MBD does not require you to use cookies, keep in mind that certain services will not function properly if you set your browser to refuse all cookies. To help serve you better, MBD generally uses cookies to identify return visitors.

3. Do we share information with third parties?

Personal Information collected through the MBD website is generally collected and maintained solely by MBD or its contracted vendors.

We may share Personal Information in the following ways:

MBD does not sell to third-parties, e-mail addresses obtained from the MBD website.

Information provided when you apply for employment with MBD:

If you apply for a position with MBD, you provide Personal Information required to verify your employment qualifications, including copies of your Resume or CV, to do required background checks and employment verification, including your employment status, as required by law.

MBD does not sell or share Personal Information related to employment applications except as necessary to process the application, to conduct the required background checks and employment verification, or as necessary to comply with legal obligations.

Sensitive Personal Information. MBD does not share with third parties, sensitive Personal Information such as social security numbers, credit card numbers, felony conviction information, or health information except as necessary to complete transactions requested by you, to process employment applications, or to comply with legal obligations, and under strict confidentiality and security protections.

Site Use Information

We do not disclose Personal Information to third parties as part of this process.

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4. How do we use the information we collect?

We use your Personal Information according to the terms of the Privacy Policy in effect at the time of our use.

We will only process your Personal Information, including sharing it with third parties, where:

- (1) you have provided your consent which can be withdrawn at any time,
- (2) the processing is necessary for the performance of a contract to which you are a party,
- (3) we are required by law,
- (4) processing is required to protect your vital interests or those of another person,
- (5) processing is necessary for the purposes of our legitimate commercial interests.

We use Personal Information for the following purposes:

a) Information You Give Us

We use the Personal Information you give us:

- to send you the information about services which you request
- to respond to your questions or comments
- to improve the MBD website
- to administer and protect our business and website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)
- to process your employment application, including background checks and employment verification
- to comply with applicable laws or legal processes, including providing information on individual users to the appropriate governmental authorities where required by law enforcement or judicial authorities.

b) Site Use Information

As mentioned above, MBD uses the aggregate, anonymous data collected to perform statistical analyses of the collective characteristics and behavior of visitors to the MBD website; to measure user interests regarding specific areas of the website; and to analyze how and where best to use our resources. Without such data, we would not know which parts of the MBD website are the most popular, and we would not be able to change and update the content and services appropriately.

5. How can you review and modify your Personal Information?

You have the following options for modifying or causing to be deleted Personal Information or demographic information previously provided by you to MBD.

E-mail: HR@mbdesign.com

Post: Marketing By Design LLC, 500 Cummings Center, Suite 2500, Beverly, MA 01915.

Phone: (978) 998 6637

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6. What is the opt-out policy for the MBD website?

MBD allows visitors to opt-out of receiving communications from us and our partners.

If you no longer wish to receive specific communications or services, you have the following options:

E-mail: HR@mbdesign.com

Post: Marketing By Design LLC, 500 Cummings Center, Suite 2500, Beverly, MA 01915.

Phone: (978) 998 6637

7. Your European Privacy Rights

For European or United Kingdom Residents Only. If you are based in the EU or the UK, in certain circumstances, you have rights under the GDPR in relation to your Personal Information.

Request access to your Personal Information. You may have the right to request access to any Personal Information we hold about you as well as related information, including the purposes for processing the Personal Information, the recipients or categories of recipients with whom the Personal Information has been shared, where possible, the period for which the Personal Information will be stored, the source of the Personal Information, and the existence of any automated decision making.

Request correction of your Personal Information. You may have the right to obtain without undue delay the rectification of any inaccurate Personal Information we hold about you.

Request erasure of your Personal Information. You may have the right to request that Personal Information held about you is deleted.

Request restriction of processing your Personal Information. You may have the right to prevent or restrict processing of your Personal Information.

Request transfer of your Personal Information. You may have the right to request transfer of Personal Information directly to a third party where this is technically feasible.

Where you believe that we have not complied with our obligations under this Privacy Policy, or under European or UK data protection laws, you have the right to make a complaint to an EU or UK Data Protection Authority, such as the UK Information Commissioner's Office.

If you wish to exercise your European or UK data subject rights, you have the following options:

E-mail: HR@mbdesign.com

Post: Marketing By Design LLC, 500 Cummings Center, Suite 2500, Beverly, MA 01915.

Phone: (978) 998 6637

8. What kinds of security procedures are in place to protect against the loss, misuse, or alteration of your information?

The MBD website has security measures equal to or better than those reasonably expected in the industry in place to protect against the loss, misuse and alteration of your Personal Information under our control. While we cannot guarantee that loss, misuse, or alteration to data will not occur, we take reasonable precautions to prevent such unfortunate occurrences.

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PART II – MBD PRIVACY POLICY FOR INFORMATION COLLECTED OTHER THAN THROUGH MBD WEBSITE

If you submit Personal Information to MBD through any channel other than the MBD website, the same privacy rules set forth at Part I above will be applied to such Personal Information you submit through channels other than the MBD website (including without limitation your opt-out rights at Part I, Section 6 above), except as follows:

The "cookies" and other tracking devices used by the MBD website and described in Part I above do not apply to Personal Information gathered through other channels.

Hardcopy Personal Information provided to MBD which is not converted to electronic media and hosted by MBD will be subject to different security procedures than will stored electronic Personal Information.

MBD has security measures equal to or better than those reasonably expected in the industry, in place to protect against the loss, misuse and alteration of your hardcopy Personal Information under our control.

When MBD collects Personal Information through channels other than the MBD website it may in some instances apply a different privacy policy to such information; but where it does so it shall conspicuously disclose to you at the time of collection what privacy policy will apply to such information.

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