

By using this Account Registration form, I am creating an Account and acknowledge that I have read and agreed to this Learning Management System Privacy Policy [Terms of Use](#).

## **SLP Learning Management System Privacy Policy**

**Effective: 6<sup>th</sup> September, 2022.**

This Learning Management System Privacy Policy (“**Privacy Policy**”) governs how your Personal Data is processed by Simulations Plus, Inc., our affiliates (Lixoft SAS) (“**Company**”) and Third Parties in connection with using, providing, and performing the Services.

THIS PRIVACY POLICY IS IN ADDITION, AND IS INCORPORATED IN THE TERMS OF USE RELATING TO OUR PORTALS ON THE LEARNUPON PLATFORM (AVAILABLE AT <https://simulations-plus.learnupon.com/> and <https://employee-simulations-plus.learnupon.com>). ANY CAPITALIZED TERM NOT DEFINED HEREIN SHALL HAVE THE MEANING ASCRIBED THERETO IN THE TERMS OF USE.

THIS PRIVACY POLICY APPLIES TO THE SERVICES; THE COMPANY SITE FROM WHICH SERVICES ARE RENDERED; AND ALL END USERS THEREOF (“**DATA SUBJECTS**”, “**YOU**”, or “**YOUR**”).

This Privacy Policy explains our practices and the choices YOU can make about the way YOUR Personal Data is collected, created, received, maintained, processed, stored, transferred, disclosed and used in connection with the Services.

### **1. Definitions**

#### **For purposes of this Agreement:**

- 1.1 “**Personal Data**” means any information that may be used, either alone or in combination with other information, to personally identify an individual such as a DATA SUBJECT, including, but not limited to, a first and last name, a personal profile, an email address, a physical address, or other contact information.
- 1.2 “**Process**”/”**Processed**” means how YOUR Personal Data is handled, including receipt, transfer, disclosure, collection, use, storage, and retention.
- 1.3 “**Services**” means all training provided to you on the Platform.
- 1.4 “**Third Party**” means an entity used by Company to Process YOUR Personal Data for YOU to access and use the Services, and/or for Company to provide the Services or perform certain business-related functions, including the Learning Management System (LearnUpon Limited, [www.learnupon.com](http://www.learnupon.com)), and third-party cloud storage providers stating that they comply with applicable data privacy laws.

## **2. The following types of YOUR Personal Data are Processed for YOU to access and receive the Services:**

In order to access the Services, YOU will be required to create an account. The account may be created directly by YOU, or by us or by a Third Party at YOUR request. YOUR Personal Data necessary to create such account and to access the Services, and for COMPANY and Third Parties to provide the Services, may include YOUR name, geographic data, Company information, language, email address, password and log-on (account) credentials, educational measurements and notes, attendance records, IP addresses, cookies (including cookie ID), statistical data, web URLs, and responses or posts made by a DATA SUBJECT.

## **3. Legal basis and consent.**

For YOUR Personal Data, whether if provided to Company by YOU or by a Third Party, by accessing and using the Services, YOU declare that YOU: (a) voluntarily provide YOUR Personal Data; and (b) give YOUR consent to Process YOUR Personal Data by Company and Third Parties according to this Privacy Policy, including your specific consent to transfer YOUR Personal outside YOUR country, province, state, or other region of origin (residence or citizenship) to the United States or European Union. **If YOU do not agree to this Privacy Policy, please do not access, or otherwise use the Services.** Notwithstanding the above, Company has a legal basis to Process Personal Data without YOUR consent where necessary to meet contractual obligations entered into, by YOU, to comply with legal obligations of the Company, for the purposes of legitimate interests pursued by Company or YOU.

## **4. How YOUR Personal Data is received or collected.**

Personal Data is received and/or collected from YOU in the ways set forth below:

**4.1 From Third Parties.** In account registration, account management, and in providing the Services, YOUR Personal Data may be Processed by Third Parties who then transfer such Personal Data to Company for performing the Services.

**4.2 When YOU register for the Services.** In order to access the Services, YOU will be required to create an account by providing YOUR Personal Data (see Section 3 above).

**4.3 When YOU use the Services.** When YOU access the Services via a digital platform (e.g., via a Company website), Company and Third Parties will Process YOUR Personal Data in order to offer the Services to YOU. Log files may be used when YOU use the Services or data from YOUR computerized device used to access the Services may be transmitted. The information inside the log files or transmitted by YOUR device may include internet protocol (IP) addresses, type of browser, Internet Service Provider (ISP), date/time stamp, referring/exit pages, clicked pages and any other information YOUR browser may send to Company. Company may use such information to analyze trends, administer the Services, track users' movement around the Services, and gather demographic information.

**4.4 When YOU ask to 'Contact Us'.** If YOU send Company a "Contact Us" request, YOU may be required to provide COMPANY with certain Personal Data such as YOUR name, email address, and geographical locations, to enable Company to respond to YOUR request.

**4.5 When YOU purchase.** Company may include the option to purchase certain products or services from us via the digital platform. If YOU choose to make a purchase, Company may require sufficient information from YOU to complete the transaction. Such information could include a credit card number and related account and billing information, invoice related information, and other data required to process the order. For services that require payment, YOU will be transferred directly to a third party for payment processing using industry standard technology. If YOU submit financial information, all of that information is submitted directly and securely to a third-party payment processor; and SLP does not retain any financial information submitted through the third party payment processor.

**4.6 Cookies and other tracking technologies.** Services may utilize “cookies”, anonymous identifiers and other tracking technologies (“tracking technologies”) in order for Company (or Third Parties- see comment) to provide Services and present YOU with information that is customized for YOU. Tracking technologies may serve to recall Personal Data, such as an IP address, previously indicated by a user. Most browsers allow YOU to control cookies, including whether or not to accept them and how to remove them. However, if YOU do not accept cookies, YOU may not be able to use some portions of the Services. Some tracking technologies are not enabled to be blocked and are necessary to perform and provide the Services.

**4.7 Additional data.** Company may collect and receive additional Personal Data as part of new features, modifications and/or developments of the Services, and Company will update this Privacy Policy accordingly.

## **5. The way YOUR Personal Data is used.**

Company or Third Parties may Process Personal Data for the following purposes:

**5.1 To provide YOU the Services.** In order to provide the Services to YOU, the functionalities of the digital platform used by Company to provide the Services to YOU may be accessed by Company to monitor YOUR use of such functionalities (for example, to identify and authenticate YOUR access to those Services that YOU have registered for are otherwise authorized to access).

**5.2 Business purposes.** Personal Data may be used in order to help Company improve the functionality of the Services such as to better understand the needs of the users of the Services; to protect misuse of the Services; to generally manage and administer the Services and the business of the Company; for carrying out the Company’s legal responsibilities, including security and dispute resolution processes.

**5.3 Contacting you.** Company will use YOUR Personal Data contact information to contact YOU: (a) in connection with the Services (including system notifications and scheduling) and certain related programs or offerings of the Company; and (b) for administrative and technical requests (e.g. to change YOUR password or other technical support for YOU to access the Services).

**5.4 Data retention and archives.** Company retains and archives YOUR Personal Data in accordance with this Privacy Policy and the [Terms of Use](#).

**5.5 Transfer, share, or disclosure of Personal Data.** Company may share, disclose, transfer, or otherwise Process YOUR Personal Data with Third Parties who process Personal Data on behalf of the Company to provide the Services and/or perform certain business-related functions.

**5.6 Corporate sale, merger, reorganization, dissolution or comparable event.** Personal Data may be part of the transferred assets in any of the aforementioned events, and YOU acknowledge and agree that any successor or purchaser of Company or Company assets (including the Services) will continue to have the right to use YOUR Personal Data and other information in accordance with the terms of this Privacy Policy.

**5.7 Direct marketing.** Personal Data may be used to contact YOU for Company marketing and advertising purposes, including without limitation to inform YOU about new services and products that Company believes might be of interest to YOU. YOU may opt-out of receiving such marketing communications by contacting Company at [unsubscribe@simulations-plus.com](mailto:unsubscribe@simulations-plus.com).

**5.8 Compliance with applicable law.** YOUR Personal Data may be disclosed as required by applicable law, or if Company has a good faith belief that such disclosure is necessary to:

5.8.1 Comply with any legal obligation

5.8.2 Protect or defend Company rights, interests or property or that of Third Parties

5.8.3 Prevent or investigate possible wrongdoing in connection with the Services

5.8.4 Protect against legal liability.

## **6. How YOUR Personal Data is stored and transferred.**

When YOUR Personal Data is stored by, or transferred between, Company and Third Parties, implemented are reasonable physical, organizational, and technical measures, as accepted in the industry of the Company and/or Third Parties, to prevent unauthorized access to or use of YOUR Personal Data. However, in the event YOU suspect any security events in Processing of Personal Data for the Services, please report them to Company at [support@simulations-plus.com](mailto:support@simulations-plus.com).

## **7. YOUR rights in respect of YOUR Personal Data.**

7.1 Depending on the laws applicable to YOUR Personal Data, YOU may have one or more of the following rights in respect of YOUR Personal Data that Company and Third Parties Process:

7.1.1 Right of deletion/erasure of Personal Data

7.1.2 Right to rectification of inaccurate Personal Data

7.1.3 Right of access to Personal Data

7.1.4 Right of portability of Personal Data

7.1.5 Right to restrict or object to Processing of Personal Data.

7.2 To learn more about these and other rights, including exercising one of these rights, please access the Company Privacy Policy at <https://www.simulations-plus.com/privacy-policy/>.

## **8. Retention of Personal Data.**

YOUR Personal Data will be deleted (i) within 60 days (processing time) of receiving a verified request by YOU to delete YOUR Personal Data Processed for the Services (see Section 7 above, and <https://www.simulations-plus.com/privacy-policy/>); or (ii) as soon as the purposes for Company Processing YOUR Personal Data have expired; unless Company is legally bound to further store data according to applicable laws and/or as required to meet contractual obligations. Additionally, Company may need a reasonable additional period of time to ensure deletion of YOUR Personal Data stored on backup or archival media.

## **9. Changes and modifications.**

Company reserves the right, at Company's sole discretion, to update or modify this Privacy Policy at any time (collectively, "**Modifications**"). Modifications to this Privacy Policy will be posted on the digital platform used to provide or access the Services with a revised 'Last Updated' date at the top of this Privacy Policy. Please review this Privacy Policy periodically. YOUR continued use of the Services following the implementation of any Modifications to this Privacy Policy constitutes acceptance of those Modifications. If YOU do not accept any Modification to this Privacy Policy, YOUR sole remedy is to cease accessing and using the Services.