

Privacy Policy

Effective Date: 22 July 2020 To see the prior version, click here [\[INSERT LINK\]](#).

1. PURPOSE AND SCOPE

1.1 At Intercom, we respect your privacy and data protection rights and recognize the importance of protecting the personal data we collect and process. This Privacy Policy is designed to help you to understand what personal data we collect about you and how we use and share it.

1.2 When we refer to Intercom, we mean Intercom R&D Unlimited Company, a company registered in Ireland with a registered address at 2nd Floor, Stephen Court, 18-21 Saint Stephen's Green, Dublin 2; Intercom, Inc. a Delaware corporation with offices at 55 2nd Street, 4th Fl., San Francisco, CA 94105, USA; and Intercom's group companies ("**Intercom**", "**we**", "**us**", "**our**").

1.3 This Privacy Policy applies to you if you:

- interact with any of Intercom's websites (including www.intercom.com and www.intercom.io) or our social media pages (collectively, the "**Sites**") ("**website users**");
- visit any of Intercom's premises ("**office visitors**");
- attend an Intercom event or an event which Intercom sponsors ("**event attendees**");
- use Intercom's communication and messaging products, customer workspaces, mobile applications, and our other applications and services (collectively, the "**Intercom Services**") ("**customers**");
- interact with any of Intercom's end user messenger domains (including widget.intercom.io and api-iam.intercom.io) ("**end-users**");
- are a marketing prospect, who is anyone whose data Intercom processes for the purposes of assessing customer eligibility ("**marketing prospect**"); or
- receive marketing communications from Intercom.

1.4 For the purposes of the General Data Protection Regulation (or any successor or equivalent legislation in the UK) ("**GDPR**"), either Intercom R&D Unlimited Company

or Intercom, Inc., Intercom Software UK Limited, Intercom Software Australia Pty Ltd, or any other Intercom group company from time to time, is the controller of your personal data.

- 1.5 Our Data Protection Officer can be contacted in writing at legal@intercom.com.

2. PERSONAL DATA COLLECTED BY INTERCOM

2.1 PERSONAL DATA WE COLLECT AND RECEIVE

The personal data that we collect about you broadly falls into the categories set out in the following table. Some of this information you provide voluntarily when you interact with the Intercom Services and Sites, or when you attend an event or visit our premises. Other types of information may be collected automatically from your device, such as device data and service data. From time to time, we may also receive personal data about you from third party sources (as further described in the table).

We may collect the following personal data about:

- **our website users;**
- **recipients of marketing communications; and**
- **marketing prospects.**

Registration, contact, and company information:

- first and last names;
- email addresses;
- phone numbers;
- avatars;
- company name;
- your role in your company.

Payment information:

- credit card information;
- billing and mailing addresses;
- other payment-related information.

Device data:

- operating system type and version number, manufacturer and model;
- browser type;
- screen resolution;
- IP address;
- unique device identifiers.

Service data:

- the website you visited before browsing to the Intercom Services;

- how long you spent on a page or screen;
- how you interact with our emails;
- navigation paths between pages or screens;
- date and time;
- pages viewed;
- links clicked.

Third party source data:

- profile information gathered from social networking sites;
- information that you have viewed or interacted with our content;
- company information;
- job titles;
- avatars;
- email addresses;
- phone numbers;
- addresses;
- geolocation data.

The sources of this third party personal data may include:

- Contact enrichment and lead generation providers; and
- Targeted online advertising providers

We may collect the following personal data about our office visitors:

Registration, contact and company information:

- first and last names;
- email addresses;
- phone numbers;
- company name;

Payment information:

- credit card information;
- billing and mailing addresses;
- other payment-related information.

Visitation Data

- time and date of arrival;
- photograph ID;
- signature;
- CCTV footage.

We may collect the following personal data about event attendees:

Registration, contact and personal information:

- first and last names;
- email addresses;
- phone numbers;
- mailing addresses;
- company name;
- your role in your company.

Visitation Data

- time and date of arrival;
- photograph ID;
- signature;
- CCTV footage.

Third party source data:

- first and last names;
- email addresses;
- phone numbers;
- mailing addresses;
- company name;
- your role in your company.

The sources of this third party personal data may include:

- The event organizer

We may collect the following personal data about our customers and end-users (to the extent applicable):

Registration and contact information:

- first and last names;
- email addresses;
- phone numbers;
- mailing addresses;
- company name;
- your role in your company.

Payment information:

- credit card information;
- billing and mailing addresses;
- other payment-related information.

Device data:

- operating system type and version number, manufacturer and model;
- browser type and language;
- screen resolution;
- IP address;
- unique device identifiers.

Service data:

- the website you visited before browsing to the services;
- how long you spent on a page or screen;
- navigation paths between pages or screens;
- session date and time;
- activity status (including first seen, last seen, last heard from and last contacted);
- pages viewed;
- links clicked;
- language preferences
- tags applied within customer accounts
- Intercom assigned user identifier.

Third party source data

- profile information gathered from social networking sites;
- information that you have viewed or interacted with our content;
- company information;
- job titles;
- avatars;
- email addresses;
- phone number;
- approximate geolocation data.

The sources of this third party personal data may include:

- Our identity resolution and insight management provider; and
- Our Geolocation IP intelligence provider

2.2 COOKIES AND OTHER TRACKING TECHNOLOGIES

Some device data, service data and third party source data is collected through the use of first or third party cookies and similar technologies. The Intercom Messenger service (and specifically the domains widget.intercom.io and api-iam.intercom.io) does not collect, retain, or share data regarding a particular user's activity across multiple websites or applications that are not owned by Intercom. Intercom does assign each user a unique user ID within the scope of an individual website, but does not collect or retain IP or any information that would allow Intercom to identify the same particular user on more than one website. For more information, please see Intercom's [Cookie Policy](#).

Do Not Track. Some Internet browsers may be configured to send "Do Not Track" signals to the online services that you visit. We currently do not respond to "Do Not Track" or similar signals. To find out more about "Do Not Track," please visit <http://www.allaboutdnt.com>.

3. HOW AND WHY WE USE YOUR PERSONAL DATA

3.1 We collect and process your personal data for the following purposes and, if you are from the European Economic Area (EEA), the UK or Switzerland, on the following legal bases:

- **Providing and facilitating delivery of the Intercom Services and Sites:** We process your personal data to perform our contract with you for use of our Services and Sites and to fulfill our obligations under applicable terms of service. Where we have not entered into a contract with you, we process your personal data in reliance on our legitimate interests to operate and administer

the Intercom Services and Sites. For example, to create, administer and manage your account.

- **Communicating with you about the Intercom Services and providing customer support:** We may send you service, technical and other administrative messages in reliance on our legitimate interests in administering the Intercom Services. For example, we may send you messages about the availability or security of the Intercom Services. We also process your personal data to respond to your comments and questions and to provide customer care and support.
- **Improving the Intercom Services and Sites:** We process your personal data to improve and optimize the Intercom Services and Sites and to understand how you use the Intercom Services and Sites, including to monitor usage or traffic patterns and to analyze trends and develop new products, services, features and functionality in reliance on our legitimate interests.
- **Sending marketing communications:** We process your personal data to send you marketing communications via email, post or SMS about our products, services and upcoming events that might interest you in reliance on our legitimate interests or where we seek your consent. Please see the "Your Privacy Rights and Choices" section below to learn how you can control your marketing preferences.
- **Registering office visitors:** We process your personal data for security reasons and for the purpose of hosting your visit to the extent such processing is necessary for our legitimate interests in protecting our premises and confidential information against unauthorized access and the safety of our staff and office visitors.
- **Managing event registrations and attendance:** We process your personal data to plan and host events for which you have registered or that you attend, including sending related communications to you.
- **Maintaining security of the Intercom Services and Sites:** We process your personal data to control unauthorized use or abuse of the Intercom Services and Sites, or otherwise detect, investigate or prevent activities that may violate Intercom policies or applicable laws, in reliance on our legitimate interests to maintain and promote the safety and security of the Intercom Sites and Services.

- **Displaying personalized advertisements:** We process your personal data to advertise to you and to provide personalized information, including by serving and managing advertisements on our Sites and on third party sites, in reliance on our legitimate interests to support our marketing activities and advertise our products and services or, where necessary, to the extent you have provided your consent.
- **Carrying out other legitimate business purposes:** including invoicing, audits, fraud monitoring and prevention.
- **Complying with legal obligations:** We process your personal data when cooperating or complying with public and government authorities, courts or regulators in accordance with our obligations under applicable laws and to protect against imminent harm to our rights, property or safety, or that of our users or the public, as required or permitted by law.

3.2 In certain circumstances, we may collect your personal data on a different legal basis. If we do, or if we use your personal data for purposes that are not compatible with, or are materially different than, the purposes described in this notice or the point of collection, we will explain how and why we use your personal data in a supplementary notice at or before the point of collection. Where we refer to legal bases in this section we mean the legal grounds on which organizations can rely when processing personal data.

3.3 Please note these legal bases only apply to you if you are resident in the EEA, the UK or Switzerland.

3.4 If you have any questions about our legal bases for processing your personal data, please contact us at legal@intercom.com.

4. SHARING YOUR PERSONAL DATA

4.1 We may disclose some or all of the personal data we collect to the following third parties:

To Intercom Group Companies:

- Intercom Inc.;
- Intercom R&D Unlimited Company;
- Intercom Software UK Limited;
- Intercom Software Australia Pty Ltd;

- Any such other group companies as may be added to this list from time to time.

Service Providers:

- Consultants and vendors engaged by us to support our provision of the Intercom Services and Sites and the operation of our business;
- Any such other Service Providers as may be added to the Subprocessor_list [\[LINK TO ADD\]](#), from time to time.

Advertising Partners:

- Third party advertising companies may use cookies and similar technologies to collect information about your activity on the Intercom Services and other online services over time to serve you online targeted advertisements, including the companies listed in the third-party cookies section of our Cookie Policy.

Professional Advisors:

- Professional advisors, such as lawyers, auditors and insurers, in the course of the professional services that they render to us.

Compliance with Law Enforcement:

- Comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities;
- Protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- Enforce the terms and conditions that govern the Services; and
- Prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

Business Transfers:

- Parties to transactions or potential transactions (and their professional advisors) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business, assets, or equity interests of Intercom Group Companies (including, as part of a bankruptcy or similar proceeding).

4.2 **Aggregated or anonymized information.** We may also share aggregated or anonymized information with third parties for other purposes. Such information does not identify you individually, but may include usage, viewing and technical

information such as the websites you generally use, the configuration of your computer, and performance metrics related to the use of websites which we collect through our technology, products and services. If we are required under applicable law to treat such information as personal data, then we will only disclose it as described above. Otherwise, we may disclose such information for any reason.

- 4.3 **Third party websites.** The Sites may also contain links to third party websites. This Privacy Policy applies solely to information processed by us. You should contact the relevant third party websites for more information about how your personal data is processed by them.

5. RETENTION OF YOUR PERSONAL DATA

- 5.1 We retain your personal data only for as long as necessary to fulfill the purposes set out in this Privacy Policy. If you would like more information about specific retention periods please contact legal@intercom.com
- 5.2 Note that content you post may remain on the Sites even if you cease using the Sites or we terminate access to the Sites.

6. TRANSFERS OF YOUR PERSONAL DATA

- 6.1 The Intercom Services and Sites, and our messenger domains are provided and hosted in the United States. If you are located outside the United States, we may transfer, and process, your personal data outside of the country in which you are resident to other Intercom Group Companies and our service providers including to, Ireland, the UK, Australia and other such countries as we deem appropriate from time to time. These countries may not have equivalent privacy and data protection laws (and, in some cases, may not be as protective). We will protect your personal data in accordance with this Privacy Policy wherever it is processed.
- 6.2 Certain recipients (our service providers and other companies) who process your personal data on our behalf may also transfer personal data outside the country in which you are resident. Where such transfers occur, we will make sure that an appropriate transfer agreement is put in place to protect your personal data.
- 6.3 If you are a resident of the EEA, the UK or Switzerland, we will protect your personal data when it is transferred outside of the EEA, the UK or Switzerland by processing it in a territory which the European Commission has determined provides an

adequate level of protection for personal data; or otherwise ensuring appropriate safeguards are in place to protect your personal data. For transfers of your personal data to:

- other Intercom Group Companies based in the US, we will rely on the EU-US Privacy Shield and the Swiss-US Privacy Shield;
- other Intercom Group Companies based outside of the US, we will rely on Standard Contractual Clauses approved by the European Commission;
- recipients who are located outside of the EEA, the UK or Switzerland, we will rely on EU-US Privacy Shield, Swiss-EU Privacy Shield or Standard Contractual Clauses.

6.4 If you would like to find out more about international transfers, please contact our Data Protection Officer at legal@intercom.com.

7. PRIVACY SHIELD

7.1 Intercom, Inc. has certified its compliance with the EU-US Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use and retention of personal data from the EEA, the UK and Switzerland. Intercom, Inc. adheres to and commits to apply the Privacy Shield Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity and Purpose Limitation, Access, and Recourse, Enforcement, and Liability. If there is any conflict between the terms of this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern.

7.2 For purposes of enforcing compliance with the Privacy Shield, we are subject to the investigatory and enforcement authority of the US Federal Trade Commission. Under certain circumstances, we may be required to disclose your personal data in response to valid requests by public authorities, including to meet national security or law enforcement requirements.

7.3 For more information about the Privacy Shield, see the US Department of Commerce's Privacy Shield website located at: <https://www.privacyshield.gov>. To review our certification on the Privacy Shield list, see the US Department of Commerce's Privacy Shield self-certification list located at: <https://www.privacyshield.gov/list> and search for "Intercom, Inc".

- 7.4 In compliance with the Privacy Shield Principles, Intercom Inc. commits to resolve complaints about our collection or use of your personal information. EU and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact Intercom Inc. at legal@intercom.com.
- 7.5 Intercom Inc. has further committed to cooperate with the panel established by the EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) with regard to unresolved Privacy Shield complaints concerning human resources data transferred from the EU and Switzerland in the context of the employment relationship.
- 7.6 If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact the Data Protection Commission (Ireland). You can register a complaint at www.dataprotection.ie.
- 7.7 You may have the option to select binding arbitration for the resolution of your complaint under certain circumstances, provided you have taken the following steps: (1) raised your complaint directly with us and provided us the opportunity to resolve the issue; (2) made use of the independent dispute resolution mechanism identified above; and (3) raised the issue through the relevant data protection authority and allowed the US Department of Commerce an opportunity to resolve the complaint at no cost to you. To find out more about the Privacy Shield's binding arbitration scheme please see www.privacyshield.gov/article?id=My-Rights-under-Privacy-Shield.

8. HOW WE STORE AND SAFEGUARD PERSONAL DATA

We care about protecting personal data. That is why we put in place appropriate measures that are designed to secure your personal data. You can find out more about our technical and organizational safeguards on our Security page [\[LINK HERE\]](#).

9. YOUR PRIVACY RIGHTS AND CHOICES

- 9.1 Depending on your location and subject to applicable laws, you may have certain data protection rights. If you are a resident of the EEA or the UK you have the following data protection rights:
- If you wish to **access, correct, update or request deletion** of your personal data, you can do so at any time.

- You can **object to processing** of your personal data, ask us to **restrict processing** of your personal data or **request portability** of your personal data.
- You have the right to **opt-out of marketing communications** we send you at any time. If you no longer wish to receive our newsletter and promotional communications, you may opt-out of receiving them by clicking on the “unsubscribe” or “opt-out” link in the communications we send you. Please note, however, that it may not be possible to opt-out of certain service-related communications. You can let us know at any time if you do not wish to receive marketing messages by contacting us on the Intercom Messenger or by contacting us using the contact details below.
- Similarly, if we have collected and process your personal data with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the right to **complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA and the UK are available [here](#) [LINK].

9.2 You can exercise any of these rights by submitting a request to our Data Protection Officer at legal@intercom.com.

9.3 If you are a California resident, you can find information about how we use your personal data and about your privacy rights in **Section 12** of this notice.

9.4 You can also exercise control over the following uses of your information:

- **Opt-Outs.** We will provide you with an opportunity to opt-out of having personal data used for certain purposes when we ask for this information. If you decide to opt-out, we may not be able to provide certain features of our offerings. You can revoke your consent at any point by contacting us on the Intercom Messenger or by contacting us in writing on team@intercom.com.

10. CHILDREN'S PRIVACY

Our Services and Sites are not intended for use by anyone under the age of 16. Intercom does not knowingly collect personal information from anyone under the age of 16. If you are under 16, you may not attempt to register for our Services or send any information about yourself to us, including your name, address, telephone number, or email address. If we become aware that we have collected personal information from someone under the age of 16 without verification of parental consent, we will delete that information promptly. If you are a parent or legal guardian of a child under 16 and believe that a child has provided us with their personal information, please contact us at the email or mailing address provided at the end of this Privacy Policy.

11. CHANGES TO THIS NOTICE AND QUESTIONS

11.1 We may amend this Privacy Policy from time to time in response to changing legal, technical or business developments. When we update it, we will take appropriate measures to inform you, consistent with the significance of the changes we make. If we make material updates to this Privacy Policy we will update the effective date at the top of the Privacy Policy.

11.2 If you have any questions, comments or concerns about the way your personal data is being used or processed by Intercom, please submit any questions, comments or concerns in writing to request to our Data Protection Officer at legal@intercom.com.

12. COLLECTION AND USE OF PERSONAL DATA OF CALIFORNIA RESIDENTS

This Section 12 describes how Intercom collects, uses and shares Personal Information of California residents in our capacity as a “**business**” under the California Consumer Privacy Act of 2018 (“**CCPA**”), and their rights under the CCPA.

12.1 SCOPE

This Section 12 applies only if you are a California resident. For purposes of this section, “Personal Information” has the meaning given in the California Consumer Privacy Act (“CCPA”).

This Section 12 does not apply to;

- (a) information exempted from the scope of the CCPA;
- (b) information collected in a business-to-business context, namely, where the information reflects our communications or transactions with you in the context of performing due diligence on, providing services to, or receiving services from, a company, partnership, sole proprietorship, non-profit or government agency where you are an employee, controlling owner, director, officer or contractor of that organization;
- (c) activities governed by a different privacy notice, such as notices we give to California personnel or job candidates; or
- (d) Personal Information we collect, use, and share on behalf of our customers as a "**service provider**" under the CCPA.

12.2 YOUR CALIFORNIA PRIVACY RIGHTS

You have the following rights:

- **Right to Know - Information** You can request the following information about how we have collected and used your Personal Information during the past 12 months:
 - o The categories of Personal Information we have collected.
 - o The categories of sources from which we collected the Personal Information.
 - o The business or commercial purpose for collecting and/or selling Personal Information.
 - o The categories of third parties with whom we share the Personal Information.
 - o The categories of Personal Information that we sold or disclosed for a business purpose.
 - o The categories of third parties to whom the Personal Information was sold or disclosed for a business purpose.
- **Right to Know - Access.** You can request a copy of the Personal Information that we have collected about you during the past 12 months.
- **Right to Deletion.** You can ask us to delete the Personal Information that we have collected from you.

- **Right to Opt-Out.** You have the right to opt-out of any “sale” of your Personal Information as defined in the CCPA.
- **Right to Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination prohibited by the CCPA.

12.3 HOW TO EXERCISE YOUR RIGHTS

We will need to verify your identity to process your information, access, and deletion requests and reserve the right to confirm your California residency. To verify your identity, we may require you to log into an Intercom online account (if applicable), provide government identification, give a declaration as to your identity under penalty of perjury, and/or provide additional information. These rights are not absolute, and in some instances, we may decline your request as permitted by law.

Your authorized agent may make a request on your behalf upon our verification of the agent's identity and our receipt of a copy of the valid power of attorney given to your authorized agent pursuant to California Probate Code Sections 4000–4465. If you have not provided your agent with such a power of attorney, you must provide your agent with written and signed permission to exercise your CCPA rights on your behalf, provide the information we request to verify your identity and provide us with written confirmation that you have given the authorized agent permission to submit the request.

12.4 PERSONAL INFORMATION THAT WE COLLECT, USE AND DISCLOSE

- The categories of Personal Information we collect are described below by reference to the statutory categories of Personal Information specified in the CCPA (California Civil Code section 1798.140):
 - (a) **Identifiers** (excluding online identifiers), such as first and last names, email addresses, phone numbers, avatars, company name, your role in your company, social media profile information; photo ID that you provide if we ask you to verify your identity; and document signatures.
 - (b) **Commercial information**, such as records of your transactions with us and services considered.

- (c) **Financial information**, such as your credit card information, billing and mailing address and other payment-related information.
 - (d) **Online identifiers**, such as operating system type and version number, manufacturer and model; browser type; screen resolution; IP address; unique device identifiers; and Intercom-assigned user identifiers.
 - (e) **Internet or network information**, such as the website you visited before browsing to the Intercom services; how long you spent on a page or screen; navigation paths between pages or screens; session date and time; activity status (including first seen, last seen, last heard from and last contacted); pages viewed; links clicked; language preferences; tags applied within customer accounts; and other information about your interaction with our sites and services, including the information described in our Cookie Policy [\[LINK HERE\]](#).
 - (f) **Geolocation data**, the approximate location associated with your IP address.
 - (g) **Professional or employment information**, such as your job title and organizational affiliation.
 - (h) **California Customer Records** (listed in California Civil Code section 1798.80), such as the Professional or employment information, Financial information, Commercial information and Identifiers listed above.
 - (i) **Sensory information**, such as photos you choose to submit in our services and security camera footage captured in our offices.
 - (j) **Inferences** drawn from any of the above information to create a profile reflecting your preferences, characteristics, and behavior.
- The sources from which we collect these categories of Personal Information are described in Section 2 entitled Personal Data Collected by Intercom [\[ANCHOR to section 2\]](#). The business/commercial purposes for which we use these categories of Personal Information are described in Section 3 entitled How and Why We Use Your Personal Data [\[ANCHOR to](#)

[section 3](#)]. The categories of third parties with which we share these categories of Personal Information, including for business purposes, are described in Section 4 entitled Sharing Your Personal Data [[ANCHOR to section 4](#)].

- We do not sell your personal information in the conventional sense. However, like many companies, we use advertising services that try to tailor online ads to your interests based on information collected via cookies and similar technologies about your activity on our and other online services. This is called interest-based advertising. The CCPA's statutory definition of the term "sale" is broad and may include use of interest-based advertising services. You can get more information and opt-out of the use of cookies on our sites for interest-based advertising purposes by following the instructions in our [Cookie Policy](#). You will need to set the preferences described in the Cookie Policy from each device and each web browser from which you wish to opt-out. Some of these features use cookies to apply your preferences, so if you clear all cookies from your browser, you will need to re-set your settings.
- The above summary of how we collect, use and share Personal Information describes our practices currently and for the 12 months preceding the effective date of this Notice.

