



Mesmerise

Website Privacy Policy

Version	Author	Date	Update Details
0.1	Ben Woods	02/08/2021	First Draft
1.0	Ben Woods	03/09/2021	Added policy to document control and reviewed
1.1	Ben Woods	27/10/2021	Updated third party marketing section to include new provider sopro and updated section 3 with more precise details of what is collected
1.2	Ben Woods	12/11/2021	Added cookie section 4, this details all cookies on all mesmerise operated websites.

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Introduction

Welcome to the Mesmerise Global Limited's (Mesmerise) privacy policy.

Mesmerise respects your privacy and is committed to protecting your personal data.

This privacy policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you.

Please use the Glossary to understand the meaning of some of the terms used in this privacy policy.

1. Purpose of Privacy Policy

This privacy policy aims to give you information on how Mesmerise collects and processes your personal data through your use of this website, including any data you may provide through this website.

This website is not intended for children, and we do not knowingly collect data relating to children.

It is important that you read this privacy policy together with any other privacy policy or fair processing policy we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements other notices and privacy policies and is not intended to override them.

2. Who we are

Controller

Mesmerise is the controller and responsible for your personal data (collectively referred to as "company", "we", "us" or "our" in this privacy policy).

The organisation has assessed the need for a GDPR Data Protection Officer. If you have any questions about this privacy policy, including any requests to exercise your legal rights, please contact us using the details set out below

Contact Details

If you have any questions about this privacy policy or our privacy practices, please contact the companies appointed Data Protection Officer (DPO)

Data Protection Officer	Hope & May
Email	Help@hope-may.com
Telephone	0330 111 0013
Address	Cobbs Wood Farm, Old Wimpole, Arrington, Hertfordshire, SG8 0BP

You have the right to make a complaint at any time to the Information Commissioner's Office (ICO), the UK supervisory authority for data protection issues <https://ico.org.uk/make-a-complaint/> Or call them on 0303 123 1113. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

Third Party Links

This website may include links to third-party websites, plug-ins, and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

3. The Data we Collect about you

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together as follows:

- Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
- Contact Data includes billing address, delivery address, email address and telephone numbers.
- Financial Data includes bank account and payment card details.
- Transaction Data includes details about payments to and from you and other details of products and services you have purchased from us.
- Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access this website.
- Usage Data includes information about how you use our website, products and services.
- Marketing and Communications Data includes your preferences in receiving marketing from us and our third parties and your communication preferences.

We also collect, use, and share Aggregated Data such as statistical or demographic data for any purpose. Aggregated Data could be derived from your personal data but is not considered personal data in law as this data will **not** directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific website feature. However, if we combine or connect Aggregated Data with your personal data so that it can directly or indirectly identify you, we treat the combined data as personal data which will be used in accordance with this privacy policy.

We do not collect any Special Categories of Personal Data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health data). Nor do we collect any information about criminal convictions and offences. We may however, process some biometric information when using mesmerise products, this information is stated before use.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us, but we will notify you if this is the case at the time.

How is personal Data Collected?

We use different methods to collect data from and about you including through

- **Direct interactions.** You may give us your Identity, Contact and Financial Data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes personal data you provide when you:
 - apply for our products or services.
 - enter a competition, promotion, or survey; or
 - give us feedback or contact us.
- **Automated technologies or interactions.** As you interact with our website, we will automatically collect Technical Data about your equipment, browsing actions and patterns.
 - We collect this personal data by using cookies and other similar technologies.
 - The information is used for the sole purpose of remembering your device and your interactions with our website. Such information is not shared with any third parties. Cookies used on mesmerise websites are specified in the section below
- **Third parties or publicly available sources.** We will receive personal data about you from various third parties as set out below:
 - analytics providers
 - advertising networks
 - search information providers
 - Contact, Financial and Transaction Data from providers of technical payment and delivery services

4. Cookies

A cookie is a small amount of data, which often includes a unique identifier that is sent to and stored on an individual's device when they browse a website. The organisation only uses certain types of cookies which it believes are less intrusive

Mesmerise websites give you the ability to decline the usage of these cookies except where deemed necessary for the functionality of the website to remain operational.

Below is a table of the cookies used on mesmerise websites, by accepting the use of cookies all of them remain operational.

Website	Cookie	Description	Type	Retention
Mesmerisevr.com	_ga	The _ga cookie, installed by google analytics, calculates visitor, session and campaign data and also keeps track of site usage for the site's analytics report. The cookie stores information anonymously and assigns a randomly generated number to recognise unique visitors	Analytics	2 Years

Mesmerisevr.com	_gid	Installed by google analytics, _gid cookie stores information on how visitors use a website, while also creating an analytics report of the website's performance. Some of the data that are collected include the number of visitors, their source, and the pages they visit anonymously.	Analytics	1 Day
Mesmerisevr.com	_gat	This cookie is installed by Google Universal Analytics to restrain request rate and thus limit the collection of data on high traffic sites	Performance	1 Minute
Mesmerisevr.com	Crumb	This cookie is set by websites that use the SquareSpace Platform. The cookie is used to prevent cross-site request forgery (CSRF)	Necessary	Session
Mesmerisevr.com	_obid	This cookie is only set when a user is sent an outreach email from our marketing partner SoPro. This cookie is set when a user visits the site, and contains a unique ID relating to the email that has been clicked on.	Marketing	1 Year
Gatheringsvr.com	Gatherings_accept_cookies	Cookie to store the current status of cookie policy acceptance	Necessary	1 Year
Gatheringsvr.com	ai_user	Cookie used by Microsoft App Insights to store an id for the user	Necessary	1 Year
Gatheringsvr.com	ai_session	Cookie used by Microsoft App Insights to store an id for the current session	Necessary	30 Mins

It is possible to turn off all cookie functionality using your browser settings, you can do this by clicking on the relevant links below:

[Google Chrome](#)

[Mozilla Firefox](#)

[Microsoft Edge](#)

[Safari](#)

5. How we use your personal data

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract, we are about to enter or have entered into with you.

- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal obligation.

Generally, we do not rely on consent as a legal basis for processing your personal data although we will get your consent before sending third party direct marketing communications to you via email or text message. You have the right to withdraw consent to marketing at any time by contacting us.

Purposes for which we will use your personal data

We have set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground, we are relying on to process your personal data where more than one ground has been set out in the table below.

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new customer	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your order including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and Communications	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Profile (d) Marketing and Communications	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To enable you to partake in a prize draw, competition or complete a survey	(a) Identity (b) Contact (c) Profile (d) Usage	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to study how customers use our products/services, to

	(e) Marketing and Communications	develop them and grow our business)
To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or group restructuring exercise) (b) Necessary to comply with a legal obligation
To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and Communications (f) Technical	Necessary for our legitimate interests (to study how customers use our products/services, to develop them, to grow our business and to inform our marketing strategy)
To use data analytics to improve our website, products/services, marketing, customer relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy)
To make suggestions and recommendations to you about goods or services that may be of interest to you	(a) Identity (b) Contact (c) Technical (d) Usage (e) Profile (f) Marketing and Communications	Necessary for our legitimate interests (to develop our products/services and grow our business)

<p>To profile your information to monitor your emotional response to the use of VR to provide us with statistical information about your experience</p> <p>This may include speech recording</p>	<p>Biometric information - physical or behavioural human characteristics to that can be used to digitally identify a person</p>	<p>Explicit consent</p>
<p>To create an avatar of an individual user which may be used in the virtual world to identify the individual.</p>	<p>Biometric information which may include physical or behavioural human characteristics</p>	<p>Explicit consent.</p>

Marketing

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising. If you withdraw your consent and we do not have alternative lawful grounds with which to process your data, your data will be permanently deleted from our records.

Promotional offers from us

We may use your Identity, Contact, Technical, Usage and Profile Data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing).

You will receive marketing communications from us if you have requested them when you purchased goods or services from us. You may opt-out of marketing communication but may still receive administrative communications relevant to your purchase.

Third-party marketing

We periodically appoint digital marketing agents to conduct marketing activity on our behalf, our current provider is detailed below, such activity may result in the compliant processing of personal information. Our appointed data processors include:

Prospect Global Ltd (trading as Sopro)

Reg UK - 09648733

ICO Reg - ZA346877

Data Protection Officer – DPO@Sopro.io

You can contact Sopro and view their privacy policy here: <http://sopro.io>.

Opting out

You can ask us or third parties to stop sending you marketing messages at any time.

Where you opt out of receiving these marketing messages, this will not apply to personal data provided to us because of a product/service purchase or other transactions.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

6. Disclosures of your personal Data

We may share your personal data with the parties set out below for the purposes set out in the table *Purposes for which we will use your personal data* above.

- Internal Third Parties as set out in the *Glossary*.
- External Third Parties as set out in the *Glossary*.
- Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

We require all third parties to respect the security of your personal data and to treat it in accordance with the law. We do not allow our third-party service providers to use your personal data for their own purposes and only permit them to process your personal data for specified purposes and in accordance with our instructions.

7. International Transfers

Many of our external third parties are based outside the EEA so their processing of your personal data will involve a transfer of data outside the EEA.

Whenever we transfer your personal data out of the EEA, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented:

- We may transfer your personal data to countries that have been deemed to provide an adequate level of protection.
- Where we use certain service providers in a country deemed not to have an adequate level of protection for personal data, we will implement necessary safeguards to uphold your fundamental rights and freedoms. These may include but are not limited to EU model clauses.

- EU model clauses will be used on a case-by-case basis and where an assessment of the national laws of the country has been made and taken into account prior to the transfer of data;
- Transfers of data to the US will also rely upon similar safeguards and an assessment of State law.

Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of the EEA.

8. Data Security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used, or accessed in an unauthorised way, altered, or disclosed. In addition, we limit access to your personal data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

9. Data Retention

How long will you use my personal data for?

We will only retain your personal data for as long as reasonably necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve those purposes through other means, and the applicable legal, regulatory, tax, accounting or other requirements.

By law we must keep basic information about our customers (including Contact, Identity, Financial and Transaction Data).

In some circumstances you can ask us to delete your data: see *your legal rights* below for further information.

In some circumstances we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

10. Your Legal Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal data. Please click on the links below to find out more about these rights:

- *Request access to your personal data.*
- *Request correction of your personal data.*

- *Request erasure of your personal data.*
- *Object to processing of your personal data.*
 - *Request restriction of processing your personal data.*
 - *Request transfer of your personal data.*
 - *Right to withdraw consent.*

If you wish to exercise any of the rights set out above, please contact us.

No fee usually required

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive, or excessive. Alternatively, we could refuse to comply with your request in these circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

Time limit to respond

We try to respond to all legitimate requests within one month. Occasionally it could take us longer than a month if your request is particularly complex or you have made several requests. In this case, we will notify you and keep you updated.

11. Glossary

Legitimate Interest means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us.

Performance of Contract means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering such a contract.

Comply with a legal obligation means processing your personal data where it is necessary for compliance with a legal obligation that we are subject to.

External Third Parties

- Service providers acting as processors who provide IT and system administration services.
- Professional advisers acting as processors or joint controllers including lawyers, bankers, auditors, and insurers based in who provide consultancy, banking, legal, insurance and accounting services.

- HM Revenue & Customs, regulators and other authorities acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances.

12. Your Legal Rights

- Request access to your personal data (commonly known as a "data subject access request"). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios:
 - If you want us to establish the data's accuracy.
 - Where our use of the data is unlawful, but you do not want us to erase it.
 - Where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims.
 - You have objected to our use of your data, but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.