

# Bench Privacy Policy

## 1 Introduction

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- 1.1 We at Bench (Bench Media Pty Ltd ACN 157 937 061, Bench APAC Pte Ltd UEN 202106481C and our affiliates) are committed to protecting your privacy. This Privacy Policy applies to any website, platform, service or application owned and controlled by Bench (**Bench Platform**).
- 1.2 By using the Bench Platform, you consent to the data practices described in this Privacy Policy. If you do not agree with the data practices described in this Privacy Policy, you should not use any part of the Bench Platform.
- 1.3 We may update this Privacy Policy from time to time by posting a new version online. You should check this page occasionally to review any changes. If we make any material changes, we will notify you by posting the revised Privacy Policy on our Platform and email notification if you are subscribed to any email notifications with Bench. This helps you to always be aware of what information we collect, how we use it and under what circumstances, if any, it is disclosed. Your continued use of the any aspect of the Bench Platform, and/or continued provision of Personal Information to us will be subject to the terms of the then-current Privacy Policy.
- 1.4 If you have any questions about this Privacy Policy or our treatment of the information you provide us, please write to us by email at [marketing@benchmedia.com](mailto:marketing@benchmedia.com).

## 2 Use of Bench Platform

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### 2.1 The Bench Platform

The Bench Platform allows any person that uses it (our customers and Bench itself) to create, manage and monitor digital marketing advertisement campaigns (**Campaign**). Viewers or visitors of the Campaigns can learn more about the relevant company, download content, and provide their contact information and other demographic information. This information, which is stored and managed on our service providers' servers, is then used so that the visitors can be contacted about their interest in the company's goods or services and interact with the company. Bench provides the Bench Platform to our customers for their own marketing and lead generation.

### 2.2 Use by Bench

We use our own Bench Platform to monitor and create our own Campaigns that people can visit to learn more about Bench. Information that we collect and manage using the Bench Platform for our own marketing belongs to us and is used, disclosed and protected according to this Privacy Policy.

### 2.3 Use by Our Customers

Our customers use the Bench Platform to create and monitor Campaigns, or we may use the Bench Platform as agents on our customers' behalf. In relation to any content, data or Personal Information in connection with our customers'

Campaigns (**Customer Campaign Data**), Bench only ever acts as the agent of the Customer. Bench does not control the content of these Campaigns or the types of Customer Campaign Data that our customers may choose to collect or manage using the Bench Platform. That information belongs to our customers and is used, disclosed and protected by them according to their privacy policies (and not subject to this Privacy Policy). Bench processes Customer Campaign Data as our Customers direct and in accordance with our agreements with our customers, and we store it on our service providers' servers, but we do not have control over its collection or management. Our agreements with our customers prohibit us from using Customer Campaign Data, except as necessary to provide and improve the Bench Platform, as permitted by this Privacy Policy, and as required by law. We have no direct relationship with individuals who provide Personal Information to our customers to make up the Customer Campaign Data. Bench acknowledges that you have the right to access your Personal Information. In relation to Customer Campaign Data, our customers control and are responsible for correcting, deleting or updating information they have collected from you (being the customer of our customers) using the Bench Platform. However, Bench will assist in this process as the agent of our customers only. If requested to remove data, we will respond within a reasonable timeframe. We may work with our customers to help them provide notice to their visitors about their data collection, processing and usage. Our agreements with our customers prohibit them from using the Bench Platform to collect, manage, or process Sensitive Information. We are not responsible for our customers' use of information they collect on the Bench Platform.

If you are a customer of one of our customers and would no longer like to be contacted by one of our customers that use our Bench Platform, please contact the customer that you interact with directly. If you are unable to do so or if you are not receiving a response, please contact Bench at [marketing@benchmedia.com](mailto:marketing@benchmedia.com) and we will attempt to resolve the issue. We may transfer Personal Information to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our customers.

To the extent any Customer Campaign Data is deemed to be under our control under the applicable laws, it will be subject to this privacy policy below.

## **3 Information We Collect**

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### **3.1 What information do we collect?**

We may collect the following types of "Personal Information":

- (a) name;
- (b) mailing or street address;
- (c) email address;
- (d) telephone number and other contact details;
- (e) age or date of birth;
- (f) certain technical data that we automatically collect from the computer, mobile device and/or browser through which you access the Platform your

device ID, device type, geo-location information, statistics on page views, IP address and your interests and behavioural information that helps us in identifying you;

- (g) information about you that is available on the internet, such as from Facebook, LinkedIn, Twitter and Google, or publicly available information that we acquire from service providers that may be used to identify you;
- (h) information about any transactions, both free and paid, that you enter into on the Bench Platform that, standalone or in combination with any other information, may enable us to identify you;
- (i) personally identifiable information you provide to us through customer surveys; or
- (j) any other personal information that may be required in order to facilitate your dealings with us.

We may collect these types of personal information either directly from you, or from third parties. We may collect this information when you:

- (k) register on the Bench Platform;
- (l) communicate with us through correspondence, chats, email, or when you share information with us from other social applications, services or websites;
- (m) interact with our sites, services, content and advertising; or
- (n) invest in our business or enquire as to a potential purchase in our business.

This Privacy Policy does not apply to acts and practices in relation to employee records of our current and former employees, which are exempt from the Privacy Act.

**3.1 Non-personal Information:** When you interact with the Bench Platform, we may also collect other information which may not relate to you and/or cannot be used to identify you (**Non-Personal Information**). The limitations and requirements in this Privacy Policy on our collection, use, disclosure, transfer and storage/retention of Personal Information do not apply to Non-personal Information. When you visit the Bench Platform or otherwise submit Personal Information to us, we may associate other Non-personal Information (including Non-personal Information we collect from third parties) with your Personal Information. At such instance, we will treat any such combined data as your Personal Information until such time as it can no longer be associated with you or used to identify you.

### **3.2 "Navigational Information"**

This refers to information about your computer and your visits to this website such as your IP address, geographical location, browser type, referral source, length of visit and pages viewed. Please see the "Cookies and Navigational Information" section below.

### **3.3 "Sensitive Information"**

This refers to credit or debit card numbers, personal financial account information, Social Security numbers, passport numbers, driver's license numbers or similar personal identifiers, racial or ethnic origin, physical or mental health condition or information, or other employment, financial or health information.

### **3.4 Payment Information**

We collect and process payment information from you when you subscribe any paying parts of the Bench Platform, including credit cards numbers and billing information, using third party PCI-compliant service providers. Except for this, we do not collect Sensitive Information from you.

### **3.5 Information About Children**

The Bench Platform is not intended for or targeted at children under 13, and we do not knowingly or intentionally collect information about children under 13. If you believe that we have collected information about a child under 13, please contact us at [marketing@benchmedia.com](mailto:marketing@benchmedia.com), so that we may delete the information.

## **4 How We Use Information We Collect**

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### **4.1 Compliance with Our Privacy Policy and Data Protection Laws**

We use the information we collect only in compliance with this Privacy Policy and the data protection laws that are or may become applicable to us including the (Australian) *Privacy Act 1998 (Cth)* (**Privacy Act**), *General Data Protection Regulation (EU) 2016/679* (**GDPR**), *Personal Data Protection Act 2012 (No. 26 of 2012) of Singapore* and the federal and state specific data protection laws of United States of America (collectively referred to as **Data Laws**). Customers who subscribe to our Bench Platform are obligated through our agreements with them to comply with this Privacy Policy.

### **4.2 We Never Sell Personal Information**

We will never sell your Personal Information to any third party.

### **4.3 Use of Personal Information**

In addition to the uses identified elsewhere in this Privacy Policy, we may use your Personal Information to:

- (a) improve your browsing experience by personalizing our website and to improve the Bench Platform;
- (b) send information to you which we think may be of interest to you by post, email, or other means;
- (c) send you marketing communications relating to our business or the businesses of carefully-selected third parties which we think may be of interest to you, and
- (d) provide other companies with statistical information about our users -- but this information will not be used to identify any individual user.

We may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, we do not transfer your unique Personal Information to the third party. In addition, we may share data with trusted partners to contact you based on your request to receive such communications, help us perform statistical analysis, or provide customer support. Such third parties are prohibited from using your Personal Information except for these purposes, and they are required to maintain the confidentiality of your information. If you do not want us to share your Personal Information with these companies, contact us at [marketing@benchmedia.com](mailto:marketing@benchmedia.com).

We use the information collected through the Bench Platform by our customers for the following purposes:

- (i) to provide the Bench Platform (which may include the detection, prevention and resolution of security and technical issues);
- (ii) to respond to customer support requests; and
- (iii) otherwise to fulfill the obligations under the Bench Master Services Agreement.

#### **4.4 Use of Navigational Information**

We use Navigational Information to operate and improve the Bench Platform. We may also use Navigational Information alone or in combination with Personal Information to provide you with personalized information about Bench.

#### **4.5 Customer Testimonials and Comments**

We post customer testimonials and comments on the Bench Platform, which may contain Personal Information. We obtain each customer's consent via email prior to posting the customer's name and testimonial.

#### **4.6 Use of Credit Card Information**

If you give us credit card information, we use it solely to check your financial qualifications and collect payment from you. We use a third-party service provider to manage credit card processing. This service provider is not permitted to store, retain, or use information you provide except for the sole purpose of credit card processing on our behalf.

#### **4.7 Service Providers**

We employ other companies and people to provide services to visitors to the Bench Platform, our customers, and users of the Bench Platform and may need to share your information with them to provide information, products or services to you. Examples may include removing repetitive information from prospect lists, analyzing data, providing marketing assistance, processing credit card payments, supplementing the information you provide us in order to provide you with better service, and providing customer service. In all cases where we share your information with such agents, we explicitly require the agent to acknowledge and adhere to our privacy and customer data handling policies.

#### **4.8 Security of your Personal Information**

We use a variety of security technologies and procedures to help protect your Personal Information from unauthorized access, use or disclosure. We secure the Personal Information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use or disclosure. When sensitive Personal Information (such as a credit card number and/or geo-location data) is collected on the Bench Platform and/or transmitted to other websites, it is protected through the use of encryption, such as the Secure Socket Layer (SSL) protocol and hashing.

If you have any questions about the security of your Personal Information, please contact us at [marketing@benchmedia.com](mailto:marketing@benchmedia.com).

#### **4.9 Social Media Features**

The Bench Platform interacts with various third-party websites and services, such as social media. Certain features may collect your IP address, which page you are visiting on our sites, and may set a cookie, or utilise an email address identifier or user ID, to enable the feature to function properly. These features are either hosted by a third party or hosted directly on the Bench Platform. This Privacy Policy does not apply to these features. Your interactions with these features are governed by the privacy policy and other policies of the companies providing them.

#### **4.10 External Websites**

The Bench Platform provides links to other websites. We do not control, and are not responsible for, the content or practices of these other websites. Our provision of such links does not constitute our endorsement of these other websites, their content, their owners, or their practices. This Privacy Policy does not apply to these other websites, which are subject to any privacy and other policies they may have.

#### **4.11 Retention of Personal Information**

We retain Personal Information that you provide us as long as we consider it potentially useful in contacting you about the Bench Platform or our other services, or as needed to comply with our legal obligations, resolve disputes and enforce our agreements, and then we securely delete the information. We will delete this information from the servers at an earlier date if you so request, as described in "Opting Out and Unsubscribing" below. If you provide information to our customers as part of their use of the Bench Platform, our customers decide how long to retain the personal information they collect from you. After termination, we may, unless legally prohibited, delete all customer information, including your Personal Information, from the Bench Platform.

#### **4.12 International Transfer of Information**

To facilitate our global operations, we may transfer and access Personal Information from around the world. This Privacy Policy shall apply even if we transfer Personal Information to other countries.

#### 4.13 Corporate Events

If we (or our assets) are acquired by another company, whether by merger, acquisition, bankruptcy or otherwise, that company would receive all information gathered by Bench on the Bench Platform. In this event, you will be notified via email and/or a prominent notice on our website, of any change in ownership, uses of your Personal Information, and choices you may have regarding your Personal Information.

#### 4.14 Compelled Disclosure

We reserve the right to use or disclose your Personal Information if required by law or if we reasonably believe that use or disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or comply with a law, court order, or legal process.

#### 4.15 Use of Personal Information for Direct Marketing

We may send you direct marketing communications and information about the services offered on the Bench Platform. This may take the form of emails, SMS, mail or other forms of communication, in accordance with the *Spam Act 2003* (Cth) (**Spam Act**), Privacy Act and other Data Laws. You may opt-out of receiving marketing materials from us by contacting us.

## 5 GDPR Privacy

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### 5.1 Legal basis for processing personal data under GDPR

“**personal data**” for the purposes of this clause 5 means any information that identifies a particular individual and also includes information referred to as “personal data” and “personally identifiable information” under the GDPR.

We may process personal data under the following conditions:

- (a) **Consent:** You have given your consent for processing personal data for one or more specific purposes.
- (b) **Performance of a contract:** Provision of personal data is necessary for the performance of an agreement with you and/or for any pre-contractual obligations thereof.
- (c) **Legal obligations:** Processing personal data is necessary for compliance with a legal obligation to which we are subject.
- (d) **Vital interests:** Processing personal data is necessary in order to protect your vital interests or of another natural person.
- (e) **Public interests:** Processing personal data is related to a task that is carried out in the public interest or in the exercise of official authority vested in us.
- (f) **Legitimate interests:** Processing personal data is necessary for the purposes of the legitimate interests pursued by us.

In any case, we will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of personal data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

## 5.2 Your rights under the GDPR

We undertake to respect the confidentiality of your personal data and to guarantee you can exercise your rights.

You have the right under this Privacy Policy, and by law if you are within the EU, to:

- (a) **Request access to your personal data.** The right to access, update or delete the information we have on you. Whenever made possible, you can access, update or request deletion of your personal data directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you. This also enables you to receive a copy of the personal data we hold about you.
- (b) **Request correction of the personal data that we hold about you.** You have the right to have any incomplete or inaccurate information we hold about you corrected.
- (c) **Object to processing of your personal data.** This right exists where we are relying on a legitimate interest as the legal basis for our processing and there is something about your particular situation, which makes you want to object to our processing of your personal data on this ground. You also have the right to object where we are processing your personal data for direct marketing purposes.
- (d) **Request erasure of your personal data.** You have the right to ask us to delete or remove personal data when there is no good reason for us to continue processing it.
- (e) **Request the transfer of your personal data.** We will provide to you, or to a third-party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please 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.
- (f) **Withdraw your consent.** You have the right to withdraw your consent on using your personal data. If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of the Bench Platform.

## 5.3 Exercising of your GDPR data protection rights

You may exercise your rights of access, rectification, cancellation and opposition by contacting us. Please note that we may ask you to verify your identity before responding to such requests. If you make a request, we will try our best to respond to you as soon as possible.

You have the right to complain to a data protection authority about our collection and use of your personal data. For more information, if you are in the European

Economic Area (EEA), please contact your local data protection authority in the EEA.

## **6 Transfer and disclosure of personal information outside Australia or your country of residence**

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- 6.1 Your personal information is processed at our operating offices in Australia and Singapore. We also may transfer your personal information to our third-party suppliers, web development teams or marketing agents who may be located outside of Australia. We only transfer your personal information for the purposes set out in this Privacy Policy (for example, providing you with our services and/or products or to conduct marketing activity) and we don't sell or monetise this data. It means that this information may be transferred to — and maintained on — computers located outside of Australia and your state, province, country or other governmental jurisdiction where the data protection laws may differ than those from your jurisdiction.
- 6.2 Your consent to this Privacy Policy followed and your provision of such information represents your agreement to that transfer.
- 6.3 We will take steps reasonably necessary to ensure that your information is treated securely and in accordance with this Privacy Policy and no transfer of your personal information will take place to an organisation or a country without compliance with relevant Data Laws.

## **7 Cookies and Navigational Information**

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We use cookies, web beacons and other tracking technologies to collect certain information about your equipment, browsing actions, and patterns. Below we describe what are cookies and web beacons, why we use cookies and web beacons, the types of cookies and web beacons that we use as well as what you can do in order to manage and delete cookies and web beacons.

### **7.1 What are cookies and web beacons?**

- (a) Cookies are small text files that websites often store on computer hard drives or mobile devices of visitors to their websites. A cookie contains a unique number, which is used to recognize your computer or mobile device when you return to our website. Cookies can remain on your computer or mobile device for different periods of time. The cookies can be either "persistent" cookies or "session" cookies. Persistent cookies are stored by a web browser and remain valid until a set expiration date. Session cookies only exist while your internet browser is open and are automatically deleted once you close your browser.
- (b) Web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) are small electronic files contained on pages of websites that permit companies to count users who have visited certain webpages on a website and are used for other related website statistics (e.g., recording the popularity of certain website content and verifying system and server integrity).

## **7.2 What do we use cookies and web beacons for?**

We use a variety of cookies, web beacons and other tracking technologies for different purposes. Specifically, we use cookies and web beacons to enhance the experience of our visitors to our website (for example, by remembering your preferences and letting you navigate between pages efficiently) and to better understand how our website is used. Cookies may tell us, for example, whether you have visited our website before or whether you are a new visitor.

## **7.3 What types of cookies and web beacons are used by us?**

We use both first-party and third-party cookies and web beacons. First-party cookies and web beacons are cookies and web beacons that are served directly by us to your computer or mobile device. Third-party cookies and web beacons are served by a third-party service provider on behalf of us. Third-party cookies are most commonly used for advertising and analytics purposes.

There are four categories of cookies and web beacons used by us. Specifically, we use essential, performance, functionality and advertising cookies and web beacons.

- (a) Essential cookies, web beacons and other tracking technologies are necessary for the operation of our website. These tracking technologies enable you to move around on our website and use our website's features. You may not opt-out of these types of cookies because they are required to operate our website.
- (b) Performance cookies, web beacons and other tracking technologies collect information about how you have used our website. We use performance cookies, web beacons and other tracking technologies to improve the user experience with our website.
- (c) Functionality cookies, web beacons and other tracking technologies allow us to remember how you are logged into our website, when you logged in or out and the actions you have taken while you have been logged into our website.
- (d) Advertising cookies, web beacons and other tracking technologies are used by our third-party service providers to deliver advertising to you on other third-party websites as well as help measure the effectiveness of our advertising campaigns. We also use these types of cookies to analyse our website visits and ad conversions from third-party websites.

## **7.4 What are your choices about cookies?**

It is your choice as to whether or not to accept cookies. Most browsers allow you to configure the browser settings so that cookies from websites cannot be placed on your computer or mobile device. If you choose not to accept cookies, then you may be able to continue browsing our website but we may not be able to provide you with certain features. If you would like further information about cookies and how to manage and delete them, please visit [www.allaboutcookies.org](http://www.allaboutcookies.org) or [www.youronlinechoices.eu](http://www.youronlinechoices.eu).

## 7.5 Log Files

We may collect demographic information, such as your ZIP code, age, gender, preferences, interests and favourites using log files that are not associated with your name or other personal information. There is also information about your computer hardware and software that is automatically collected by us. This information can include: your IP address, browser type, domain names, internet service provider (ISP), the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, clickstream data, access times and referring website addresses. This information is used by Bench for the operation of the Bench Platform, to maintain quality of the Bench Platform, and to provide general statistics regarding use of the Bench Platform. For these purposes, we do link this automatically-collected data to Personal Information such as name, email address, address, and phone number.

## 7.6 Navigational Information Collected by Our Customers

Our customers can use the tools we provide, as well as tools provided by third parties, to collect Navigational Information when you visit their webpages on the Bench Platform. Bench does not control our customers' use of these tools, nor do we control the information they collect or how they use it.

## 8 Data breaches

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Bench will notify you without undue delay and as soon as possible after becoming aware of a personal information data breach. Such a notice will include:

- (a) the description of the nature of the personal data breach, including, where possible, the categories and approximate number of data subjects concerned and the categories and approximate number of personal data records concerned;
- (b) the name and contact details of the data protection officer or other contact person/s and/or point where more information can be obtained;
- (c) description of the likely consequences of the personal data breach;
- (d) description of the measures taken or proposed to be taken by us to address the personal data breach, including, where appropriate, measures to mitigate its possible adverse effects; and
- (e) any other relevant information.

In the event and to the extent that it is not possible for Bench to provide all the required and relevant information at the same time, the information may be provided in phases without undue further delay and as soon as possible.

Bench will document any personal information data breaches, including the facts and circumstances relating to the personal data breach, its effects and the remedial action taken. Bench will provide any documentation and/or records referred to above at the time of, or as soon as possible after, notifying you of any such personal data breach.

## 9 Opting Out and Unsubscribing

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### 9.1 Your choices

You have the right to request a copy of your information, to object to our use of your information (including for marketing purposes), to request the deletion or restriction of your information, or to request your information in a structured, electronic format. Below, we describe the tools and processes for making these requests. You can exercise some of the choices by logging into the services and using settings available within the services or your account. Where your information is being held by our customers (or by us on behalf of our customers), you will need to contact the relevant customer. For all other requests, you may contact us at [marketing@benchmedia.com](mailto:marketing@benchmedia.com).

Your request and choices may be limited in certain cases: for example, if fulfilling your request would reveal information about another person, or if you ask to delete information which we are permitted by Data Laws or have compelling legitimate interests to keep. Where you have asked us to share data with third parties, you will need to contact those third-party service providers directly to have your information deleted or otherwise restricted. If you have unresolved concerns, you may have the right to complain to a data protection authority in the country where you live, where you work or where you feel your rights were infringed.

### 9.2 Reviewing, Correcting and Removing Your Personal Information

Upon request, Bench will provide you with information about whether we hold any of your Personal Information. If you provide us with your Personal Information, you have the following rights with respect to that information:

- (a) To review the user information that you have supplied to us;
- (b) To request that we correct any errors, outdated information, or omissions in user information that you have supplied to us;
- (c) To request that your user information not be used to contact you;
- (d) To request that your user information be removed from any solicitation list that we use;
- (e) To request that your user information be deleted from our records;
- (f) To opt out of being solicited by Bench or third parties;
- (g) To request to obtain some of your information in a format you can move from one service provider to another (for instance, when you transfer your mobile phone number to another carrier). Depending on the context, this applies to some of your information, but not to all of your information.

To exercise any of these rights, please contact us. We will respond to your request to change, correct, or delete your information within a reasonable timeframe and notify you of the action we have taken.

If you think we have breached the Data Laws or any other relevant law, or you wish to make a complaint about the way we have handled your Personal Information, you can contact us. Please include your name, email address and/or telephone

number and clearly describe your complaint. We will acknowledge your complaint and respond to your complaint within a reasonable period of time. If you think that we have failed to resolve the complaint satisfactorily, we will provide you with information about the further steps you can take.

### **9.3 To Unsubscribe from Our Communications**

You may unsubscribe from our marketing communications by clicking on the "unsubscribe" link located on the bottom of our e-mails, or by sending us email us at [marketing@benchmedia.com](mailto:marketing@benchmedia.com). Customers cannot opt out of receiving transactional emails related to their account with us or the Bench Platform.

### **9.4 To Unsubscribe from Our Customers' Communications**

Our customers are solely responsible for their own marketing emails and other communications; we cannot unsubscribe you from their communications. You can unsubscribe from our customers' marketing communications by clicking on the "unsubscribe" link located on the bottom of their emails, or by contacting them directly. Bench will provide whatever assistance necessary for this process.

## **10 Contact Us**

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if you have any questions about this Privacy Policy, you can contact our Data Protection Officer at:

Name: Shai Luft

By email: [info@benchmedia.com](mailto:info@benchmedia.com)