

Frequently Asked Questions Regarding GDPR and CCPA

What is e-Share's stance on consumer privacy?

As an advocate of consumer and data privacy, e-Share has created its Secure Collaboration Platform to streamline communication and collaboration in such a way as to maximize the efficiency of information sharing while minimizing the traditional risk and productivity loss associated with sharing information. These efficiencies, made seamlessly available through e-Share's Trusted Share method, reduce data duplication by sending links to shared files rather than copies of files via email attachment, thereby reducing storage requirements and duplication of effort and overall threat surface.

What is e-Share's role in data handling and protection?

Under data protection laws and mandates such as the European Union's General Data Protection Act (GDPR) and the California Consumer Protection Act (CCPA), e-Share would be classified as a Data Processor under GDPR and a Service Provider under CCPA. By design, e-Share ensures that its customers and their employees maintain full control of the data as the Data Controller (GDPR) or Service Provider (CCPA). As a Data Processor/Service Provider, e-Share acts upon the instruction of the Controller/Business agents (users) in the form of SMTP or API requests.

The e-Share Secure Collaboration Platform solution accomplishes file sharing through the use of secure links to files that reside in an e-Share customer's secured data repository such as OneDrive, Google Drive, Dropbox, etc. As such, the Secure Collaboration Platform does not require additional copies of files to be uploaded to alternative storage nor does it require copies of files to be sent as attachments to email. The links generated by the Secure Collaboration Platform are embedded in the email and inherit security and data protection policies as dictated and governed by the customer. As such, e-Share relies on its customer's users to ensure that personal information and private data are processed in accordance with the respective privacy laws and regulations.

Does e-Share collect any personal data?

e-Share collects only metadata minimally necessary to complete messaging transactions and authentication. Data elements such as email addresses and internet protocol (IP) addresses are collected to ensure the delivery of messages and to produce audit trails on behalf of customers for purposes of nonrepudiation, and traceability by the customer. Metadata is stored in encrypted form using only industry standard cyphers. As an AICPA SOC 2 certified operation, e-Share takes every measure to safeguard the confidentiality, integrity and availability of data on behalf of customers and ensure the added value of the Secure Collaboration Platform functionality and capabilities.

What other measures does e-Share take to ensure compliance with data privacy laws and regulations?

e-Share is certified by the AICPA and carries a System and Organization Controls (SOC) 2 accreditation, qualifying the security and integrity of e-Share's SaaS and Corporate operations. Additionally, e-Share maintains a membership with the EU-US Privacy Shield (<https://www.privacyshield.gov/list>). Privacy Shield, which was cooperatively developed by the U.S. Department of Commerce, European Commission and the Swiss Administration, provides the necessary guidance to comply with data protection requirements of EU law for interoperability between the United States and European Union. As a participating organization, e-Share's privacy protections have been deemed adequate for the transfer of personal data outside of the European Union under the EU Data Protection Directive and outside of Switzerland under the Swiss Federal Act on Data Protection.

Provisions of adequacy indicates that e-Share provides:

- full information on types of personal data collected, purposes of collection and use and on the type or identity of 3rd party to which such personal data is disclosed,
- reasonable and appropriate security for EU person's personal data and undertakes to respond to their complaints within 45 days (note: e-Share has thus far responded to all such privacy requests within one business day),
- EU persons cost-free independent dispute resolution to address data protection concerns, if they remain unresolved for 45 days (note: e-Share has not had such an incident), and
- EU persons the ability to invoke binding arbitration to address any complaint that the organization has violated its obligations to EU persons and that has not been resolved by other means.