

Kinsta Inc. Privacy Policy

Updated on: August 26, 2022

Kinsta Inc. (hereinafter, “**Kinsta**,” “**we**,” “**us**,” or “**our**”) provides managed hosting services, software, and support through our MyKinsta application; DevKinsta local website development software; Kinsta Academy educational platform; Beta Services; and other related websites (including kinsta.com), forums, communities, events, applications, services, software, and personnel (collectively, the “**Services**”). **IF YOU ARE PURCHASING OR USING OUR SERVICES IN ANY WAY, PLEASE READ OUR [TERMS OF SERVICE](#) FOR DETAILED INFORMATION ABOUT YOUR LEGAL OBLIGATIONS.**

1. Introduction

This Privacy Policy (the “**Policy**”) provides information on how we collect, process, and share the personal data (also referred to as personal information) of **individuals who are external to our organization**, including but not limited to applicants, clients, potential clients, affiliates, website visitors, and service providers and each of their respective representatives (referred to in this Policy as “**you**” or “**your**”).

For the avoidance of doubt, this Privacy Policy does not apply to data collected by our clients who use our Services to create and manage their own websites. If data is collected and processed by our client or its website, the client controls such data. Please contact the owner or operator of the applicable website directly for information about its privacy policies and how it processes personal data.

After reading this Policy, if you have additional questions or would like further information, please contact us at privacy@kinsta.com.

2. Personal Data We Collect And How We Use It

As further explained below, we collect and process personal data only for lawful reasons, such as when the processing is necessary to perform a contract, like the Terms of Service, and our legitimate business interests, such as improving, personalizing, marketing, and developing the Services, promoting safety and security, and recruiting and evaluating applicants.

1. Information You Provide to Us

- a. **Account and Payment Data:** If you set up a Kinsta account through our Services or otherwise engage with Kinsta, you provide basic contact and/or account setup information, such as your name, email, address, company information, username, password, and payment information. Please note that we do not store your payment information, but the third-party payment processors we engage may retain your payment information in accordance with their own privacy policies and terms.
- b. **Website Comments and Posts:** When you leave a comment, forum post, or contribute an article on our website, you have the option to provide a profile picture (or “Gravatar”), display name, website (URL), and other content or information at your option. Please note that any information you post to our website will be publicly available.
- c. **Inquiries and Other Data:** When you contact us through our live chat, online contact form, or “Have a question?” portal on our website or through email or any other communication mechanism, you typically provide your name, email, the subject matter of your inquiry, and any other information you choose to provide at your option.
- d. **Applicant Data:** If you are applying for a job with us, you provide any information included on your resume, CV, or application materials, such as contact information, date of birth, photo, education, employment, and work history, qualifications, skills, and professional licences. You also may provide other personal data during an in-person or video interview.
- e. **No Sensitive Information:** Please do not provide any highly sensitive personal data when using the Services, communicating with us, or applying for a job -

such as social security numbers, health or medical information, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, or data concerning a person's sex life or sexual orientation. We do not intentionally process highly sensitive personal data and reserve the right to reject or delete it.

2. **How We Use Data Provided By You:**

- a. **Provide, Improve, and Maintain the Services:** We use the data you provide to set up your account, provide the Services, receive or make payments, and communicate with you about your account and the Services.
- b. **Market the Services:** We may use your information to market and promote our Services. You may opt-out of marketing communications at anytime by contacting us at privacy@kinsta.com or clicking the "Unsubscribe" button in the applicable communication.
- c. **Protect You and the Services:** We use the information we collect to promote the safety and security of the Services, our clients, and other parties. For example, we may use your information to authenticate users, facilitate secure payments, protect against spam, fraud, and abuse, respond to a legal request or claim, conduct audits, or enforce our Terms of Service or other terms and policies that may be in effect.
- d. **Recruiting and Hiring:** We use the applicant data described above to recruit and evaluate applicants who may join our team.

3. **Information We Collect Automatically:** We collect certain information via cookies and similar automated means when you use the Services, some of which may be personal data. Cookies and similar technologies do not gather your unique personal data, like name, date of birth, gender, or email. Rather, the information collected by cookies and other automated means is generally about your devices and your activities on your devices, such as search history, IP address, browser used, operating system and settings, access times, opens, clicks, and downloads of our email, and referring URL. If you are using a mobile device, we may also collect data that identifies your device, settings, and frequency of usage. This data may be collected by or shared with our third-party analytics, advertising, and anti-spam partners. If we are required to do so under applicable law, we will obtain your consent before automatically collecting any data.

4. **How We Use Data That Is Collected Automatically:** Kinsta and its service providers use the automatically collected data described above to provide, advertise, and improve the Services, including to keep track of your preferences and profile information, customize services and content, measure the effectiveness of promotions and digital communications, conduct analytics, place our advertisements on other websites, estimate your general location and time zone, protect against malicious activity and spam, and to secure your accounts.
 - a. Visitors to our website have [options](#) to control or limit how we or our partners use cookies and similar technologies. For more information, please see www.allaboutcookies.org/cookies.
5. **Information We Receive from Third Parties:** From time to time, we may collect personal information from third parties such as public websites, social networks, marketing partners, and recruiting databases. This information may include names, contact information, email, professional or employment information, and other information which is publicly available. We may use information collected from third parties for our own promotional or marketing purposes, such as sending prospective clients emails about our Services, or for recruiting and evaluating applicants.
6. You may opt-out of marketing or recruiting communications at any time by contacting us at privacy@kinsta.com or following the “Unsubscribe” instructions included in the applicable communication.

3. How We Share Your Information

1. Except as noted below, Kinsta does not sell, rent, or lease your personal data to third parties. We only share your personal data with the following types of service providers for the purposes set forth in this Policy:
 - a. IT/cloud service providers to store and secure your personal data
 - b. Email and communications processors so we can communicate with you about the Services (for example, through the “Have a question?” tool)
 - c. Payment processors to collect your fees and process payments
 - d. Contractors to provide, market, and improve the Services and answer your questions
 - e. Analytics, tracking, and measurement partners to help us improve the Services

- f. Advertising partners to place our ads on other websites you visit and manage our web advertising campaigns
 - g. Marketing partners to send you marketing and promotional communications about our Services
 - h. Recruiting and talent acquisition partners to recruit and evaluate individuals who may join our team.
2. We also may share your information as required by law, to investigate potential illegal activities or violations of our Terms of Service or other agreements, to protect the security of our Services and users, or as a result of a merger, acquisition, or assignment with a third party.
3. **A note about how we share your data with our event sponsors:** If you attend one of our sponsored events, we may share your name and email with the sponsor for their own marketing and business purposes. If we are required to do so under applicable law, we will obtain your consent before sharing your data with our sponsors for their own purposes.

4. Controlling Your Account and Your Rights

1. To submit a question or concern about how to control, modify, or delete your account or data, contact us at privacy@kinsta.com. Instructions for cancelling your account are located [here](#).
2. Depending on your location, you may have certain legal rights regarding your personal data, including:
 - a. You may request access to your personal data and obtain information about our processing of your personal data, with whom we share your personal data, and your rights.
 - b. You may request that we restrict our processing of your personal data.
 - c. You may object to our processing of your personal data.
 - d. Where we process personal data based on your consent, you may withdraw your consent.
 - e. You may correct personal data that is inaccurate or incomplete.
 - f. You may request that we delete your personal data or provide a copy of it to you.

3. We will not discriminate against you for exercising any of your rights. We may request proof of your identity before acting upon any request. To submit a question or concern about your rights, please contact us at privacy@kinsta.com. If you live in the EEA, UK, or Switzerland, and you are unsatisfied with our response, you have the right to lodge a complaint regarding your personal data with an applicable supervisory authority.

5. How We Protect and Store Your Information

We maintain reasonable administrative, technical, and organizational safeguards designed to protect against loss, misuse, or unauthorized access, disclosure, alteration, or destruction of the personal data that we collect from you. We restrict access to personal data collected about you to our employees, contractors, and certain third-party service providers as discussed above.

Please note, however, that no website or storage mechanism, including the Services, can guarantee 100% security.

Generally, we store your personal data for as long as required to provide the Services to you, and when you cancel your account, we take reasonable steps to delete your personal data within a reasonable period of time. Sometimes, we may retain your information for a period of time after account cancellation to allow you to efficiently reinstate your Services account, if you so choose. We also may retain certain personal data after you cancel your account to the extent necessary to comply with our legal and regulatory obligations, for the purpose of fraud monitoring, detection and prevention, and for our tax, accounting, and financial reporting obligations. Where we retain data, we do so in accordance with any limitation periods and records retention obligations that are imposed by applicable law.

6. Children

We do not knowingly collect personal data from children under 13, or any higher minimum age in the jurisdiction where the child resides. If we learn that we have collected any personal information from a child under the applicable minimum age, we will take reasonable steps to delete such information. Parents or guardians who believe that their child has submitted personal information to us and would like to have it deleted should contact us at privacy@kinsta.com.

7. International Transfers

The personal data we collect within your country may be transferred outside of your country to Kinsta or its third-party contractors or service providers (mentioned above) for the purposes described in this Privacy Policy, and when you provide us your personal data, you consent to any such transfers. As required by law, we rely on adequacy decisions, appropriate safeguards, or derogations when we transfer personal data across international borders.

If you are located in the EEA, UK, or Switzerland, you may request information about how we transfer your personal data across borders by contacting us at privacy@kinsta.com.

8. Privacy Shield

Although Kinsta is aware that the Court of Justice of the European Union has invalidated the EU-U.S. Privacy Shield Framework adequacy decision, we remain committed to subjecting all personal data transferred to the United States from the EU, UK, and Switzerland to the applicable Principles of the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework (collectively, the “**Privacy Shield Principles**”). We also comply with the Privacy Shield Principles for all onward transfers of personal data from the EU, UK, and Switzerland, including the onward transfer liability provisions. If there is any conflict between the terms of this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield Principles, and to view our certification, visit the U.S. Department of Commerce’s Privacy Shield List at <https://www.privacyshield.gov>. The U.S. Federal Trade Commission has jurisdiction over our compliance with the Privacy Shield Principles. In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including in order to meet national security or law enforcement requirements.

EU, UK, and Swiss individuals with inquiries or complaints should first contact us at privacy@kinsta.com. If you have unresolved concerns regarding any personal data that is subject to the Privacy Shield Principles that we have not addressed satisfactorily, you may contact JAMS, our U.S.-based third party dispute resolution provider (free of charge) at

<https://www.jamsadr.com/file-an-eu-us-privacy-shield-claim>. Under certain circumstances, more fully described on the [Privacy Shield website](#), you may be entitled to invoke binding arbitration when other dispute resolution procedures have been exhausted.

9. Links to Other Websites

We may provide links to other websites as a service to you or in order to provide you additional venues in which you can leverage or share the opportunities of the Services. Please be aware that we do not control and are not responsible for their information collection, use, and disclosure practices. Please review and understand their privacy practices and policies, if any, before providing any personal data to them or using any of their services. We are not responsible for the content or information of these third-party sites, any products or services that may be offered through them, or any other use of the sites.

10. Changes to Our Privacy Policy

If we modify this Privacy Policy, we will post the updated version via our Services. It is your responsibility to periodically review this Policy, and you are bound by any changes to it by using our Services or continuing to affiliate with us after such changes have been posted.

11. Contact Us

If you have any questions, comments, or concerns regarding this Policy or our practices please feel free to write to us at:

Kinsta Inc.

Attn: Privacy and Data Protection Team

8605 Santa Monica Blvd #92581

West Hollywood, CA 90069

United States of America

privacy@kinsta.com

UK Contact:

Kinsta Ltd.

privacy@kinsta.com

EU Contact:

Blue Cloud Hosting Kft.

privacy@kinsta.com