

Updated April 3, 2015

## *Privacy Policy*

This privacy policy (“Policy”) explains how personal information is collected, used, and disclosed by PacketZoom, Inc., a Delaware corporation (“PacketZoom”, “we” or “us”), when you access the PacketZoom web site at [www.packetzoom.com](http://www.packetzoom.com) (the “Site”) or interact with the PacketZoom Mobile Speed as a Service™ platform (the “PacketZoom Platform”). The PacketZoom Platform provides tools to application providers (“Publishers”) to improve their mobile cloud access. The Site and the PacketZoom Platform may be collectively referred to as the “Services.” If you do not agree to the terms of this Policy, you must terminate your use of the Services.

*We reserve the right to change the provisions of this Policy at any time. We will alert you that changes have been made by posting the revised policy to the Site. If we make any material changes we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this Site prior to the change becoming effective. Changes will become effective as of the “updated” date listed at the top of this Policy. We encourage you to review this Policy from time to time to make sure that you understand how any personal information you provide will be used. Your continued use of the Services following the posting of changes to this Policy will indicate your acceptance of those changes.*

This Policy is subject to the provisions of PacketZoom’s Terms of Service, which are fully incorporated herein by reference.

For your convenience, we provided a summary of certain provisions of this Policy on the right column of the table below. These summaries are for your reference only. They are not part of this Policy and are not legally binding. You must read this Policy in its entirety to know your full rights and obligations.

### **What Is Personal Information?**

As used herein, the term “personal information” means information that specifically identifies an individual (such as a name, address, telephone number, mobile number, e-mail address, or credit card number), or information about that individual that is directly linked to personally identifiable information. Personal information does not include “aggregate” information, which is data we collect about the use of the Services or about a group or category of services or users, from which individual identities or other personal information has been removed. This Policy in no way restricts or limits our collection and use of aggregate information.

Here’s a definition of “personal information.” We will use this term throughout this Policy so please read and understand the definition.

### **What Information Do We Collect?**

We may collect information in a number of ways when you use the Services:

Here are some of the ways we

collect information.

**Active Collection.**

We collect certain information when you voluntarily provide it, such as during the registration process or if you send us an email, fill out a form, post comments or other content, or otherwise provide or request information. Such information may include personal information, such as your name, user name, email, address, telephone number, and other contact and demographic information you choose to provide. In addition, from time to time we may collect demographic, contact, or other personal information you provide in connection with your participation in surveys, sweepstakes, contests, games, promotional offers, and other activities on the Services.

Our Site may offer social media features, including a connection to Facebook’s invites, notifications, feeds, like button, and other user-to-user interaction data, that may collect your IP address, page view information from your use on the Site, and may set cookies to enable the features to function properly. These features are either hosted by a third party or hosted directly on the Site. Your interactions with these features are governed by the privacy policy of the company providing it.

**Passive Collection.**

When you use the Services, some information is also automatically collected, such as your Internet Protocol (“IP”) address, your operating system, the browser type, the address of a referring web site, your activity on the Site, and custom event and monetization data. We also may collect information about your use of the PacketZoom Platform. Your IP address may be used to determine the location of your use. We treat this information as personal information if we combine it with or link it to any of the identifying information mentioned above.

**Cookies and Other Tracking Technologies.**

We use cookies and scripts on the Site and PacketZoom Platform to assist us with functionality and to help us understand how users interact with the Site and PacketZoom Platform. Third parties, with whom we partner, may use these technologies as well as web beacons to assist us in gathering this analytical information.

A cookie is a small text file that is stored on a user’s

computer for record-keeping purposes. We use both session ID cookies and persistent cookies. A session ID cookie expires when you close your browser. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser's "help" directory.

If you reject cookies, you may still use the Site, but your ability to use some areas of the Site, such as contests or surveys, will be limited.

In addition, our third party partners may use Flash Local Storage Objects (also known as Flash cookies) to assist in the display of videos on the Site.

#### **Information Received From Third Parties.**

We may also obtain certain non-personal information about you from third parties. This information may include demographic, geographic, psychographic and other usage information that does not personally identify an individual user and may be associated with a device ID. The collection and use of this information is pursuant to such third party's information collection practices, which are typically outlined in a privacy policy like this one, provided on the third party's website or in the application. This Policy does not apply to information received from third parties, and PacketZoom is not responsible for the privacy and security practices and policies of such third parties.

#### **How Do We Use the Information We Collect?**

We use the information we collect through the Services for the purposes described in this Policy or elsewhere on our Site. For example, we may use personal and other information we collect:

- to provide the services, products, or information you request and to process and complete any transactions in connection therewith;
- to request feedback and to otherwise contact you about your account or your use of the Services;
- to communicate with you and respond to your emails, submissions, questions, inquiries, comments, requests, and complaints and to provide customer service;
- to personalize and improve the Services and

It is important you understand how we use your personal information. In general, we only use your information to improve our Services, prevent fraud, and analyze aggregate trends and data for business purposes.

users' experiences, to increase the functionality and user friendliness of the Site and the PacketZoom Platform;

- to monitor and analyze Site and application usage and trends and otherwise measure the effectiveness of the Services;
- to provide you with news and information about our or third party events, activities, offers, promotions, products, and services we think will be of interest to you;
- to send you confirmations, updates, security alerts, and support and administrative messages, to detect and prevent fraud, and to otherwise facilitate your use of, and our administration and operation of, the Site and the PacketZoom Platform;
- to notify you about important changes to the Site and the PacketZoom Platform;
- to conduct surveys and to notify and contact contest and sweepstakes entrants;
- to enforce our Terms of Service;
- perform internal market research, project planning, troubleshooting;
- to detect and protect against error, fraud, or other criminal activity; and
- for any other purpose for which the information was collected.

#### **What Information Do We Share With Third Parties?**

We will not share the information we collect from you through the Services with third parties, except as described in this Policy or on the Site. For example, we may share personal and non-personal information as follows:

- with vendors, consultants, and other service providers ("Service Providers") who are engaged by or working with us in connection with the operation of the Site, the PacketZoom Platform or the other services we provide and who need access to such information to carry out their work for us;
- with advertisers to send you coupons, promotions, rewards, awards, and advertisements you request;
- when you give us your consent to do so, including if we notify you that the information you provide will be shared in a particular manner and you provide such information;

Generally, we will not share your information with third parties. However, we may share your information in the following circumstances listed in the left column. Please review carefully. In addition, we may share aggregate, non-personally identifiable information with partners for purposes of showing trends and general usages of our Services.

- when we believe in good faith that we are lawfully authorized or required to do so or that doing so is reasonably necessary or appropriate to comply with the law or legal processes or respond to lawful requests or legal authorities, including responding to lawful subpoenas, warrants, or court orders;
- when we believe in good faith that we are lawfully authorized or required to do so or that doing so is reasonably necessary or appropriate to protect the rights, property, or safety of PacketZoom, our users, our employees, copyright owners, third parties or the public, including without limitation to protect PacketZoom or our users, Publishers from fraudulent, abusive, inappropriate, or unlawful use of the Site and the PacketZoom Platform;
- to enforce or apply this Policy, our Terms of Service, or our other policies or agreements;
- in connection with, or during negotiations of, any merger, sale of company assets, financing or acquisition, or in any other situation where personal information may be disclosed or transferred as one of the business assets of PacketZoom;
- to enter you into a sweepstakes, contest or promotion; and
- to respond to your questions.

We may share aggregated, non-personally identifiable information publicly and with our partners – like application publishers or connected sites. For example, we may share information publicly to show trends about the general use of the Services.

If PacketZoom is involved in a merger, acquisition or asset sale, we will continue to ensure the confidentiality of any personal information and give affected users notice before personal information is transferred or becomes subject to a different privacy policy.

You understand that when you use the Site or the PacketZoom Platform, any information you post in any interactive areas of the Site, including in any comments,

We are very serious about protecting your information and will notify you in the event we are involved with a merger, acquisition, or asset sale before we transfer your information to any third party.

Please be careful about giving away

listings, profiles, public or private groups or forums, as well as any information you share with individuals through the Site or through social network sites or other social feeds, will be available to other users and in some cases may be publicly available. We recommend you be cautious about giving out personal information to others or sharing personal information in public or private online forums. To request removal of your personal information from publicly available areas that we control, such as our blog, please send an e-mail to [privacy@packetzoom.com](mailto:privacy@packetzoom.com). In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

We are not responsible for the actions of third parties, nor are we responsible for any additional information you provide directly to any third parties, and we encourage you to become familiar with their privacy practices before disclosing information directly to any such parties.

#### **Your California Privacy Rights.**

The following applies solely to California residents who have an established business relationship with PacketZoom. If we collect personal information from you, we may make that personal information available to third parties for their marketing and promotional purposes. If you decide that you do not want us to share your personal information with these companies for their marketing and promotional purposes, please send an e-mail to [privacy@packetzoom.com](mailto:privacy@packetzoom.com). In this email, state that you would like PacketZoom to not share your personal information with third parties for their marketing purposes. Your opt out request will be processed within 30 days of the date of which we receive it.

#### **Links to Other Websites.**

The Services may contain links to other websites. Any personal information you provide on linked pages or applications is provided directly to that third party and is subject to that third party's privacy policy. This Policy does not apply to such linked sites, and we are not responsible for the content or privacy and security practices and policies of these websites or any other sites that are linked to from the Services. We encourage

personal information to others over the internet.

Please review the privacy policies of any third parties before disclosing information to them. We not responsible for any information you provide to third parties.

If you live in California and have an established business relationship with us, we may make your personal information available to third parties for marketing purposes. If you wish to not have others receive your personal information, please email us to opt out.

This Policy only covers sharing of information with PacketZoom. If you plan to share information with a third party, please read their privacy policy.

you to learn about their privacy and security practices and policies before providing them with personal information.

### **What Steps Do We Take To Protect Your Information Online?**

We take measures designed to protect your personal information in an effort to prevent loss, misuse, and unauthorized access, disclosure, alteration, and destruction. These include internal reviews of our data collection, storage, and processing practices and security measures, as well as physical security measures to guard against unauthorized access to systems where we store personal data. When you enter sensitive information within the Site and the PacketZoom Platform, we encrypt the transmission of that information using secure socket layer technology (“SSL”). We restrict access to personal information to PacketZoom employees, contractors, services providers, and agents who need to know that information in order to operate, develop, or improve our services. These individuals are bound by confidentiality obligations and may be subject to discipline, including termination and criminal prosecution, if they fail to meet these obligations.

Please be aware, however, that despite our efforts, no security measures are perfect or impenetrable and no method of data transmission or storage can be guaranteed against any interception or other type of misuse. To protect the confidentiality of personal information maintained in your account, you must keep your password confidential and not disclose it to any other person. You are responsible for all uses of the Site and the PacketZoom Platform by any person using your password. Please advise us immediately if you believe your password has been misused. You will find our contact information at the bottom of this Policy.

### **Children’s Privacy.**

The PacketZoom Platform and Site are not intended for use by children under the age of 13. We do not knowingly collect personal information from children under the age of 13. If we become aware that we have collected personal information from a child under the age of 13, we will take steps to delete the information as soon as possible.

We try really hard to protect your personal information.

As hard as we try, we can’t guarantee that your personal information will be safe. It is up to you to protect your information. Let us know immediately if you believe your information has been compromised.

We are very serious about protecting the privacy of children.



### **What Choices Do You Have Regarding Your Information?**

If the information you used to register for the Services changes, or if you no longer desire to use our Service, you may correct, update, or delete by contacting customer support.

We will retain your information for as long as your account is active or as needed to provide our Services. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

You may “opt out” of receiving marketing or promotional emails from us by following the instructions in those emails. If you opt out, we may still send you non-promotional emails, such as emails about your accounts or our ongoing business relations.

#### **Newsletters.**

If you wish to subscribe to our newsletter(s) or other marketing communications, we will use your name and email address to send the newsletter to you. Out of respect for your privacy, you may choose to stop receiving our newsletter or marketing emails by following the unsubscribe instructions included in these emails, accessing the email preferences in your account settings page or you can submit your request directly by using the contact information provided below.

#### **Assignment.**

You hereby consent and agree that the agreement between you and PacketZoom as evidenced in this Policy, any licenses herein, and any information collected about you, including any personal information collected pursuant to this Policy, can be sold, assigned, transferred, or otherwise conveyed to a third-party as part of a merger, acquisition, reorganization, sale of all or substantially all of PacketZoom’s assets or capital stock, in the event of a bankruptcy, or any other such change of control situation. Additionally, you agree that this Policy continues to bind you and guide the terms and conditions of your use of the PacketZoom Platform and Services in any of the foregoing circumstances.

#### **International Users.**

This Policy and the privacy practices of PacketZoom will be subject exclusively to the laws of the State of

You may correct your information or delete your account by contacting our customer support.

We will retain your information for as long as necessary to comply with the law, resolve disputes, or enforce our agreements.

You can opt out of receiving marketing materials, but we may still send you emails about your account.

You can subscribe to our newsletter via email. If you wish to later opt out, you may unsubscribe by following the instructions in your email.

You allow us to pass on this Policy and any information collected about you to our future successors.



California within the United States. PacketZoom makes no representation that this Policy and our practices comply with the laws of any other country or jurisdiction. Visitors who use the Services and reside outside the United States do so on their own initiative and are responsible for compliance with local laws, if and to the extent local laws are applicable. If you reside outside of the United States, by using the Services, you consent to the transfer, processing and use of your information outside your country.

**Questions?**

If you have any questions about this Policy or any of the practices described herein, please send us an email at [privacy@packetzoom.com](mailto:privacy@packetzoom.com).

This Policy will be governed by California law. We welcome users from around the globe, but you are ultimately responsible for complying with the laws of your country and territory.

We look forward to hearing from you!