

## Apptimize Privacy Policy

Apptimize, Inc. respects the privacy of visitors to its website as well as its customers' data. As a result, Apptimize has established a comprehensive privacy program for the purpose of protecting your data privacy rights. To the extent Apptimize collects or processes personal information either on Apptimize's website or through the use of Apptimize's services ("**Services**") by business customers, Apptimize complies with the US-EU Safe Harbor Framework as set forth by the Department of Commerce regarding the collection, use and retention of personal data from the European Union. To learn more about the Safe Harbor program and to view the certification for Apptimize, Inc. visit <http://www.export.gov/safeharbor>.

This Privacy Policy is incorporated into and is subject to Apptimize's Terms of Service. Your use of [apptimize.com](http://apptimize.com) and the Services and any personal information you provide on or through [apptimize.com](http://apptimize.com) or the Services remains subject to this Privacy Policy and Apptimize's Terms of Service.

**Special Note to International Users.** Apptimize.com is hosted in the United States. If you are a user accessing [apptimize.com](http://apptimize.com) from the European Union, Asia, or any other region with laws or regulations governing personal data collection, use, and disclosure, that differ from United States laws, please be advised that through your continued use of [apptimize.com](http://apptimize.com), which is governed by U.S. law, this Privacy Policy, and Apptimize's Terms of Service, you are transferring your personal information to the United States and you consent to that transfer.

## Apptimize Safe Harbor Policy

These are the promises Apptimize makes to you about your data privacy and are more fully described in Apptimize's Privacy Practices:

1. **Notice.** When Apptimize collects your personal information, we'll give you timely and appropriate notice describing what personal information Apptimize is collecting, how Apptimize will use it and the types of third parties with whom we share it.
2. **Choice.** Apptimize gives you choices about the ways Apptimize uses and shares your personal information and Apptimize respects the choices you make.
3. **Relevance.** Apptimize collects or processes only as much personal information as Apptimize needs for specific, identified purposes and Apptimize won't use it for other purposes without obtaining your consent.
4. **Retention.** Apptimize keeps your personal information only as long as Apptimize needs it for the purposes for which Apptimize collected it, or as permitted by law.

5. **Accuracy.** Apptimize will take appropriate steps to make sure the personal information in its records is accurate.
6. **Access.** Apptimize will provide ways for you to access your personal information, as required by law, so you can correct inaccuracies.
7. **Security.** Apptimize takes appropriate physical, technical, and organizational measures to protect your personal information from loss, misuse, unauthorized access or disclosure, alteration and destruction.
8. **Sharing.** Except as described in Apptimize's privacy practices, Apptimize will not share your personal information with third parties without your consent.
9. **International Transfer.** Currently Apptimize does not transfer data from the United States to another country. However, if Apptimize does transfer your data from the United States to another country, then Apptimize will take appropriate measure to protect your privacy and the personal information transferred by Apptimize.
10. **Enforcement.** Apptimize regularly reviews how it is meeting these privacy promises and Apptimize has an independent mechanism in place to resolve complaints about its privacy practices. Apptimize encourages interested persons to raise any concerns using the contact information below and Apptimize will investigate and attempt to resolve any complaints and disputes regarding the use and disclosure of personal information in accordance with Apptimize's privacy practices.

If the complaint or dispute cannot be resolved through Apptimize's internal process, then Apptimize agrees to dispute resolution using JAMS as a third party resolution provider.

## **Apptimize's Privacy Practices**

### **Information Apptimize Receives from You.**

You provide certain personally identifiable information (such as your name and email address) to Apptimize when you register for an account or correspond with us. In addition, if you choose to purchase products or services from us, then Apptimize will ask you for additional information including your credit card information and billing address. Apptimize may also seek ask you for demographic information including your age, gender, preferences and interests.

Further, Apptimize may receive personal information from its business customers and partners in the European Union, (including name and email address) for the purposes of using Apptimize's Services. Apptimize will only use any personal information sent to it in accordance with these privacy practices.

Apptimize.com and the Services are not intended for or designed to attract individuals under the age of 18. Apptimize does not collect personally identifiable information from any person Apptimize actually knows is an individual under the age of 18.

### **Information Apptimize Collects on Apptimize.com.**

Cookies Information. When you visit apptimize.com, we may send one or more cookies - a small text file containing a string of alphanumeric characters - to your computer that uniquely identifies your browser. Apptimize uses both session cookies and persistent cookies. A persistent cookie remains after you close your browser. Persistent cookies may be used by your browser on subsequent visits to the site. Persistent cookies can be removed by following your web browser help file directions. A session cookie is temporary and disappears after you close your browser. You can reset your web browser to refuse all cookies or to indicate when a cookie is being sent. However, some features of apptimize.com may not function properly if the ability to accept cookies is disabled.

Log File Information. When you use apptimize.com, our servers automatically record certain information that your web browser sends whenever you visit any website. These server logs may include information such as your web request, Internet Protocol ("IP") address, browser type, browser language, referring / exit pages and URLs, platform type, number of clicks, domain names, landing pages, pages viewed and the order of those pages, the amount of time spent on particular pages, the date and time of your request, and one or more cookies that may uniquely identify your browser.

Clear Gifs Information. When you use apptimize.com, we may employ "clear gifs" (a.k.a. Web Beacons) which are used to track the online usage patterns of our Users anonymously (i.e., in a non-personally-identifiable manner). In addition, we may also use clear gifs in HTML-based emails sent to our Users to track which emails are opened by recipients.

### **Information Apptimize Collects Through Customers' Use of the Services.**

Apptimize only collects and gathers the data authorized by its customers. Generally, this means Apptimize does not gather any identifiable information about customers' users of their apps other than the users' device GUID.

### **The Way Apptimize Uses Information.**

Contact its Users. We do not use your email address or other personally identifiable information to send commercial or marketing messages without your consent or except as part of a specific program or feature for which you will have the ability to opt-in or opt-out. We may, however, use your email address without further consent for non-marketing or administrative purposes (such as notifying you of major changes to apptimize.com, Apptimize's Services or for customer service purposes).

Improve Apptimize.com or its Services. We use both your personally identifiable information and certain non-personally-identifiable information (such as anonymous User usage data, cookies, IP addresses, browser type, clickstream data, etc.) to improve the quality and design of apptimize.com and to create new features, promotions, functionality, and services by storing, tracking, and analyzing our users' preferences and trends. We use cookies, clear gifs, and log file information to: (a) remember information so that you will not have to re-enter it during your visit or the next time you visit apptimize.com; (b) monitor the effectiveness of our marketing campaigns; and (c) monitor aggregate metrics such as total number of visitors, pages viewed, etc.

### **When Apptimize Discloses Information.**

Provide Services. We provide personally identifiable information and non-personally-identifiable information to our subsidiaries, affiliated companies, or other businesses or persons for the purpose of processing such information on our behalf. We require that these parties agree to process such information in compliance with our privacy policy, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures.

However, we do not share your personally identifiable information (such as name or email address) with other, third-party companies for their commercial or marketing use without your consent or except as part of a specific program or feature for which you will have the ability to opt-in or opt-out.

Legal Requests and Comply with State and Federal Laws. We may release personally identifiable information and/or non-personally-identifiable information if required to do so by law, or in the good-faith belief that such action is necessary to comply with state and federal laws or respond to a court order, subpoena, or search warrant.

Apptimize also reserves the right to disclose personally identifiable information and/or non-personally-identifiable information that Apptimize believes, in good faith, is appropriate or necessary to enforce our Terms of Service, take precautions against liability, to investigate and defend itself against any third-party claims or allegations, to assist government enforcement agencies, to protect the security or integrity of Apptimize.

In the Event of Merger, Sale, or Bankruptcy. In the event that Apptimize is acquired by or merged with a third party entity, we reserve the right, in any of these circumstances, to transfer or assign the information we have collected from our users as part of such merger, acquisition, sale, or other change of control. In the unlikely event of our bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors rights generally, we may not be able to control how your personal information is treated,

transferred, or used.

### **Your Choices.**

You may, of course, decline to submit personally identifiable information through Apptimize.com or the Services, in which case Apptimize may not be able to provide certain services to you.

You may update or correct your personal profile information and email preferences at any time by visiting your account profile page. In addition, you can request to delete your personal information by contacting Apptimize at [spencer@apptimize.com](mailto:spencer@apptimize.com)

### **Our Commitment To Data Security.**

Apptimize uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your personal information. Specifically, Apptimize encrypts and signs all data originating from Apptimize and verifies it on the client. Further, for Enterprise tier customers, Apptimize supports full HTTPS exchange.

However, Apptimize cannot ensure or warrant the security of any information you transmit to Apptimize and you do so at your own risk. Once we receive your transmission of information, Apptimize makes commercially reasonable efforts to ensure the security of our systems. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards.

If Apptimize learns of a security systems breach, then we may attempt to notify you electronically so that you can take appropriate protective steps. Apptimize may post a notice on Apptimize.com if a security breach occurs. Depending on where you live, you may have a legal right to receive notice of a security breach in writing. To receive a free written notice of a security breach (or to withdraw your consent from receiving electronic notice) you should notify us at [spencer@apptimize.com](mailto:spencer@apptimize.com).

### **Changes and updates to this Privacy Policy.**

This Privacy Policy may be revised periodically and this will be reflected by the "effective date" below. Please revisit this page to stay aware of any changes. In general, we only use your personal information in the manner described in the Privacy Policy in effect when we received the personal information you provided. Your continued use of [apptimize.com](http://apptimize.com) and the Services constitutes your agreement to this Privacy Policy and any future revisions.

For revisions to this Privacy Policy that may be materially less restrictive on our use or

disclosure of the personal information you have already provided to us, we will attempt to obtain your consent before implementing such revisions with respect to such information.

**How to Contact Us.**

To ask questions about Apptimize's privacy policy practices or issue a complaint, contact us at:

Apptimize, Inc.

Last updated: February 16, 2015