

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. Your use of apptimize.com ("Site") and any personal information you provide on or through the Site or the Services is subject to this Privacy Policy. Capitalized terms used in this Privacy Policy have the meaning given in our Terms and Conditions.

Special Note to International Users. Apptimize.com is hosted in the United States. If you are a user accessing 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, (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 agree, understand and consent to the transfer and storage of your data in the United States. In addition, you also consent to the use and disclosure of your data as provided in this Privacy Policy.

1. 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 may ask you for additional information including your credit card information and billing address. 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 this Privacy Policy.

2. 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. At this time, Apptimize is not able to respond to Do Not Track signals set by your browser.

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.

3. Information Apptimize Collects Through Apptimize's Customers' Use of the Services.

Apptimize only collects and processes data authorized by its customers through its customers' use of its Services. While Apptimize recognizes that an individual has the right to access the data collected about that individual, Apptimize does not have a relationship with its customers' end users but rather only with its customers (data controller). As a result, if you are an end user of one of our customers and you would like to amend, delete or alter your data, then you need to contact that customer directly and Apptimize will respond within a reasonable period of time to any such request by our customer. Apptimize only retains the data it processes for as long as necessary to provide the Services to its customers or as required to comply with legal obligations, resolve disputes and enforce any agreement.

4. 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; and (b) monitor aggregate metrics such as total number of visitors, pages viewed, etc.

5. 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.

6. 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 legal@apptimize.com.

7. Our Commitment To Data Security.

Apptimize uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your personal information. 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 legal@apptimize.com.

8. EU-US Privacy Shield Framework.

Apptimize complies with the EU-U.S. Privacy Shield Framework and the Swiss – U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States, respectively. Apptimize has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

Apptimize’s accountability for personal data that it receives under the Privacy Shield and subsequently transfers to a third party is described in the Privacy Shield Principles. In particular, Apptimize remains responsible and liable under the Privacy Shield Principles if third-party agents that it engages to process the personal data on its behalf do so in a manner inconsistent with the Principles, unless Apptimize proves that it is not responsible for the event giving rise to the damage.

If you have an unresolved privacy or data use concern that Apptimize has not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>.

For any Privacy Shield disputes that cannot be resolved by the methods above, you may be able to invoke a binding arbitration process under certain conditions. To find out more about the Privacy Shield’s binding arbitration scheme, please see: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>.

The Federal Trade Commission has investigation and enforcement authority over Apptimize’s compliance with the Privacy Shield.

9. Children’s Privacy.

Protecting the privacy of children is especially important to Apptimize. For that reason, Apptimize does not knowingly collect or maintain personal information or non-personally-identifiable information from persons under 13 years of age, and no part of the Apptimize website or Services are directed to persons under 13. If you are under 13

years of age, then please do not use or access the Apptimize website or Services at any time or in any manner. If Apptimize learns that personal information of persons under 13 years of age has been collected without verified parental consent, then Apptimize will take the appropriate steps to delete this information.

10. 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 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.

11. How to Contact Us.

To ask questions about Apptimize's privacy policy practices or issue a complaint, contact us by email at: contact@apptimize.com or by mail at: Apptimize, Inc., 330 Townsend Street #234, San Francisco, CA 94107.

Last updated: July 19, 2017