



## Data Privacy Policy

## **Purpose**

Navisite respects your privacy and is committed to protecting it through our compliance with this Privacy Policy (“Policy”). This Policy describes the type of personally identifiable information we may collect or that you may provide when you access or use the Navisite website and mobile app (collectively, “Site”), as well as our practices for collecting, using, maintaining, protecting and disclosing that information. Except to the extent we receive your authorization or as permitted or required by applicable law, we will handle your data in accordance with the terms of the Policy in effect at the time of the collection.

This Policy does not apply to information that we collect offline or on any other application or website, including those you may access through the Site. This Policy also does not apply to information that you provide to, or that is collected by, any third party. These third parties may have their own privacy policies, which we encourage you to read before providing information on or through them.

## **Changes to this Policy**

We reserve the right to change this Policy at any time. In the event we make material changes to the Policy, we will provide notice through the Site. Changes will be effective immediately upon posting to the Site and will apply to your use of the Site after the “effective date” listed above. You understand and agree that your continued use of the Site after the effective date, means that the collection, use and sharing of your information is subject to the updated Policy. Except to the extent we receive your authorization or as permitted or required by applicable law, we will handle your data in accordance with the terms of the Policy in effect at the time of the collection.

This Policy is intended to supplement the Terms of Service for this mobile application (the “Terms”) and Underlying Agreement (as defined in the Terms) and will govern the use of the Site. In the event of any conflict among the provisions of this Policy and either the Terms or the Underlying Agreement, the provisions of the Terms and/or the Underlying Agreement shall control.

## **Information We Collect and How We Collect It**

We may collect information from a variety of sources to operate the Site, carry out our business, comply with law and other purposes described herein.

## **Information You Provide**

When you contact us, request information, sign up for our newsletter or promotions, or report a problem on our Site, you may provide:

- Your name
- Email address
- Address
- Phone number

**When you provide information to be published or displayed on public areas of the Site (the "User Contributions"), it may include:**

- Your name
- Email address
- Address
- Phone number
- Other information you choose to provide

When you create a [USER ACCOUNT/PROFILE] with us, you may provide:

- Your name
- Email address
- Password
- Address

When you buy or receive products or services, you may provide:

- Your name
- Email address
- Address
- Phone number
- Age
- Payment information (e.g., your payment card number, authentication information and other billing and account details)
- Marketing and communication preferences
- And other types of information that you choose to provide to us or that we may obtain about you

On occasion we will use customer names, organizations and testimonials on our website or our social media. Your approval and consent will always be obtained prior to posting.

### **Information From Third Parties**

We may collect information about you from third parties, such as through your social media services, consistent with your settings on such services, from other third-party sources that are lawfully entitled to share your data with us, including from publicly available and third-party databases or services that provide information about business people that we believe will help us identify and provide products and services that may be of interest to you. We use and share this information (and may add it to the other information we have on file for you) for the purposes described in this Policy. We will obtain your consent, however, before contacting you, if required by the law of the country in which you are located.

### **Information On Your Use**

If logged in to a [USER ACCOUNT/PROFILE], we may collect information about and log your visits and use of the Site. This includes, for example, when you view or click on embedded content or ads. We also use cookies and internet protocol ("IP") addresses to identify you and log your use of the Site.

As you use the Site, certain information may be passively collected about you or your activities over time and across third-party applications or websites using various technologies, such as navigational data collection and behavioral tracking services. We, or third parties authorized by us, that are subject to confidentiality obligations consistent with this Privacy Policy, may collect information that is not personally identifiable, such as your IP address, browser, operating system, mobile network information, specific website functions, or the telephone number of your device.

To monitor utilization of the Site and continuously improve its quality, we may compile statistical information concerning the usage of the Site using analytics services, such as those provided by Google Analytics. Examples of this information would include: the number of visitors to the Site, or to sections or pages within the Site, patterns of traffic flowing through the Site, length of time spent on the Site, or in sections or pages of the Site, the other sites that refer visitors to the Site, the pages of the Site that visitors frequently use as entry and exit points, utilization of the browser and operating systems and versions used by visitors to the Site, methods used to browse away from the page, any phone number used to call our customer service number, and location information. The analytics services may transfer this information to third parties in case of a legal obligation or if a third party processes data on behalf of that service. To compile this information, we may collect and store:

- Your IP address
- Your operating system and platform
- Your browser type and version
- Time zone setting
- Browser plug-in types and versions
- The pages you visit within the Site
- Data provider
- The length of time you spend on pages within the Site
- The site from which you linked to ours
- Search terms you used in search engines which resulted in you linking to the Site, etc.

While all of this information can be associated with the IP address your computer had while you visited the Site, it will not be associated with you as an individual, or associated with any other information you may submit through the Site, or that we may store about you for any other purposes. We may use this information to generate aggregate statistics about visitors to our Site. Please check your web browser if you want to learn what information your browser sends or how to change your settings.

### **How We Use Your Information**

Pursuant to this Policy, we use information that we collect about you or that you provide to us, including any personal information, to:

- Provide you with the Site services and its contents, and any other information, products or services you request from us.
- Fulfill any other purpose for which you provide your information.

- Communicate with you including, sending notices regarding your account, and updates or changes to the site.
- Use for everyday business purposes, such as payment processing, product development, contract management, IT and website administration and security, fulfillment, analytics, fraud prevention, corporate governance, reporting, and legal compliance.
- Ensure that content from our Site is presented most effectively to you and your computer.
- Show you ads on the Site using data from advertising technologies on the Site, such as web beacons, pixels, ad tags, cookies or device identifiers.
- Measure or understand the effectiveness of advertising that we provide to you and others and to deliver relevant advertising to you.
- Carry out our obligations and enforce our rights arising from this Privacy Policy.

We also may use your information for direct marketing purposes and location-based functions. We may use your information to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume you meet its target criteria. The information we collect or you provide us helps us improve the Site and deliver a better and more personalized experience.

### **How We May Disclose Your Information**

In general, we will not disclose your data except with your consent and as described in this Policy. We may disclose your data for the same reasons that we may use it as described in this Policy, which includes disclosing it to our affiliates and non-affiliated third parties, as we deem necessary to carry out those purposes.

- **Third-Party Vendors.** We may need to use or disclose this information with our group partners or third-party vendors:
  - With your consent or as you direct
  - To manage the Site
  - To improve and optimize our Site
  - To process payments and requests for products and services
  - To provide you with products, services or offers
  - To engage in marketing activities, such as sharing personal information with our partners to deliver advertisements to our shared customers
  - To enhance our services by, among other methods, obtaining assistance with providing more personalized membership services to you through analytics and other technologies (including, but not limited to, data storage, maintenance services, database management, web analytics and payment processing)
  - To protect our interests and legal rights, such as through responding to subpoenas and defending litigation
  - To protect against and prevent fraud, illegal activity (such as identifying and responding to incidents of hacking or misuse of our websites and mobile applications), and claims and other liabilities

We endeavor to choose affiliates and non-affiliates with similar standards to ours regarding the protection of data.

- **Legal Process, Security, Defense, Protection.** It is possible that we will need to disclose information about you if required by law, subpoena or other legal process.
- **Additional disclosures.** We may disclose information about you if we have a good faith belief that disclosure is reasonably necessary to:
  - Demonstrate our relationship with you
  - Investigate, prevent or take action regarding suspected or actual illegal activities, or to assist law enforcement agencies
  - Protect the security or integrity of the Site
  - Investigate and defend ourselves against any third-party allegations or claims
  - Protect the rights and safety of others
- **Change in Control or Sale.** We can share, sell, assign or license your personal data in connection with certain business transactions, such as a sale, acquisitions, merger or change in control, or in preparation for any of these events. In such cases, we will take appropriate steps under the circumstances and, to the extent possible, ensure that the recipient agrees to provide privacy protections substantially similar to those established by this Policy. Any entity that acquires all or substantially all of the Company's assets will have the right to continue using your data consistent with this Policy.

In no case will we sell or license your data to third parties, except as set forth above or as required or permitted by law.

### Terms of Use

Your User Contributions are posted and transmitted to others at your own risk. We cannot control the actions of third parties with whom you may choose to share your User Contributions. Additionally, although we take reasonable steps to protect your information, according to your preferences, please be aware that no security measures are perfect or impenetrable. Thus, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

### Disclosure of Information

In general, we will not disclose your data except with your consent and as described in this Policy. We may disclose your data for the same reasons that we may use it as described in this Policy, which includes disclosing it to our affiliates and non-affiliated third parties, as we deem necessary to carry out those purposes.

**Third-Party Vendors.** We may need to use or disclose this information with our third-party vendors:

- With your consent or as you direct
- To manage the Site
- To process payments and requests for products and services

- To provide you with products, services or offers
- To coordinate your participation in our loyalty reward or similar programs
- To engage in marketing activities, such as sharing personal information with our partners to deliver advertisements to our shared customers
- To enhance our services by, among other methods, obtaining assistance with providing more personalized services to you through analytics and other technologies
- To protect our interests and legal rights, such as through responding to subpoenas and defending litigation
- To protect against and prevent fraud, illegal activity (such as identifying and responding to incidents of hacking or misuse of our websites and mobile applications), and claims and other liabilities.

We endeavor to choose affiliates and non-affiliates with similar standards to ours regarding the protection of data.

**Legal Process, Security, Defense, Protection.** It is possible that we will need to disclose information about you if required by law, subpoena or other legal process. Additionally, we may disclose information about you if we have a good faith belief that disclosure is reasonably necessary to:

- Demonstrate our relationship with you
- Investigate, prevent or take action regarding suspected or actual illegal activities or to assist law enforcement agencies
- Protect the security or integrity of the Site
- Investigate and defend ourselves against any third-party allegations or claims
- Protect the rights and safety of others

### **Change in Control or Sale**

We can share, sell, assign or license your personal data in connection with certain business transactions, such as a sale, acquisitions, merger or change in control, or in preparation for any of these events. In such cases, we will take appropriate steps under the circumstances and to the extent possible to ensure that the recipient agrees to provide privacy protections substantially similar to those established by this Policy. Any entity that acquires all or substantially all of the Company's assets will have the right to continue using your data consistent with this Policy.

Navisite may provide certain aggregate information we collect from users of the Site (e.g., statistics, sales, traffic patterns and services) to third parties who can assist Navisite in analyzing and understanding the information and help us better provide our services. Navisite also may provide certain aggregate information we collect from users to third parties to market their products or services or provide other targeted content to you, if you have not opted out of such disclosures. Should Navisite share this aggregate information with third parties, it will not include any personally identifiable information.

Navisite does not sell, rent, loan, share or otherwise disclose your personally identifiable information to any third parties. Only Navisite or authorized agents have access to personal information provided by users of the Site.

### **Cookies and Similar Technology**

A cookie is a small file which asks permission to be placed on your computer's hard drive. Once you agree, the file is added and the cookie helps analyze web traffic or lets you know when you visit a particular site. Cookies allow web applications to respond to you as an individual. The web application can tailor its operations to your needs, likes and dislikes by gathering and remembering information about your preferences.

We may use technologies such as cookies, pixel tags, browser analysis tools, server logs and web beacons to recognize you when you return to the Site and to help us improve the quality of our service when you visit our Site. We also use cookies to tailor our products, services and advertising to suit your personal interests, estimate our audience size, track visits to and sales at our Site, and, as applicable, to process your order and track your status in our promotions, contests and sweepstakes. We do not link your URL or IP address to any personal information unless you have logged into our Site with an established [USER ACCOUNT/PROFILE].

Overall, cookies help us provide you with a better website, by enabling us to monitor which pages you find useful and which you do not. A cookie in no way gives us access to your computer or any information about you, other than the data you choose to share with us.

You may control cookies, including preventing or stopping the installation and storage of cookies, through your browser settings and other tools. If you do so, our Site may not function correctly. Please refer to the Help feature of your browser for information on disabling cookies.

From time to time we may offer you the option of signing up, or having us sign you up, for various mailing lists, emailing list or other directory-related list used to send communications from us for purposes of keeping our members and prospective members updated with respect to developments in our Services, our industry, conferences that we or our service providers operate, or otherwise ("Marketing Updates"). In order to register you on such lists, we will ask for your Personal Data. We will specifically ask for your consent to use such Personal Data on an opt-in basis and contact you with such Marketing Updates from time to time.

**IMPORTANT:** By using the Site, you consent to the processing of any personal data for the analytics purposes and functions described above.

### **Do Not Track**

We support the Do Not Track browser setting that allows you to choose and tell the websites you visit, what kind of personal information you want to be collected. We will honor the Do Not Track preferences you set in your browser.

### **Social Media Plugins**



This Site uses social media plugins (e.g., Facebook) to enable you to easily share information with others. When you visit our Site, the operator of the social plugin can place a cookie on your computer, enabling that operator to recognize individuals who have previously visited our Site. If you are logged into the social media website (e.g., Facebook, Twitter) while browsing our Site, the social plugins allow that social media website to share data about your activities on our Site with other users of their social media website. For example, Facebook Social Plugins allow Facebook to show your Likes and comments on our pages to your Facebook friends. Facebook Social Plugins also allow you to see your friends' Facebook activity on our website. We do not control any of the content from the social media plugins. For more information about social plugins from other media websites, you should refer to those sites' privacy and data/information sharing statements/policies.

### **Links to Third Parties' Sites.**

We may provide links to websites or resources, including through third-party advertising (the "Third-Party Materials"), outside of our Site for your informational purposes only. You acknowledge and agree we are not responsible for the availability of such sites or resources, and do not endorse and are not responsible or liable for any content, advertising, goods, services or other materials on, available through or provided by such sites or resources. We are not responsible for the privacy or other practices of such sites and cannot guarantee the security of any of your personal information that you provide or is collected by such sites. This Privacy Policy applies to information collected by our Site. We encourage you to review the privacy policies and terms and conditions on those linked sites.

### **California Residents**

If you are a California resident, please read the following:

- California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your personal information by certain members of the Company to third parties for the third parties' direct marketing purposes. Requests may be made one time per calendar year. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediate prior calendar year (e.g., requests made in 2018 will receive information regarding 2017 sharing activities). You may submit your request using the contact information at the end of this Policy.
- If you are a California resident under the age of 18, and a registered user of any site where this policy is posted, California law permits you to request and obtain removal of content or information you have publicly posted. You may submit your request using the contact information at the end of this Policy. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and that there may be circumstances in which the law does not require or allow removal even if requested.

### **Children**

The Site is intended for use by individuals 13 years of age or older. We do not knowingly collect personal information from children under 13. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe

we might have any information from or about a child under 13, please contact your Navisite customer success representative.

### **The Transfer or Storage of Your Personal Data**

As a global company, Navisite may transfer your personal data to countries where we do business or to our internal entities in connection with the purpose as identified in accordance with this privacy Policy.

The Personal Data that we collect from you may be transferred to countries outside the European Economic Area (“EEA”). This may happen where any of our servers or those of our third-party service providers are located in a country outside of the EEA, or it is processed by our staff or the staff of our third-party service provider operating outside the EEA. These countries may not have similar data protection laws to the country in which you reside. If we transfer your personal data outside of the EEA, we will take steps to ensure that appropriate security measures are taken with the aim of ensuring that your privacy rights continue to be protected in accordance with this Policy. These steps may include imposing appropriate contractual obligations on the recipient of your personal data. If you are located in the EEA, you understand and consent to having your personal data processed outside of the EEA, including in the United States.

### **Removing or Updating Your Information, or Changing Your Preferences**

Please contact your Navisite customer success representative, or the Navisite data privacy team at the address or email below, if you:

- Would like your personal data removed.
- Prefer not to receive information from us.
- Have questions regarding our Privacy Policy, the accuracy of your personal information or the use of the information collected.

You can contact us by mail or email.

**Address:**

Navisite  
400 Minuteman Road, Andover, MA 01810

**Email:** [Privacy@Navisite.com](mailto:Privacy@Navisite.com)

Navisite has further committed to refer unresolved Privacy Shield complaints to JAMSADR, an alternative dispute resolution provider. If you do not receive timely acknowledgment of your complaint from us, or if we have not addressed your complaint to your satisfaction, please visit <https://www.jamsadr.com/> for more information or to file a complaint. The services of JAMSADR are provided at no cost to you

Please be sure to include your email address, full name, your question(s) and, if applicable, what type of information you do not want to receive.

If you would like to update or correct your email address, street address or other personal information with us, please contact your customer success representative. Please note that sometimes these requests may take some time to be effective, and if you delete certain information, you may not be able to continue to access certain portions of the Site without entering additional information.

If you delete your User Contributions from the Site, copies of your User Contributions may remain viewable in cached or archived pages, or might have been copied or stored by other users. Proper access and use of information provided on the Site, including User Contributions, is governed by our Terms of Service for the Navisite mobile application and website.

To request information regarding our disclosure of personal information to third parties for direct marketing or mailing purposes, please contact us using the information set out above.

### **Security of Information.**

No system for safeguarding personal or other information is 100% secure, and, even though we have taken steps to protect your personal information from being intercepted, accessed, used or disclosed by unauthorized persons, we cannot fully eliminate security risks associated with personal information. However, we take a number of steps to safeguard the security of personal information obtained through the Site. For example, we have implemented a security program that contains administrative, technical and physical controls that are designed to reasonably safeguard your data from unlawful use, unauthorized access or disclosure. There is no guarantee that data may not be accessed, disclosed, altered or destroyed by breach of any of our administrative, physical or technical safeguards. Additionally, we use Secure Socket Layer (SSL) data encryption when data is transmitted over the internet to our Site. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any security measures we provide.

Please bear in mind that anyone you provide with your log-in information will also have access to your account and personally identifiable information. If you use the Site, you are responsible for maintaining the confidentiality of your account and password and for restricting access to your computer or device.

### **Privacy Shield Framework**

Navisite LLC complies with the EU-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 to the United States. Navisite LLC 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/>

- Navisite is subject to the investigatory and enforcement powers of the Federal Trade Commission (FTC).
- Individuals under the Privacy shield framework have the ability to invoke binding arbitration to determine, for residual claims, whether an organization has violated its obligations under the Privacy Shield.
- An individual who decides to invoke this arbitration option must take the following steps prior to initiating an arbitration claim: (1) raise the claimed violation directly with the organization and afford the organization an opportunity to resolve the issue within the timeframe set forth in Section III.11(d)(i) of the Principles; (2) make use of the independent recourse mechanism under the Principles, which is at no cost to the individual; and (3) raise the issue through their Data Protection Authority to the Department of Commerce and afford the Department of Commerce an opportunity to use best efforts to resolve the issue within the timeframes set forth in the Letter from the International Trade Administration of the

Department of Commerce, at no cost to the individual. This arbitration option may not be invoked if the individual's same claimed violation of the Principles (1) has previously been subject to binding arbitration; (2) was the subject of a final judgment entered in a court action to which the individual was a party; or (3) was previously settled by the parties. In addition, this option may not be invoked if [an EU Data Protection Authority or the Commissioner] (1) has authority under Sections III.5 or III.9 of the Principles; or (2) has the authority to resolve the claimed violation directly with the organization. [A DPA's/the Commissioner's] authority to resolve the same claim against [an EU or a Swiss] data controller does not alone preclude invocation of this arbitration option against a different legal entity not bound by the [DPA/Commissioner's] authority.

In cases of onward transfer to third parties of data of EU and /or SWISS individuals received pursuant to the Privacy Shield, Navisite LLC is potentially liable. Please direct any Privacy Shield inquiries or complaints to [Privacy@Navisite.com](mailto:Privacy@Navisite.com)