



## YBOX PRIVACY POLICY

**Effective Date: October 4, 2018**

Thank you for visiting the yBox performance marketing partner network website (the "Site"). yBox ("we", "us") is committed to protecting the privacy of your personally identifiable information. We provide this privacy policy ("Privacy Policy") in order to explain our online information practices and the choices you can make about the way your information is used by us. You must agree to this Privacy Policy, in its entirety, including our use of cookies in order to: register an account ("Account") with the yBox performance marketing partner network ("Performance Marketing Partner Network") and log in to your Account as member of the Performance Marketing Partner Network. If you do not agree to this Privacy Policy in its entirety, you are not authorized to register for an Account on the Performance Marketing Partner Network.

**Privacy Policies Used in Connection with Your Subscription.** When you register for an Account on the Performance Marketing Partner Network, we use a password-protected third-party portal to store your personal information, and we may share your personal information with such third party ("Third Party Agent") as is necessary for the performance of your Account and the Performance Marketing Partner Network.

**Personally Identifiable Information.** We collect personally identifiable information when you register for an Account or otherwise choose to provide personally identifiable information to us. Personally identifiable information is any information that can be used to identify or locate a particular person or entity. This may include but is not limited to: business entity name and/or your title with the applicable business entity, as well as your personal and/or business entity related e-mail address, mailing address, daytime and/or cellular telephone numbers, fax number, account information (or other information that we require in order to pay any amounts due to you under the Performance Marketing Partner Network), IP address and/or any other information requested on the applicable Subscriber registration form.

**Non-Personally Identifiable Information.** We may collect certain non-personally identifiable information about you when you visit certain pages of this Site and/or register for an Account on the Performance Marketing Partner Network, such as the type of browser you are using (e.g., Chrome, Internet Explorer), the type of operating system you are using, (e.g., Windows or Mac OS) and the domain name of your Internet service provider (ISP) and share such information with our Third-Party Agent. We use the non-personally identifiable information that we collect to improve the design and content of the Site and to enable us to personalize your Internet experience. We also may use this information in the aggregate to analyze Site usage.



**Cookies and Web Beacons and Ad Identifiers.** To enhance your experience with the Site, we use "cookies." Cookies are small packets of data stored on your computer used to store your preferences. Cookies, by themselves, do not tell us your e-mail address or other personally identifiable information. You may set your browser to warn you that cookies are in use, or to block the use of cookies. We use strictly necessary cookies to allow you to move around the Site and log in to your Account, and functional cookies to improve the services and support available to you. Accepting strictly necessary cookies is a condition of using the Site. You can control whether or not functional cookies are used, though preventing them may mean some services and support will be unavailable. Cookies may be managed for us by third parties; where this is the case, we do not allow the third party to use the cookies for any purpose other than as necessary to provide the services.

We may additionally collect information using Web beacons, which are commonly referred to in the industry as web bugs, pixel tags or Clear GIFs. Web beacons are electronic images that may be used on the Site, in your Account, or in our emails to deliver cookies, count visits and determine if an email has been opened and acted upon.

End users can disable cookies in most internet browsers. An overview of the process is available at <http://www.allaboutcookies.org/manage-cookies/>. Disabling cookies will not, however, stop receipt of all advertisements. If an end user would like to opt out of a particular ad network, publisher, or advertiser's ads, they will need to contact those companies directly to inquire whether they have an opt-out option.

End users can also disable collection of ad identifiers for targeted advertising by enabling the Limit Ad Tracking setting on their smartphone. End users can also reset the ad identifier altogether using their smartphone's privacy settings

We may be a participant of the Google Third Party Serving Compatibility Program, in which case we would abide by the Third-Party Ad Serving Policy available at <http://adwords.google.com/support/bin/answer.py?answer=94230>

**Use of Information.** We use your personally identifiable information: (a) to send you information regarding your Account and the Performance Marketing Partner Network; (b) to track your compliance with the Terms and Conditions ("Terms and Conditions"); and/or (c) for validation, suppression, content improvement and feedback purposes. In addition, we may use your IP address for the purposes identified above, as well as to analyze trends, administer the Site, track users' movements, gather broad demographic information for aggregate use, and to confirm that a particular individual affirmed his/her consent to specific legal terms (e.g. a clickwrap license agreement). You agree that we, or our Third Party Agent, may contact you at any time regarding your Account or the Performance Marketing Partner Network and/or any other information that we may deem appropriate for



you to receive in connection with your Account on the Performance Marketing Partner Network. You may update your contact preferences as set forth below.

**Information Sharing.** As a general rule, and other than in connection with the limited exceptions set forth below, we will not sell, share or rent your personally identifiable information to or with others. Notwithstanding the foregoing, we may, from time to time, provide such information to certain third-party administrative vendors, including HasOffers, for efficiency purposes in providing administrative or program management services in connection with your Account. Any third-party vendor so used has agreed to protect the confidentiality of information provided by us. Further, we reserve the right to share your personally identifiable information: (a) where required by law, or requested by a court of competent jurisdiction; (b) in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock; (c) where you are in violation of this Privacy Policy, the Terms and Conditions and/or Services Agreement; (d) in the case of a dispute; or (e) where we determine, in our sole discretion, that such disclosure is necessary to protect our rights and/or a third party, or necessary to protect us from liability of any kind. The aforementioned includes exchanging information with other companies and organizations for fraud protection.

**International Transfer of Data.** We may transfer information that we collect about you and your end users, including personal information, to affiliated entities, or to other third parties across borders and from your country or jurisdiction to other countries or jurisdictions around the world. If you or your end users are located in the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that you are transferring information and permitting the transfer of information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction. You consent to the transfer of your information to the United States and the use and disclosure of information about you and your end users, including personal information, as described in this Privacy Policy.



Where we act as a controller under European data law, our lawful basis for collecting and using the information described in this Privacy Notice will depend on the information concerned and the specific context in which we collect or use that information. We normally collect or use information from you only where we have collected your consent to do so, where we need the information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. Specifically, when we:

- use information to create or manage an account, we need it in order to provide relevant services;
- use contact information for marketing purposes, we do so with your consent (which you can revoke at any time); and
- gather usage data and analyze it to improve the Site, we do so based on our legitimate interest in safeguarding and improving the Site.

If you have any questions or concerns about how information is processed, including questions about how to exercise your rights as a data subject, please contact us at the contact information provided in this Privacy Notice.

**Data Retention.** Subject to any mandatory obligations to delete data, your information may be retained by us and in our Third-Party Agent portal, server logs, databases and records. We will keep your information for no longer than necessary for the purposes for which it is processed. Where there are technical limitations that prevent deletion or anonymization, we will safeguard and limit the use of information as required by applicable law.

**Your Employees.** Your acceptance of the terms of this Privacy Policy, in their entirety, shall extend to your employees. You agree that any of your employees that access your Account or visit the Site under the scope of their employment with you agree to the terms of this Privacy Policy.

**Security.** We endeavor to safeguard and protect our Account holders' information. When Account holders submit personally identifiable information to the Performance Marketing Partner Network, their personally identifiable information is protected both online and offline. When our registration process asks registrants to submit information such as bank account information and/or credit card information ("Sensitive Information"), and when we transmit such Sensitive Information, that Sensitive Information is encrypted and protected. The Third-Party Agent servers that we utilize to store personally identifiable information are kept in a secure physical environment. The Third-Party Agent has security measures in place to protect the loss, misuse and alteration of personally identifiable information stored on its servers.



In compliance with applicable federal and state laws, we shall notify you and any applicable regulatory agencies in the event that we learn of an information security breach with respect to your personally identifiable information. You will be notified via e-mail in the event of such a breach. Please be advised that notice may be delayed in order to address the needs of law enforcement, determine the scope of network damage, and to engage in remedial measures.

You acknowledge that you provide your personally identifiable information to us with knowledgeable consent and at your own risk.

**Deleting and Updating Your Information.** If you would like to delete or update the personally identifiable information that we have collected from you, simply email us. We will process your request, where possible and subject to the terms and conditions contained herein, within a reasonable period of time after receipt. To protect your privacy and security, we will take reasonable steps to help verify your identity before granting access or making corrections.

**Opting Out of Receiving E-mail.** You may at any time choose to stop receiving emails containing general information regarding yBox by following the instructions at the end of each such email or by contacting us. Should you be contacted by our Third-Party Agent through email, you can follow the instructions at the end of each such email to stop receiving such emails. There may be a short delay of up to several business days while your request is being verified, deployed and processed across our servers. Notwithstanding the foregoing, we may continue to contact you for the purpose of communicating information relating to your Account, as well as to respond to any inquiry or request made by you.

**Notification of Changes.** We reserve the right to change or update this Privacy Policy at any time by posting a clear and conspicuous notice on the Site explaining that we are changing our Privacy Policy. All Privacy Policy changes will take effect immediately upon their posting on the Site. Please check the Site periodically for any changes. Your continued use of the Site and/or acceptance of our e-mail communications following the posting of changes to this Privacy Policy will constitute your acceptance of any and all changes.

**Contact Us.** If you have any questions regarding this Privacy Policy, or would like more information on our privacy practices, please contact us.