

# PRIVACY POLICY

Shoutpoint, Inc.

**NOTE: This Privacy Policy is updated and appended from time to time. To ensure that you have the most recent version, please visit the Shoutpoint Privacy Policy webpage ([shoutpoint.com/privacy](http://shoutpoint.com/privacy)) and compare the “Last Updated” date with the one indicated below.**

**Last Updated: December 15, 2014**

Shoutpoint, Inc. (“**Shoutpoint**,” “**we**” or “**our**”) created this Privacy Policy in order to describe to our visitors and customers the types of information we collect and the manner in which we use such information. By using our website or any of our Services you consent to the terms of this Privacy Policy as it may be amended from time to time.

## Amendments

We may update or amend this Privacy Policy from time to time in the future. When revised, the new Privacy Policy will be posted on our website and the “Last Updated” date above will reflect the date of the last changes. Therefore, you are encouraged to periodically visit our Privacy Policy and check the most recent form. Additionally, in the event of material amendments to the Privacy Policy, we will notify our current Customers that changes have been made by (i) prompting such Customer to “**Accept**” the modified Service Terms (which incorporates this Privacy Policy) the next time someone logs into their account, and (ii) by posting the revised Privacy Policy on our website with a revised “**Last Updated**” date.

## Business Services

We offer our services to businesses. As such, the information we collect and use for billing, sales and other communications with customers and prospective customers are intended for, and directed to, authorized employees of businesses. We do not solicit information from, or knowingly collect information about, any other individuals; including without limitation, children under the age of thirteen (13).

## When Do We Collect Information?

We collect certain information when people:

- visit our website at [www.shoutpoint.com](http://www.shoutpoint.com) (the “**Website**,” and such visitors being referred to as “**Visitors**”),
- visit our website at [www.shoutpoint.com](http://www.shoutpoint.com) (the “**Website**,” and such visitors being referred to as “**Visitors**”),
- subscribe to use one or more of our services (the “**Services**,” and such subscribers – and others accessing the
- services through such subscriber’s account – being referred to as “**Customers**”), and
- use one or more of the Services.

## Tracking

We do not collect information about a consumer’s online activities over time and across different websites when consumers use our website or Services; however certain third party services might do so. If you enable a “Do Not Track” signal on your browser, we do not have any feature established to respond to such request.

We may subscribe to certain third party services (e.g., Google Analytics) to analyze the usage of our website or to provide other services relating to our website. These third parties may use cookies to track activity on our website and across different websites. We also may use cookies to track activity on our website.

## What Information Do We Collect?

We collect information automatically when Visitors and Customers navigate the Website. We also obtain information when Visitors and Customers enter data on the Website (e.g., contact information for an inquiry, generate a sample call, to establish an account, etc.), and through Customers' use of the Services.

### A. Cookies and other Webtools

As you navigate the Website, we automatically receive and record data on our server logs from your browser, including your IP address and the pages you request ("Website Data"). Certain Website Data is collected through our use of cookies, web beacons and other similar tools, either directly or through third party services. These tools help provide additional functionality to the Website and help us better analyze use of the Website. We may also use cookies to help track the level of interest in different features of the Website and to collect information that can help us improve our Services. You can choose not to use cookies but then you will not be able to take advantage of certain features of the Website.

### B. Visitor Information

We also collect data that Visitors submit to us on our Website, in emails or other communications sent to us, or telephone messages left with us. For example, we provide contact information, including a toll free number and email address for Visitors to use. We collect Visitor contact data provided through those means ("**Visitor Contact Information**") which, together with Website Data, is referred to as "**Visitor Information**"). We may also offer options that allow a Visitor to perform a function like recording and sending a test message through our system, in which case we would obtain information such as the destination phone number and the voice recording of the sample message.

### C. Customer Information

When Customers subscribe for one or more of our Services, they will be required to provide (i) certain contact information; including, without limitation: organization name, contact name, mailing address, email address, telephone number; and (ii) certain billing information, which may include one or more of the following: billing address, credit card information, banking information or other similar information reasonably necessary to authorize and apply payments (collectively, "**Customer Information**").

### D. Service Information

We provide various telecommunications related services and applications through our proprietary software. In order to utilize the various Services, Customers must login to our software and input certain information (all such information being input or automatically logged in conjunction with the use of the Services being "**Service Information**"). For example, if a Customer desires to send an emergency notification through our Service, the Customer must input, and we will retain logs of, the call data (the ANI for the call, the recipient phone number, the size and time of message, message voice file, and other transactional data).

### E. Personally Identifiable Information

Visitor Contact Information, Customer Information and Service Information may contain "**Personally Identifiable Information**." "**Personally Identifiable Information**" generally means information about a consumer collected online and maintained by the operator in an accessible form, which enables the physical or online contacting of a specific individual.

### F. Aggregate Information

Aggregate Information is data from numerous groups of Visitors, Customers and/or others that is combined to

provide statistically meaningful information without identifying any specific person or user.

## How Do We Use Information?

### A. Visitor Information

We use Website Data to monitor, maintain and periodically improve our website. We use Visitor Contact Information to respond to inquiries made by Visitors and to perform certain sample functions to show Visitors how the Services work (e.g., send a test message, allow a Visitor to observe a public conference, etc.).

### B. Customer Information

We use Customer Information for billing purposes and other purposes directly related to our provision and support of Services to such Customer. We typically obtain a billing contact and a technical contact and direct communications to the appropriate party under the circumstances.

We may use Customer Information for marketing purposes. For example, we may use information you provide to contact you concerning your interest in our new or existing Services or to send you information regarding us and our "Affiliated Entities" (as described below); including, without limitation, information about promotions or special events. If contacted for marketing purposes, Customers will have the option to opt out of future marketing communications. We will not use or disclose Customer billing or financial information for marketing purposes.

### C. Service Information

We use Service information to (i) perform the Services Customer has subscribed for, (ii) to troubleshoot and provide customer support to our Customers, (iii) provide a record of the Services provided (i.e., log files) for the Customer's access, and (iv) to comply with applicable laws, regulations and industry standards (e.g., retain call detail records for a prescribed period of time). We retain the foregoing information for the time period we determine, in our sole discretion, is appropriate under the circumstances and otherwise in accordance with our Document Retention Policy.

### D. Aggregate Information

Because Aggregate Information is by its nature anonymous and not Personally Identifiable Information, we may use it in any manner, including sharing it with Affiliated Entities and third parties.

## Do We Disclose Information To Third Parties?

We do not share or disclose any of your Personally Identifiable Information except as described below.

### A. Affiliated Entities

We may share Personally Identifiable Information with "**Affiliated Entities**" (i.e., controlled by or under common control with Shoutpoint, Inc.) for the purpose of assisting us in providing our Services to you and for marketing purposes as described above. To the extent that any Personally Identifiable Information is shared with an Affiliated Entity, it will only use such information in accordance with this Privacy Policy.

### B. Agents and Consultants

We periodically use third party vendors to perform certain services to support our business. Examples of third party services may include; without limitation, network security analysis, marketing, transcription services, external database providers, third party hosted software applications and other services. When we contract with third party vendors to perform services, we only provide them with access to the Personally Identifiable Information that they reasonably need to perform their services, and they are also bound by confidentiality and nondisclosure obligations.

### **C. Subpoenas and Other Exigent Circumstances**

We may disclose Personally Identifiable Information to the extent (i) compelled by a subpoena, demand or court defend the rights or property of us or any third party, to prevent misuse of the Services, or to prevent the violation of any applicable law or regulation. If we are compelled to disclose any of your Personally Identifiable Information pursuant to provision (i) above, then we will use reasonable efforts to provide you with prior notice of that disclosure requirement if time permits, unless we are prohibited from doing so by the compelling authority.

### **D. Merger or Acquisition**

If Shoutpoint, Inc. is sold, merged into another entity, sells or transfers assets, is dissolved, or experiences any other similar event, all information in our possession (including Personally Identifiable Information) is considered a company asset and may be transferred as a part of such transaction. You acknowledge that such transfers may occur, and that any acquirer or successor to those assets may continue to use your information (including Personally Identifiable Information) in accordance with this Privacy Policy.

## **How Do We Safeguard Your Information?**

We take precautions to protect your information from loss, misuse and unauthorized access. We follow generally accepted industry standards in order to protect your information, both during transmission and after received. However, no method of transmission over the Internet or manner of storage (whether physical or electronic) is perfectly secure. While we strive to protect your information, we cannot and do not guarantee its security.

Our employees and independent contractors are governed by confidentiality provisions that encompass, among other things, Personally Identifiable Information. We also have security controls in place to protect against the unauthorized access to Personally Identifiable Information. Such information is stored on one or more secure servers and is only accessible by a limited number of authorized employees who must use passwords to access the information. Passwords and financially sensitive information (e.g., credit card numbers) are encrypted before being transmitted. We also have a Document Retention Policy in place that provides for the destruction, deletion or disposal of Customer Information and Service Information when it is no longer required by law or reasonably required by us or our Customers for business operations.

## **How Do I Correct Contact Information?**

In the event that you have provided Contact Information and/or provided Billing Information, you may correct or amend that information by editing your account profile or emailing us at [support@shoutpoint.com](mailto:support@shoutpoint.com).

## **Contact Us With Questions or Concerns.**

If you have any questions or concerns about this Privacy Policy, please contact us at:

Shoutpoint  
Attn: Compliance and Privacy  
4695 MacArthur Court, Suite 930  
Newport Beach, CA 92660  
[support@shoutpoint.com](mailto:support@shoutpoint.com)