

**BLUIP PRIVACY POLICY**  
**LAST UPDATED: MAY 24, 2018**

BluIP, Inc. ("BluIP") is committed to protecting your privacy and providing you with a secure experience through use of our products and services ("Solutions"). You can use much of BluIP's web sites and web pages ("Sites") without giving us any of your Personal Information. We do, however, collect information to provide services and/or information that you request. This statement of privacy ("Privacy Policy") explains data collection and use practices of BluIP. **This Privacy Policy applies to your use of the Sites, and your use of our Solutions. Please read this Privacy Policy carefully.**

**Acceptance**

**By accessing and using any Site, Solution or other BluIP product or service, you accept and agree to this Privacy Policy. If you do not agree to this Privacy Policy, please do not use any Site or any Solution.** For other terms and conditions that govern your use of BluIP's Solutions, Sites or other products or services, please review the other agreements to which you and BluIP are parties (if any), including other BluIP policies located at: <http://www.bluip.com/legal>. If you and BluIP are parties to any agreement(s), this Privacy Policy is a part of the agreements between you and BluIP; this Privacy Policy is effective without limiting, waiving and notwithstanding the provisions of any such agreement. This Policy will be read in connection with any such agreement. This Privacy Policy applies to you, even if you are not a party to an agreement with BluIP.

**Information That May Be Collected about You**

We, or third party providers may collect data, including Personal Information, about you as you use our Sites and Solutions and interact with us. "Personal information" is any information that can be used to identify an individual (i. e., personally identifiable information), and may include name, username, mailing address, email address, phone number, occupation, voicemail identifiers, location identifiers, occupation, login information (username, account number, password, profile picture), language and other preferences, social media account information, and payment card numbers. For example, when you register or use a Solution, we may store the information you provide, along with any information you have provided during previous visits or as part of the personal profile that you have provided. This information may include: location, IP address, traffic data such as the phone numbers that you call and to which you send messages, and the phone numbers from which you receive calls and messages, the date, time, duration and cost of the calls and messages, the phone locations at the time you have made and/or received the communications, domain, browser, viewing data. We may receive Personal Information about you from other sources, including publicly available databases or third parties from whom we have purchased data, and combine this data with information we already have about you, in accordance with applicable laws. This helps us to update, expand and analyze our records, identify new customers, and provide products and services that may be of interest to you. We may collect Personal Information about you from other applications you may use if you choose to integrate our Solutions with other apps services or solutions.

If you use third party features that we host or otherwise provide, you acknowledge that your interactions with these features are governed by the privacy policy of the third party company providing them. BluIP does not control and is not responsible for how such third party sites handle personal information of users.

**Use of Information**

When you provide Personal Information we will only use this information for the specific reason for which it is provided. We collect Personal Information for a limited reasons, such as to:

- ♦ create your account and process your order, including payment transactions (including credit inquiries, and payment and personally identifiable information verification);
- ♦ provision, facilitate and ease your use of the Sites and the Solutions;
- ♦ send Solution updates and upgrades, marketing and other communications;
- ♦ facilitate participation in our online communities;
- ♦ deliver, enable and Support and the use and/or testing of certain features of our Solutions (including emergency calling services);
- ♦ personalize your experience;
- ♦ comply with legal requirements and prevent activities that may violate our policies;

- ♦ provide customer service;
- ♦ prevention and detection of fraud and other unauthorized use;
- ♦ (where we have the appropriate permissions) to inform you of new products or services that will enhance BluIP's ability to provide service to you; however, we will not sell, rent, trade, lease, or disclose or make available any personal data to any third parties seeking to market to you products without your prior consent;
- ♦ manage a job application and/or,
- ♦ perform market research or to conduct surveys, unless you have requested that we not contact you for this purpose.

Our definition of personally identifiable information does not include “aggregate information”— data we collect about a group or category of services or users or customers and from which individual user or customer identities have been removed. Aggregate information—for example, a report that indicates that a certain number of our customers reside in a particular state or region of the United States, or a report on how many of our customers visited particular pages of our Sites—aids us in understanding trends and customer needs. Aggregate information allows us to consider new services or tailor existing services to customer preferences, and to provide aggregate statistics (e.g., a Small Business VoIP Usage Index) to customers, potential customers, and business partners.

In some instances, BluIP and the third parties it engages may automatically collect data through cookies, web logs, web beacons, and other similar applications. This information is used to better understand and improve the usability, performance, and effectiveness of websites and Solutions, and to help tailor content or offers for you. Please read the "Cookies and Other Web Technologies" section below for more information.

#### **Sharing Information.**

We may share and disclose your information we collect, consistent with this Policy, with the following third parties: any BluIP affiliate, or third party service provider or partner for data processing or providing the Sites and the Solutions, and third party agents to help market and promote the Solutions or for billing purposes. We will not disclose or share the personal information outside of BluIP except in limited circumstances, such as:

- ♦ in order to support the uses mentioned above;
- ♦ for processing of orders and credit card transactions, delivering Solutions, hosting Sites, Support and marketing options, Sites and Solutions analytics, and assisting with sales-related efforts or post-sales Support;
- ♦ in response to a request for information by a competent authority if we believe disclosure is in accordance with, or is otherwise required by any applicable law, regulation or legal process;
- ♦ to protect the rights, property, or safety of BluIP, its business partners, you, or others;
- ♦ in connection with, or during negotiations of, any merger, reorganization, restructuring, consolidation, acquisition, financing, dissolution or sale of all or a portion of the business or financing, dissolution, or acquisition of all or a portion of our business by or to another company; and/or,
- ♦ if we otherwise notify you and you consent to the sharing.

#### **Control of Your Information**

When you provide personal information to us, we will not share that information with unaffiliated third parties without your permission, other than in circumstances such as above. We may send out important notices informing you of changes to our Policies, technical service issues related to a product or service, or other information that is essential to the use of our Sites and Solutions. You or we may post Feedback, blog or community postings, or other information on our Sites, which may include your name, industry, company, title, or other identifying information. Any postings that you make, or that we make with your consent, are made at your own risk, and we will not be liable for the posting or the distribution of the information contained or associated therewith. If you want such postings removed, or wish to give or withdraw consent please contact us by clicking here, or at [legalnotice@bluip.com](mailto:legalnotice@bluip.com).

You may encounter links to third-party sites (e.g., business partners) and, although a connection may be made to such sites, we are not responsible for their privacy policies. This Privacy Policy does not cover their practices.

### **Security of Your Personal Information**

We intend to protect the Personal Information entrusted to us and treat it securely in accordance with this Privacy Policy. BluIP implements safeguards designed to protect your Personal information from unauthorized access, use, or disclosure. We also contractually require that our suppliers protect such information from unauthorized access, use, and disclosure. We make good faith efforts to provide the security measures necessary to keep the integrity and confidentiality of your information safe. However, no system can be completely secure and we do not ensure, guarantee or warrant that our security measures are impenetrable. The Internet, for example, cannot be guaranteed to be 100% secure, and we cannot ensure or warrant the security of any personal information you provide to us. Also, please be advised that BluIP has no control over or responsibility for the security or privacy policies or practices of other sites on the Internet you might visit, with which you interact, or from which you might buy products or services, even if you visit them using links from the Sites.

You also have a significant role in protecting your information. As an example, you should not share your password with anyone. If you believe that your password has been compromised, you should immediately change your password. You should also sign off when you've finished using a shared computer, and you should always log out of any website, including the Sites, after viewing personal account information, such as the "Preferences" section of our Sites.

### **Access to Your Information**

We can provide you with access to your active Personal Information that we have collected so you can edit or update your Personal Information. You may have the ability to view or edit some of your Personal Information online. Profiles created on our Sites may be kept at different locations for different services; you may have to review and update the information in multiple locations. You may review and update this information or request deletions of any and all of your Personal Information at any time by contacting [legalnotice@bluip.com](mailto:legalnotice@bluip.com).

**Note to California Residents:** California Civil Code Section 1798.83 allows California residents to request information regarding disclosure of Personal Information to third parties for the third parties' direct marketing purposes. To make a request, please contact [legalnotice@bluip.com](mailto:legalnotice@bluip.com), or at the information listed below.

### **Cookies and Other Mechanisms**

A cookie is placed on your machine (if you accept cookies), or is read if you have previously visited our Sites. All of this is done in accordance with applicable Laws. These technologies may store registration information, host information, and/or usage information. When you use the Solutions in your web browser, we use cookies, local storage, and other browser storage technologies to ensure that you can stay logged into the Solutions until you choose to log out and to improve the Solutions.

If you choose to not have your browser accept cookies from our Sites, you will be able to view the text on the screens, however, you will not experience a personalized visit or be able to subscribe to the offerings on our Sites.

### **Transfer of Your Information Across Border**

Your information may be stored and processed in the United States or any other country in which BluIP or its vendors maintain facilities. By using our Sites, you consent to any transfer, storage, or processing of information outside of your country. Several countries, including those in the European Economic Area, have established data protection Laws and regulations that place restrictions on the transfer of personal information across country borders. We are committed to complying with all of those Laws and regulations, and have taken appropriate safeguards to require that your information will remain protected in accordance with this Privacy Policy. These measures include requiring adherence to this Privacy Policy in our contracts, and strict enforcement of such adherence. Some countries, however, may not have the same or substantially similar privacy Laws as those set out in this Privacy Policy. We may not require organizations to which we disclose personal information in those countries to comply with similar privacy laws, and accordingly your Personal Information may not receive the same protections that it would under

the Laws where you are located. *You may that we not to transfer your personal outside of the United States, but if you do so request, we may not be able to provide the Sites or Solutions products you have purchased, or otherwise lawfully obtained from us.* To make such a request, please write us at [legalnotice@bluip.com](mailto:legalnotice@bluip.com).

When you use our Sites and provide Personal Information, you should do so in compliance with the applicable data protection Laws and regulations in your country.

### **Data retention**

We retain Personal Information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements). When we have no ongoing legitimate business need to process your Personal Information, we will either delete or anonymise it or, if this is not possible (for example, because your Personal Information has been stored in backup archives), then we will securely store your Personal Information and isolate it from any further processing until deletion is possible.

### **Additional information applicable to EEA residents.**

If you are a resident of the European Economic Area, you have the following data protection rights:

- If you wish to **access, correct, update or request deletion** of your personal information, you can do so at any time by contacting us using the contact details provided under the “Contact Information” section below.

In addition, you can **object to processing** of your personal information, ask us to **restrict processing** of your personal information or **request portability** of your personal information. Again, you can exercise these rights by contacting us using the contact details provided under the “Contact Information” section below.

You have the right to **opt-out of marketing communications** we send you at any time. You can exercise this right by clicking on the “unsubscribe” or “opt-out” link in the marketing e-mails we send you. To opt-out of other forms of marketing (such as postal marketing or telemarketing), then please contact us using the contact details provided under the “Contact Information” section below.

- Similarly, if we have collected and process your personal information with your consent, then you can **withdraw your consent** at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the **right to complain to a data protection authority** about our collection and use of your personal information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the European Economic Area, Switzerland and certain non-European countries (including the US and Canada) are available here.)

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

### *Legal basis for processing personal information (EEA only)*

If you are from the European Economic Area (EEA), our legal basis for collecting and using the personal information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect Personal Information from you only where we have your consent to do so, where we need the Personal 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. In some cases, we may also have a legal obligation to collect the Personal Information in question.

If we ask you to provide Personal Information to comply with a legal requirement or enter into a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal information is mandatory or not (as well as of the possible consequences if you do not provide your Personal Information).

Similarly, if we collect and use your Personal Information in reliance on our or a third party's legitimate interests and those interests are not already listed above (see "Sharing Information" section), we will make clear to you at the relevant time what those legitimate interests are.

If you have questions about or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided under the "Contact Information" section below.

### **Children's Information**

The Sites are not intended for use by individuals under the age of 13. We do not knowingly collect personal data from, nor send requests for personal data to individuals under the age of 13.

### **Third Parties**

We have no direct relationship with the individuals, if any, whose personal data you, receive, and/or store through Sites or the Solutions or the individuals, if any, whom you contact through the Sites or the Solutions. If you choose to provide BluIP with a third party's Personal Information (such as name, email, and phone number), you represent that you have the third party's permission to do so.

If you are an individual who is being contacted by one of our customers through the Sites or the Solutions, and would no longer like to be contacted by such customer through such services, please contact such contacting party directly.

Any individual whose personal data is included in the communications sent, received, and/or stored by one of our customers through a Solution or a Site, who an individual who seeks access to or who seeks to correct, amend, or delete any inaccurate data should direct their request to that customer directly. The customer is the controller of such data and may provide such access to such data or may perform any correction, amendment, or deletion thereof.

BluIP is not responsible for any action or inaction by any of its customers or any third party under this Privacy Policy.

### **Modifications to this Privacy Policy**

BluIP may update and make changes to this Privacy Policy at any time. When we do so, we will also revise the date at the bottom of this page and at the top of the first page of this Privacy Policy. When we make material changes to this Privacy Policy, we will notify you by placing prominent notice on the Sites.

### **Contact information**

You may unsubscribe from any future communication by contacting [legalnotice@bluip.com](mailto:legalnotice@bluip.com). If you have any questions about this Privacy Policy, please contact us at [legalnotice@bluip.com](mailto:legalnotice@bluip.com).

### Corporate Headquarters

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Last updated: May 24, 2018