

Privacy Policy

Your privacy is very important to PLEXHOSTED LLC ("PLEX"). We want to make your experience using our services on the Internet as enjoyable and rewarding as possible, and we want you to use the Internet's vast array of information, tools, and opportunities with complete confidence.

PLEX has created this Privacy Policy to demonstrate its commitment to privacy and security. This Privacy Policy describes how PLEX collects information from all end users of PLEX's Internet services (the "Services") - those who access some of our Services but do not have accounts ("Visitors") as well as those who pay a service fee to subscribe to the Service ("Customers") - what we do with the information we collect, and the choices Visitors and Customers have concerning the collection and use of such information. PLEX requests that you read this Privacy Policy carefully.

1. **Introduction.** PLEX collects information in different ways from Visitors and Customers who access the various parts of our Services and the network of Web sites accessible through our Services. We use this information primarily to provide a customized experience as you use our Services and, generally, do not share this information with third parties. However, we may disclose personal information collected if we have received your permission beforehand or in very special circumstances, such as when we believe that such disclosure is required by law or other special cases described below.
2. **EU-U.S. and Swiss-US Privacy Shield Framework.** PLEX complies with the EU-U.S. Privacy Shield Framework and the Swiss-US 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. PLEX 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/>.

This EU-US and Swiss-US Privacy Shield Statement applies to data recorded in any form and received by PLEX from European Union and Swiss citizens or registered companies that are within the scope of the E.U. and Swiss Directive. This includes personal data PLEX collects from EU and Swiss data subjects such as information regarding service requests, service orders, handling orders, for the purpose of delivering services and processing payments.

When PLEX acts solely as a data processor on behalf of its Customers, PLEX acts only on the instructions of its Customers and does not control or share such personal data without direction from the Customer. PLEX's obligations with respect to such personal data, is as defined in its Service Agreements with its Customers, and is not covered by this Privacy Statement. PLEX receives such personal data from the EU and Switzerland as an agent of its Customers. The Customers will remain responsible for the personal data that they collect and process and for the compliance with applicable data protection laws.

In compliance with the Privacy Shield Principles, PLEX commits to resolve complaints about our collection or use of your personal information. European Union and Swiss individuals with inquiries or complaints regarding our Privacy Shield policy should first contact PLEX at: billing@plexhosted.com. Please include "Privacy Shield Complaint" in the Subject Line.

PLEX has further committed to refer unresolved Privacy Shield complaints under the EU-US and Swiss-US Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint from us, or if we have not resolved your complaint within 45 days, please contact or visit www.bbb.org/EU-privacy-shield/for-eu-consumers/ for more information or to file a complaint. The services of BBB EU PRIVACY SHIELD are provided at no cost to you.

The Federal Trade Commission has jurisdiction over PLEX's compliance with the Privacy Shield.

Please note that if your complaint is not resolved through these channels, under limited circumstances, a binding arbitration option may be available before a Privacy Shield Panel.

3. **Registration.** Customers are asked to provide certain personal information when they sign up for our Services including name, address, telephone number, billing information (such as a credit card number), and the type of personal computer being used to access the Services. The personal information collected from Customers during the registration process is used to manage each Member's account (such as for billing purposes). This information is not shared with third parties, unless specifically stated otherwise in response to subpoenas, warrants, government inquiries, court orders, or legal process, or to establish or exercise our rights to defend against legal claims, as determined by PLEX in each case, and with notification to our Customers within 24 hours. However, in instances where PLEX and a partner jointly promote the Services, PLEX may provide the partner certain personal information, such as the name and address of persons who subscribed to the Services as a result of the joint promotion for the sole purpose of allowing us and the partner to assess the results of the promotion. In this instance, personal information may not be used by the partner for any other purpose. PLEX may also generate non-identifying and aggregate profiles from personal information Customers provide during registration (such as the total number, but not the names, of Customers). As explained in more detail below, we may use this aggregated and non-identifying information to sell advertisements that appear on the Services.
4. **Domain Registration.** Domain name registration information legally has to be available to the public. Since domain name registration information is available to the public, anyone can access it through "WHOIS" searches. The WHOIS database is a publicly accessible database that lists the domain name and contact information of each registrant. The domain name registration you provide is hosted by us to the public. At times our customers may have been included within searches of the WHOIS database. However, the SPAM they receive does not in any way come from PLEX.
5. **PLEX Partners and Sponsors.** Some PLEX products and services are offered to Visitors and Customers in conjunction with a non-affiliated partner. To provide Visitors and Customers some of these products and services, the partner may need to collect and maintain personal information. In these instances, we will provide such data collected or transferred to our Partners and Sponsors (e.g., domain registration). Additionally, many PLEX Customers have co-branded pages that are co-sponsored by non-affiliated partners. PLEX will share non-identifying and aggregate information (except as described above), but not personal information, with such partners in order to administer the co-branded products or services offered.
6. **Online Shopping.** At some Web sites, you can purchase products and services or register to receive materials, such as a catalog or new product and service updates. In many cases, you may be asked to provide contact information, such as your name, address, email address, phone number, and credit/debit card information. If you complete an order for someone else, such as an online gift order sent directly to a recipient, you may be asked to provide information about the recipient, such as the recipient's name, address, and phone number. PLEX has no control over the third parties' use of any

personal information you provide when placing such an order. Please exercise care when doing so. If you order products directly from PLEX, we will use the personal information you provide only to process that order. We do not share this information with outside parties except to the extent necessary to complete that order.

7. **Online Advertisements.** PLEX displays our online advertisements. We share aggregated and non-identifying information about our Visitors and Customers collected through the registration process as well as through online surveys and promotions with these advertisers. Additionally, in some instances, we use this aggregated and non-identifying information to deliver tailored advertisements. For instance, an advertiser tells us the audience they want to reach (for example, males between 25 and 55 years of age) and provides us an advertisement tailored to the audience. Based upon the aggregated and non-identifying information we have collected, we may then display the advertisement to the intended audience. PLEX does not share personal information about its Visitors or Customers with these advertisers.
8. **Responses to Email Inquiries.** When Visitors or Customers send email inquiries to PLEX, the return email address is used to answer the email inquiry we receive. PLEX does not use the return email address for any other purpose and does not share the return email address with any third party.
9. **Voluntary Customer Surveys.** We may periodically conduct both business and individual customer surveys. We encourage our customers to participate in these surveys because they provide us with important information that helps us to improve the types of services we offer and how we provide them to you. Your personal information and responses will remain strictly confidential, even if the survey is conducted by a third party. Participation in our customer surveys is voluntary. We take the information we receive from individuals responding to our Customer Surveys and combine (or aggregate) it with the responses of other PLEX customers to create broader, generic responses to the survey questions (such as gender, age, residence, hobbies, education, employment, industry sector, or other demographic information). We then use the aggregated information to improve the quality of our services to you, and to develop new services and products. This aggregated, non-personally identifying information may be shared with third parties.
10. **Special Cases.** It is PLEX's policy not to use or share the personal information about Visitors or Customers in ways unrelated to the ones described above without also providing you an opportunity to opt out or otherwise prohibit such unrelated uses. Should you want to opt out of future sharing or uses of personal information not described here, please contact PLEX at billing@plexhosted.com. However, PLEX may disclose personal information about Visitors or Customers, or information regarding your use of the Services or Web sites accessible through our Services, for any reason if, in our sole discretion, we believe that it is reasonable to do so, including: to satisfy laws, such as the Electronic Communications Privacy Act, regulations, or governmental or legal requests for such information, including to meet law enforcement or national security requirements; to disclose information that is necessary to identify, contact, or bring legal action against someone who may be violating our Acceptable Use Policy or other user policies; to operate the Services properly; or to protect PLEX and our Customers.

Regarding accountability for onward transfers, we will remain liable if our agent processes personal information in a manner inconsistent with the Privacy Shield Principles, unless we prove that we are not responsible for the event giving rise to the damage.

11. **"Cookies" and How PLEX Uses Them.** A "cookie" is a small data file that can be placed on your hard drive when you visit certain Web sites. PLEX may use cookies to collect, store, and sometimes track information for statistical purposes to improve the products and services we provide and to

manage our telecommunications networks. If you are a Member and have created your own Personal Start Page, we will use a cookie to save your settings and to provide customizable and personalized services. These cookies do not enable third parties to access any of your customer information. Additionally, be aware that if you visit non-PLEX Web sites where you are prompted to log in or that are customizable, you may be required to accept cookies. Advertisers and partners may also use their own cookies. We do not control use of these cookies and expressly disclaim responsibility for information collected through them.

12. **Statistics.** We use information gathered about you from our site statistics (for example your IP address) to help diagnose problems with our server, and to administer our Web site. We also gather broad demographic information from this data to help us improve our site and make your browsing and purchasing experience more enjoyable. This is not linked to any personally identifiable information, except as necessary to prevent fraud or abuse on our system.
13. **PLEX's Commitment to Children's Privacy.** Protecting children's privacy is especially important to us. It is our policy to comply with the Children's Online Privacy Protection Act of 1998 and all other applicable laws. While we make every effort to ensure that these Web sites are fun and age-appropriate for our younger audience, we believe that there is no substitute for proper parental supervision. PLEX recommends that children ask a parent for permission before sending personal information to PLEX, or to anyone else online.
14. **Public Forums.** Please remember that any information you may disclose in our Member Directory, or other public areas of our Web sites or the Internet, becomes public information. You should exercise caution when deciding to disclose personal information in these public areas.
15. **PLEX's Commitment to Data Security.** Services and Web sites we sponsor have security measures in place to protect the loss, misuse, and alteration of the information under our control. While we make every effort to ensure the integrity and security of our network and systems, we cannot guarantee that our security measures will prevent third-party "hackers" from illegally obtaining this information.
16. **How to Access or Modify Your Information.** PLEX acknowledges the right of EU individuals to access personal information and offers Customers the opportunity to access or modify information provided during registration. To access or modify such information contact our Customer Service Department at billing@plexhosted.com.
17. **Where to Direct Questions About PLEX's Privacy Policy.** If you have any questions about this Privacy Policy or the practices described herein, you may contact: Customer Service, at billing@plexhosted.com or write PLEX at Finance Director, PLEXHOSTED LLC, P.O. Box 149, Jamestown, RI 02835, USA. PLEX will investigate the matter and are committed to resolving any privacy concerns that you may have.
18. **Exceptions.** As stated previously in this policy, we will never give out your information without your permission. The only exceptions to this are, when we are required by law, in the good-faith belief that such action is necessary in order to conform to the law, or we must comply with a legal process served on our web site. We may also need to give out your information if one of our partners requires it, but these situations are rare and we will always ask for your explicit permission first.
19. **Revisions to This Policy.** PLEX reserves the right to revise, amend, or modify this policy, our Service Agreements and our other policies and agreements at any time and in any manner. Notice of any revision, amendment, or modification will be posted in accordance with our Service Agreements.