

# Measurabl Privacy and Cookie Policy

## Last Updated: April 22, 2019

Measurabl, Inc. (“**Company**”) is committed to protecting your privacy. We have prepared this Privacy Policy to describe to you our practices regarding the Personal Data (as defined below) we collect from users of our website, located at *www.measurabl.com*, (the “**Site**”) and online services (“**Services**”). Please read the following information carefully to understand our views and practices regarding your personal data and how we will treat it.

### **European Union User Privacy and Cookie Rights--General Data Protection Regulation and Privacy Shield**

For European Union users, please see our [General Data Protection Regulation \(GDPR\) Statement](#) and [Privacy Shield Principles](#). If there is any conflict between the terms in Measurabl’s privacy policy, GDPR Statement, and Privacy Shield Principals the GDPR Statement shall govern.

**1. Questions; Contacting Company; Reporting Violations.** If you have any questions or concerns or complaints about our Privacy Policy or our data collection or processing practices, or if you want to report any security violations to us, please contact us at the following address or phone number:

Measurabl, Inc.  
Attn: Measurabl Support  
707 Broadway Street, Suite 1000  
San Diego CA, 92101  
+1 619.719.1716

**2. User Consent.** By submitting Personal Data through our Site or Services, you agree to the terms of this Privacy Policy and you expressly consent to the collection, use and disclosure of your Personal Data in accordance with this Privacy Policy.

**3. A Note to Users Outside of the United States.** If you are a non U.S. user of the Site, by visiting the Site and providing us with data, you acknowledge and agree that your Personal Data may be processed for the purposes identified in the Privacy Policy. In addition, your Personal Data may be processed in the country in which it was collected and in other countries, including the United States, where laws regarding processing of Personal Data may be less stringent than the laws in your country. By providing your data, you consent to such transfer.

For European Union users, please see our [General Data Protection Regulation \(GDPR\) Statement](#) and [Privacy Shield Principles](#). If there is any conflict between the terms in Measurabl's privacy policy, GDPR Statement, and Privacy Shield Principles the GDPR Statement shall govern.

**4. Types of Data We Collect.** “**Personal Data**” means data that allows someone to identify or contact you, including, for example, your name, address, telephone number, e-mail address, as well as any other non-public information about you that is associated with or linked to any of the foregoing data. “**Anonymous Data**” means data that is not associated with or linked to your Personal Data; Anonymous Data does not, by itself, permit the identification of individual persons. We collect Personal Data and Anonymous Data, as described below.

**(a) Information You Provide to Us.**

- We may collect Personal Data from you, such as your first and last name, gender, e-mail and mailing addresses, professional title, company name, and password when you create an account to log in to our network (“**Account**”).
- Our mobile homepage lets you store preferences like your location, safe search settings, and favorite widgets. We may associate these choices with your ID or the mobile device, and you can edit these preferences at any time on our mobile homepage.
- When connecting to our Services via a service provider that uniquely identifies your mobile device, we may receive this identification and use it to offer extended services and/or functionality.
- When you order services on our Site, we will collect all information necessary to complete the transaction, including your name, credit card information, billing information and shipping information. This information may be shared with third party service providers who help process and fulfill your purchases. When you submit credit card numbers, we encrypt that information using industry standard technology.
- We retain information on your behalf, such as files and messages that you store using your Account.
- If you provide us feedback or contact us via e-mail, we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply.
- When you post content (text, images, photographs, messages, comments or any other kind of content that is not your e-mail address) on our Site, the information contained in your posting will be stored in our servers and other users will be able to see it, along with your profile photo and any other information that you choose to make public on your public profile

page (“**Profile**”). The information that you provide in your Profile will be visible to others, including anonymous visitors to the Site.

- When you post messages on the message boards of our Site, the information contained in your posting will be stored on our servers and other users will be able to see it.
- When you participate in one of our surveys, we may collect additional profile information.
- We also collect other types of Personal Data that you provide to us voluntarily, such as your operating system and version, product registration number, and other requested information if you contact us via e-mail regarding support for the Services.
- When you link a third party service to your Account (as described below), we collect your login credentials for such third party service.
- We may also collect Personal Data, such as at other points in our Site that state that Personal Data is being collected.

**(b) Information Collected via Third Party Services.** The Services may allow users to link their Account with various third party services, including (i) third party services from which we import information and/or data, such as U.S. EPA’s Energy Star Portfolio Manager service, Hertz Rental Cars, AMEX Travel, Waste Management (each a “**Provider**”), and (ii) third party services with which we share reports (a “**Report**”) created via the Services, such as Global Real Estate Sustainability Benchmark, CDP, and The Global Reporting Initiative (as described below (each a “**Standards Organization**”). By linking with a Provider, you are allowing the Services to access your information and perform certain operations through the Provider on your behalf, and you are agreeing to the Provider’s terms of use in your use of the Services. We may receive information from a Provider and that information may be imported to the Site. Any information that we collect from a Provider may depend on the Provider’s privacy settings, so please consult the Provider’s privacy and data practices. You can edit privacy settings through the Provider, or disable the connection with the Provider by emailing support@measurabl.com.

**(c) Information Collected via Technology.**

- Information Collected by Our Servers. To make our Site and Services more useful to you, our servers (which may be hosted by a third party service provider) collect information from you, including your browser type, operating system, Internet Protocol (“**IP**”) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, and/or a date/time stamp for your visit.
- Log Files. As is true of most websites, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type, Internet service provider (“**ISP**”), referring/exit

pages, operating system, date/time stamp, and clickstream data. We use this information to analyze trends, administer the Site, track users' movements around the Site, gather demographic information about our user base as a whole, and better tailor our Services to our users' needs. For example, some of the information may be collected so that when you visit the Site or the Services again, it will recognize you and the information could then be used to serve advertisements and other information appropriate to your interests. Except as noted in this Privacy Policy, we do not link this automatically-collected data to Personal Data.

- Cookies. Like many online services, we use cookies to collect information. **"Cookies"** are small pieces of information that a website sends to your computer's hard drive while you are viewing the website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Site. This type of information is collected to make the Site more useful to you and to tailor the experience with us to meet your special interests and needs.
- Pixel Tags. In addition, we use **"Pixel Tags"** (also referred to as clear Gifs, Web beacons, or Web bugs). Pixel Tags are tiny graphic images with a unique identifier, similar in function to Cookies, that are used to track online movements of Web users. In contrast to Cookies, which are stored on a user's computer hard drive, Pixel Tags are embedded invisibly in Web pages. Pixel Tags also allow us to send e-mail messages in a format users can read, and they tell us whether e-mails have been opened to ensure that we are sending only messages that are of interest to our users. We may use this information to reduce or eliminate messages sent to a user. We do not tie the information gathered by Pixel Tags to our users' Personal Data.
- How We Respond to Do Not Track Signals. We do not currently respond to "do not track" signals or other mechanisms that might enable consumers to opt out of tracking on our Site.
- Mobile Services. We may also collect non-personal information from your mobile device if you have downloaded our Application(s). This information is generally used to help us deliver the most relevant information to you. Examples of information that may be collected and used include your geographic location, how you use the Application(s), and information about the type of device you use. In addition, in the event our Application(s) crash on your mobile device, we will receive information about your mobile device model software version and device carrier, which allows us to identify and fix bugs and otherwise improve the performance of our

Application(s). This information is sent to us as aggregated information and is not traceable to any individual and cannot be used to identify an individual.

- **Google Analytics.** We use Google Analytics to help analyze how users use the Site. Google Analytics uses Cookies to collect information such as how often users visit the Site, what pages they visit, and what other sites they used prior to coming to the Site. We use the information we get from Google Analytics only to improve our Site and Services. Google Analytics collects only the IP address assigned to you on the date you visit the Site, rather than your name or other personally identifying information. We do not combine the information generated through the use of Google Analytics with your Personal Data. Although Google Analytics plants a persistent Cookie on your web browser to identify you as a unique user the next time you visit the Site, the Cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to the Site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

**(d) Information Collected from You About Others.** You can invite users (up to the number permitted in your subscription) to access your Account by sending each invitee a URL. Such invitee will then be invited to create a sub-account under your Account (a "**Sub-Account**") and we will collect information from such invitee necessary for the creation of the Sub Account, such as his or her first and last name, email address, password, and company name. We rely upon you to obtain whatever consents from the third party that may be required by law to allow us to access and upload the third party's names and e-mail addresses as required above. You or the third party may contact us at [support@measurabl.com](mailto:support@measurabl.com) to request the removal of this information from our database.

**(e) Information Collected from Third Party Companies.** We may receive Personal and/or Anonymous Data about you from companies that provide our Services by way of a co-branded or private-labeled website or companies that offer their products and/or services on our Site. These third party companies may supply us with Personal Data. We may add this information to the information we have already collected from you via our Site in order to improve the Services we provide.

## **5. Use of Your Personal Data**

**(a) General Use.** In general, Personal Data you submit to us is used either to respond to requests that you make, or to aid us in serving you better. We use your Personal Data in the following ways:

- to operate, maintain, and improve our Site and Services;
- to respond to comments and questions and provide customer service;
- to send information including confirmations, invoices, technical notices, updates security alerts, and support and administrative messages;
- to communicate about promotions, upcoming events, and other news about products and services offered by us and our selected partners;
- to link or combine user information with other personal information we get from third parties, to help understand your needs and provide you with better service;
- to analyze information imported to your Account and compare it against benchmarks;
- to create and submit Reports on your behalf;
- to provide you with recommendations to improve sustainability;
- to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity;
- to provide and deliver products and services customers request;
- to identify you as a user in our system;
- to facilitate the creation of and secure your Account on our network
- to process and deliver orders;
- to develop and improve marketing and advertising for the Services;
- send you a welcome e-mail to verify ownership of the e-mail address provided when your Account was created;
- send you administrative e-mail notifications, such as security, or support and maintenance advisories;
- make telephone calls to you, from time to time, as a part of secondary fraud protection or to solicit your feedback; and
- send newsletters, surveys, offers, and other promotional materials related to our Services and for other marketing purposes of Company.

**(b) User Testimonials and Feedback.** We often receive testimonials and comments from users who have had positive experiences with our Services. We occasionally publish such content. When we publish this content, we may identify our users by their first and last name and may also indicate their home city. We obtain the user's consent prior to posting his or her name along with the testimonial. We may post user feedback on the Site from time to time. We will share your feedback with your first name and last initial only. If we choose to post your first and last name along with your feedback, we will obtain your consent prior to posting you name with your feedback. If you make any comments on a blog or forum associated with our Site, you should be aware that any Personal Data you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages. We are not responsible for the personally identifiable information you choose to submit in these blogs and forums.

**(c) Creation of Anonymous Data.** We may create Anonymous Data records from Personal Data by excluding information (such as your name) that makes the data personally identifiable to you. We use this Anonymous Data to analyze request and usage patterns so that we may enhance the content of our Services and improve Site navigation. We reserve the right to use Anonymous Data for any purpose and disclose Anonymous Data to third parties in our sole discretion.

**6. Disclosure of Your Personal Data.** We disclose your Personal Data as described below and as described elsewhere in this Privacy Policy.

**(a) Third Party Service Providers Designated by You.** When you use the Services, the Personal Data you provide will be shared with the third party service providers that you designate to receive such information, including other websites, your friends, relatives and business associates. Depending on the type of access you grant to such third parties, they may also be permitted to edit the information you have provided to us and to designate others to access and edit such information. You may change your settings at any time as to who has access to your information by going to your account settings and changing your publishing options.

**(b) Third Party Service Providers.** We may share your Personal Data with third party service providers to: provide you with the Services that we offer you through our Site; to conduct quality assurance testing; to facilitate creation of accounts; to provide technical support; and/or to provide other services to the Company. These third party service providers are required not to use your Personal Data other than to provide the services requested by Company.

**(c) Affiliates.** We may share some or all of your Personal Data with our parent company, subsidiaries, joint ventures, or other companies under a common control (“Affiliates”), in which case we will require our Affiliates to honor this Privacy Policy.

**(d) Corporate Restructuring.** We may share some or all of your Personal Data in connection with or during negotiation of any merger, financing, acquisition or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, Personal Data may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the Personal Data collected by us and will assume the rights and obligations regarding your Personal Data as described in this Privacy Policy.

**(e) Information Shared with Third Party Services.** By linking with a Standards Organization, you are allowing the Services to access your information and perform certain operations through the Standards Organization on your behalf, and you are agreeing to the Standards Organization’s terms of use in your use of the Services. By submitting a Report to a



Standards Organization via the Services, you authorize Measurabl to submit the Report to the Standards Organization on your behalf. The privacy policies of these Standards Organizations may apply to the use and disclosure of your Personal Data that we collect and disclose to such Standards Organizations. Because we do not control the privacy practices of the Standards Organizations, you should read and understand their privacy policies.

**AS A RESULT, WE MAY PROVIDE YOUR PERSONAL DATA TO A THIRD PARTY COMPANY. BECAUSE WE DO NOT CONTROL THE PRIVACY PRACTICES OF THESE THIRD PARTY COMPANIES, YOU SHOULD READ AND UNDERSTAND THEIR PRIVACY POLICIES.**



## NOTICE TO EUROPEAN UNION RESIDENTS

### GENERAL DATA PROTECTION REGULATION (GDPR) RIGHTS

#### **PARTICULARLY IMPORTANT INFORMATION**

**WHO WE ARE:** For the purpose of applicable data protection legislation, the data controller of your personal data is **Measurabl**.

Our data protection officer is:  
Dana Arnold, COO  
Measurabl, Inc.  
707 Broadway Street, Suite 1000  
San Diego, CA, 92101  
+1 619.719.1716

**MUST READ SECTIONS:** We draw your attention in particular to the sections entitled “**International Data Transfer**” and “**Your Rights.**”

**CHANGES TO THIS POLICY:** We will post any modifications or changes to the Policy on our site. We reserve the right to modify the Policy at any time, so we encourage you to review it frequently. The “Last Updated” footer indicates when this Policy was last changed. If we make any material change(s) to the Policy, we will post a notice on our Site prior to such changes(s) taking effect.

#### **1. PURPOSES OF PROCESSING**

##### **What is personal data?**

We collect information about you in a range of forms, including personal data. As used in this Policy, “personal data” is as defined in the [UK Data Protection Act 1998/the European Data Protection Directive 95/46/EC/General Data Protection Regulation 2018] and any successor legislation, this includes any information which, either alone or in combination with other information we hold about you, identifies you as an individual, including, for example, your name, postal address, email address and telephone number.

## Why do we need your personal data?

We will only process your personal data in accordance with applicable data protection and privacy laws. We need certain personal data in order to provide you with access to Application. This consent to use Measurabl Application provides us with the legal basis we require under applicable law to process your data. You maintain the right to withdraw such consent at any time. If you do not agree to our use of your personal data in line with this Policy, please do not use our Application.

## 2. COLLECTING YOUR PERSONAL DATA

We collect information about you in the following ways:

**Information You Give Us.** This includes:

- We may collect Personal Data from you, such as your first and last name, gender, e-mail and mailing addresses, professional title, company name, and password when you create an account to log in to our network (“**Account**”).
- Our mobile homepage lets you store preferences like your location, safe search settings, and favorite widgets. We may associate these choices with your ID or the mobile device, and you can edit these preferences at any time on our mobile homepage.
- When connecting to our Services via a service provider that uniquely identifies your mobile device, we may receive this identification and use it to offer extended services and/or functionality.
- When you order services on our Site, we will collect all information necessary to complete the transaction, including your name, credit card information, billing information and shipping information. This information may be shared with third party service providers who help process and fulfill your purchases. When you submit credit card numbers, we encrypt that information using industry standard technology.
- We retain information on your behalf, such as files and messages that you store using your Account.
- If you provide us feedback or contact us via e-mail, we will collect your name and e-mail address, as well as any other content included in the e-mail, in order to send you a reply.
- When you post content (text, images, photographs, messages, comments or any other kind of content that is not your e-mail address) on our Site, the information contained in your posting will be stored in our servers and other users will be able to see it, along with your profile photo and any other information that you choose to make public on your public profile

page (“**Profile**”). The information that you provide in your Profile will be visible to others, including anonymous visitors to the Site.

- When you post messages on the message boards of our Site, the information contained in your posting will be stored on our servers and other users will be able to see it.
- When you participate in one of our surveys, we may collect additional profile information.
- We also collect other types of Personal Data that you provide to us voluntarily, such as your operating system and version, product registration number, and other requested information if you contact us via e-mail regarding support for the Services.
- When you link a third party service to your Account (as described below), we collect your login credentials for such third party service.
- We may also collect Personal Data, such as at other points in our Site that state that Personal Data is being collected.

**Information We Get from Others.** The Services may allow users to link their Account with various third party services, including (i) third party services from which we import information and/or data, such as U.S. EPA’s Energy Star Portfolio Manager service, Hertz Rental Cars, AMEX Travel, Waste Management (each a “**Provider**”), and (ii) third party services with which we share reports (a “**Report**”) created via the Services, such as Global Real Estate Sustainability Benchmark, CDP, and The Global Reporting Initiative (as described below (each a “Standards Organization”). By linking with a Provider, you are allowing the Services to access your information and perform certain operations through the Provider on your behalf, and you are agreeing to the Provider’s terms of use in your use of the Services. We may receive information from a Provider and that information may be imported to the Site. Any information that we collect from a Provider may depend on the Provider’s privacy settings, so please consult the Provider’s privacy and data practices. You can edit privacy settings through the Provider, or disable the connection with the Provider by emailing support@measurabl.com.

#### **Information Automatically Collected.**

- Information Collected by Our Servers. To make our Site and Services more useful to you, our servers (which may be hosted by a third party service provider) collect information from you, including your browser type, operating system, Internet Protocol (“**IP**”) address (a number that is automatically assigned to your computer when you use the Internet, which may vary from session to session), domain name, and/or a date/time stamp for your visit.

- Log Files. As is true of most websites, we gather certain information automatically and store it in log files. This information includes IP addresses, browser type, Internet service provider (“ISP”), referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyze trends, administer the Site, track users’ movements around the Site, gather demographic information about our user base as a whole, and better tailor our Services to our users’ needs. For example, some of the information may be collected so that when you visit the Site or the Services again, it will recognize you and the information could then be used to serve advertisements and other information appropriate to your interests. Except as noted in this Privacy Policy, we do not link this automatically-collected data to Personal Data.
- Cookies. Like many online services, we use cookies to collect information. “Cookies” are small pieces of information that a website sends to your computer’s hard drive while you are viewing the website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Site. This type of information is collected to make the Site more useful to you and to tailor the experience with us to meet your special interests and needs.
- Pixel Tags. In addition, we use “Pixel Tags”(also referred to as clear Gifs, Web beacons, or Web bugs). Pixel Tags are tiny graphic images with a unique identifier, similar in function to Cookies, that are used to track online movements of Web users. In contrast to Cookies, which are stored on a user’s computer hard drive, Pixel Tags are embedded invisibly in Web pages. Pixel Tags also allow us to send e-mail messages in a format users can read, and they tell us whether e-mails have been opened to ensure that we are sending only messages that are of interest to our users. We may use this information to reduce or eliminate messages sent to a user. We do not tie the information gathered by Pixel Tags to our users’ Personal Data.
- How We Respond to Do Not Track Signals. We do not currently respond to “do not track” signals or other mechanisms that might enable consumers to opt out of tracking on our Site.
- Mobile Services. We may also collect non-personal information from your mobile device if you have downloaded our Application(s). This information is generally used to help us deliver the most relevant information to you. Examples of information that may be collected and used include your geographic location, how you use the Application(s), and information about the type of device you use. In addition, in the event our Application(s)

crash on your mobile device, we will receive information about your mobile device model software version and device carrier, which allows us to identify and fix bugs and otherwise improve the performance of our Application(s). This information is sent to us as aggregated information and is not traceable to any individual and cannot be used to identify an individual.

- Google Analytics. We use Google Analytics to help analyze how users use the Site. Google Analytics uses Cookies to collect information such as how often users visit the Site, what pages they visit, and what other sites they used prior to coming to the Site. We use the information we get from Google Analytics only to improve our Site and Services. Google Analytics collects only the IP address assigned to you on the date you visit the Site, rather than your name or other personally identifying information. We do not combine the information generated through the use of Google Analytics with your Personal Data. Although Google Analytics plants a persistent Cookie on your web browser to identify you as a unique user the next time you visit the Site, the Cookie cannot be used by anyone but Google. Google's ability to use and share information collected by Google Analytics about your visits to the Site is restricted by the Google Analytics Terms of Use and the Google Privacy Policy.

### **Automated Decision Making and Profiling.**

We do not use your personal data for the purposes of automated decision-making. However, we may do so in order to fulfil obligations imposed by law, in which case we will inform you of any such processing and provide you with an opportunity to object.

### **3. COOKIES**

Like many online services, we use cookies to collect information. **“Cookies”** are small pieces of information that a website sends to your computer's hard drive while you are viewing the website. We may use both session Cookies (which expire once you close your web browser) and persistent Cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on our Site. This type of information is collected to make the Site more useful to you and to tailor the experience with us to meet your special interests and needs.

#### **Disabling cookies**

You can typically remove or reject cookies via your browser settings. In order to do this, follow the instructions provided by your browser (usually located within the “settings,” “help” “tools” or “edit” facility). Many browsers are set to accept cookies until you change your settings.

Further information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org) and [www.youronlinechoices.com.uk](http://www.youronlinechoices.com.uk).

If you do not accept our cookies, you may experience some inconvenience in your use of our Site and Application. For example, we may not be able to recognize your computer or mobile device and you may need to log in every time you visit our Site and Application.

#### 4. USING YOUR PERSONAL DATA

We may use your personal data as follows:

**General Use.** In general, Personal Data you submit to us is used either to respond to requests that you make, or to aid us in serving you better. We use your Personal Data in the following ways:

- to operate, maintain, and improve our Site and Services;
- to respond to comments and questions and provide customer service;
- to send information including confirmations, invoices, technical notices, updates security alerts, and support and administrative messages;
- *with your consent*, to send you marketing e-mails about upcoming promotions, and other news, including information about products and services offered by us and our affiliates. You may opt-out of receiving such information at any time: such marketing emails tell you how to “opt-out.” Please note, even if you opt out of receiving marketing emails, we may still send you non-marketing emails. Non-marketing emails include emails about your account with us (if you have one) and our business dealings with you;
- to link or combine user information with other personal information we get from third parties, to help understand your needs and provide you with better service;
- to analyze information imported to your Account and compare it against benchmarks;
- to create and submit Reports on your behalf;
- to provide you with recommendations to improve sustainability;
- to protect, investigate, and deter against fraudulent, unauthorized, or illegal activity;
- to provide and deliver products and services customers request;
- to identify you as a user in our system;

- to facilitate the creation of and secure your Account on our network
- to process and deliver orders;
- to develop and improve marketing and advertising for the Services;
- send you a welcome e-mail to verify ownership of the e-mail address provided when your Account was created;
- send you administrative e-mail notifications, such as security, or support and maintenance advisories;
- make telephone calls to you, from time to time, as a part of secondary fraud protection or to solicit your feedback; and
- send newsletters, surveys, offers, and other promotional materials related to our Services and for other marketing purposes of Company.

**User Testimonials and Feedback.** We often receive testimonials and comments from users who have had positive experiences with our Services. We occasionally publish such content. When we publish this content, we may identify our users by their first and last name and may also indicate their home city. We obtain the user's consent prior to posting his or her name along with the testimonial. We may post user feedback on the Site from time to time. We will share your feedback with your first name and last initial only. If we choose to post your first and last name along with your feedback, we will obtain your consent prior to posting you name with your feedback. If you make any comments on a blog or forum associated with our Site, you should be aware that any Personal Data you submit there can be read, collected, or used by other users of these forums, and could be used to send you unsolicited messages. We are not responsible for the personally identifiable information you choose to submit in these blogs and forums.

## 5. SHARING YOUR PERSONAL DATA

We may share your personal data as follows:

- **Third Party Service Providers Designated by You.** We may share your personal data with our third party service providers who provide services such as data analysis, payment processing, information technology and related infrastructure provision, customer service, email delivery, auditing and other similar services. These third party service providers are only permitted to use your personal data to the extent necessary to enable them to provide their services to us. When you use the Services, the Personal Data you provide will be shared with the third party service providers that you designate to receive such information, including other websites and business associates. Depending on the type of access you grant to such third parties, they may also be permitted to edit the information you have provided to us and to designate others to access and edit such information. They are required to follow our express instructions and to comply with appropriate security measures to protect your personal data. You

may change your settings at any time as to who has access to your information by going to your account settings and changing your publishing options.

- **Affiliates.** We may share some or all of your Personal Data with our parent company, subsidiaries, joint ventures, or other companies under a common control (“**Affiliates**”), in which case we will require our Affiliates to honor this Privacy Policy. In particular, you may let us share personal data with our affiliates where you wish to receive marketing communications from them.
- **Corporate Restructuring.** We may share some or all of your Personal Data in connection with or during negotiation of any merger, financing, acquisition or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, Personal Data may also be transferred as a business asset. If another company acquires our company, business, or assets, that company will possess the Personal Data collected by us and will assume the rights and obligations regarding your Personal Data as described in this Privacy Policy.
- **Other Disclosures.** We may share personal data as we believe necessary or appropriate: (a) to comply with applicable laws; (b) to comply with lawful requests and legal process, including to respond to requests from public and government authorities to meet national security or law enforcement requirements; (c) to enforce our Policy; and (d) to protect our rights, privacy, safety or property, and/or that of you or others.

## 6. ANONYMOUS DATA

When we use the term “anonymous data,” we are referring to data and information that does not permit you to be identified or identifiable, either alone or when combined with any other information available to a third party.

We may create Anonymous Data records from Personal Data by excluding information (such as your name) that makes the data personally identifiable to you. We use this Anonymous Data to analyze request and usage patterns so that we may enhance the content of our Services and improve Site navigation. We reserve the right to use Anonymous Data for any purpose and disclose Anonymous Data to third party service providers in our sole discretion.

## 7. THIRD PARTY SITES

Our Site and Application may contain links to third party websites and features. This Policy does not cover the privacy practices of such third parties. These third party service providers have



their own privacy policies and we do not accept any responsibility or liability for their websites, features or policies. Please read their privacy policies before you submit any data to them.

## **8. INTERNATIONAL DATA TRANSFER**

Your information, including personal data that we collect from you, will be transferred to, stored at and processed by us [and our affiliates and other third parties] outside the country in which you reside, including, but not limited to the United States, where data protection and privacy regulations may not offer the same level of protection as in other parts of the world. By using our Site and Application, you agree to this transfer, storing or processing. We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this Policy.

## **9. SECURITY**

We seek to use reasonable organizational, technical and administrative measures to protect personal data within our organization. Unfortunately, no transmission or storage system can be guaranteed to be completely secure, and transmission of information via the internet is not completely secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us of the problem by contacting us using the details in Section 14 below.

## **10. RETENTION**

We will only retain your personal data for five years or for as long as reasonably required for you to use the Site and Application(s) and/or to provide you with the Services requested] whichever is longer, or until you close your account and/or cancel your subscription unless a longer retention period is required or permitted by law (for example for regulatory purposes).

## **11. OUR POLICY ON CHILDREN**

Our Site and Application is not directed to children under 16. If a parent or guardian becomes aware that his or her child has provided us with information without their consent, he or she should contact us using the details in Section 14 below. We will delete such information from our files as soon as reasonably practicable.

## **12. SENSITIVE PERSONAL DATA**

Subject to the following paragraph, we ask that you not send us, and you not disclose, any sensitive personal data (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics,

criminal background or trade union membership) on or through the Site or Application or otherwise to us.

If you send or disclose any sensitive personal data to us when you submit user generated content to our Site or Application, you consent to our processing and use of such sensitive personal data in accordance with this Policy. If you do not consent to our processing and use of such sensitive personal data, you must not submit such user generated content to our Site and Application.

### 13. YOUR RIGHTS

- **Opt-out.** You may contact us anytime to opt-out of: (i) direct marketing communications; (ii) automated decision-making and/or profiling; (iii) our collection of sensitive personal data; (iv) any new processing of your personal data that we may carry out beyond the original purpose. Please note that your use of some of the Site and Application may be ineffective upon opt-out.
- **Access.** You may access the information we hold about you at any time via your Application profile/account or by contacting us directly.
- **Amend.** You can update your personal data via your Application profile/account or contact us to update or correct any inaccuracies in your personal data.
- **Move.** Your personal data is portable – i.e. you to have the flexibility to move your data to other service providers as you wish.
- **Erase and forget.** In certain situations, for example when the information we hold about you is no longer relevant or is incorrect, you can request that we erase your data.

If you wish to exercise any of these rights, please contact us using the details in Section 14 below. In your request, please make clear: (i) **what** personal data is concerned; and (ii) **which of the above rights** you would like to enforce. For your protection, we may only implement requests with respect to the personal data associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable and in any event, within one month of your request. Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting such change or deletion.

### 14. COMPLAINTS

We are committed to resolve any complaints about our collection or use of your personal data. If you would like to make a complaint regarding this Policy or our practices in relation to your personal data, please contact us at:

Measurabl, Inc.

Attn: Measurabl Support

707 Broadway Street, Suite 1000

San Diego CA, 92101

+1 619.719.1716

[support@measurabl.com](mailto:support@measurabl.com)

We will reply to your complaint as soon as we can and in any event, within 45 days. We hope to resolve any complaint brought to our attention, however if you feel that your complaint has not been adequately resolved, you reserve the right to contact your local data protection supervisory authority, which for the UK, is the Information Commissioner's Office.

## **15. CONTACT INFORMATION**

We welcome your comments or questions about this Policy. You may contact us in writing at [support@measurabl.com](mailto:support@measurabl.com)

or

Measurabl, Inc. Attn: Measurabl Support

707 Broadway Street, Suite 1000

San Diego CA, 92101

## **16. EU-U.S. PRIVACY SHIELD**

Measurabl 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 data transferred from the EU to the United States. We have certified to the Department of Commerce that we adhere to the Privacy Shield Principles. To learn more about the Privacy Shield program, the Privacy Shield Principles and to view our certification, please visit [www.privacyshield.gov](http://www.privacyshield.gov).

As described in Measurabl's [Privacy Shield Principles](#), Measurabl is accountable for personal data that it receives and subsequently transfers to third parties. If third party service providers that process personal data on our behalf do so in a manner that does not comply with the Privacy Shield Principles, we are accountable, unless we prove that we are not responsible for the event giving rise to the damage.



In compliance with the Privacy Shield Principles, Measurabl commits to resolve complaints about our collection or use of your personal data. EU individuals with inquiries or complaints regarding this Policy should first contact us at:

Measurabl, Inc.  
Attn: Measurabl Support  
707 Broadway Street, Suite 1000  
San Diego CA, 92101  
+1 619.719.1716  
[support@measurabl.com](mailto:support@measurabl.com)

Measurabl has further committed to refer unresolved Privacy Shield complaints to EU-US Privacy Shield Principles BBB EU PRIVACY SHIELD, an alternative dispute resolution provider located in the United States. If you do not receive timely acknowledgment of your complaint from us, or if we have not resolved your complaint, please contact or visit [www.bbb.org/EU-privacy-shield/for-eu-consumers/](http://www.bbb.org/EU-privacy-shield/for-eu-consumers/) for more information or to file a complaint. The services of EU-US Privacy Shield Principles BBB EU PRIVACY SHIELD are provided at no cost to you.

As further explained in the Privacy Shield Principles, binding arbitration before a Privacy Shield Panel will also be made available to you in order to address residual complaints not resolved by any other means. Measurabl is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission.

#### **17. EMPLOYEE PERSONAL DATA**

Measurabl commits to cooperate with the panel established by the EU data protection authorities (DPAs) and comply with the advice given by the panel with regard to human resources data transferred from the EU in the context of the employment relationship. Please contact us to be directed to the relevant DPA contacts.]

## NOTICE TO CALIFORNIA RESIDENTS – YOUR CALIFORNIA PRIVACY RIGHTS

(AS PROVIDED BY CALIFORNIA CIVIL CODE SECTION 1798.83)

A CALIFORNIA RESIDENT WHO HAS PROVIDED PERSONAL DATA TO A BUSINESS WITH WHOM HE/SHE HAS ESTABLISHED A BUSINESS RELATIONSHIP FOR PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES (A “CALIFORNIA CUSTOMER”) MAY REQUEST INFORMATION ABOUT WHETHER THE BUSINESS HAS DISCLOSED PERSONAL INFORMATION TO ANY THIRD PARTIES FOR THE THIRD PARTIES’ DIRECT MARKETING PURPOSES. IN GENERAL, IF THE BUSINESS HAS MADE SUCH A DISCLOSURE OF PERSONAL DATA, UPON RECEIPT OF A REQUEST BY A CALIFORNIA CUSTOMER, THE BUSINESS IS REQUIRED TO PROVIDE A LIST OF ALL THIRD PARTIES TO WHOM PERSONAL DATA WAS DISCLOSED IN THE PRECEDING CALENDAR YEAR, AS WELL AS A LIST OF THE CATEGORIES OF PERSONAL DATA THAT WERE DISCLOSED. CALIFORNIA CUSTOMERS MAY REQUEST FURTHER INFORMATION ABOUT OUR COMPLIANCE WITH THIS LAW BY E-MAILING [INFO@MEASURABL.COM](mailto:INFO@MEASURABL.COM). PLEASE NOTE THAT WE ARE REQUIRED TO RESPOND TO ONE REQUEST PER CALIFORNIA CUSTOMER EACH YEAR AND WE ARE NOT REQUIRED TO RESPOND TO REQUESTS MADE BY MEANS OTHER THAN THROUGH THIS E-MAIL ADDRESS.

**(a) Public Profile.** Certain portions of the information you provide to us may also be displayed in your Profile. As an essential element of the Services, most of the Personal Data you explicitly provide to us when you register or update your Profile is displayed on your Profile. In order for your Profile to be made public, you must go to your profile settings and then to profile visibility. By default, your Profile is not for public viewing. Your photos, posts, friends, and other content you post to the Site are also meant for public consumption. We may display this content on the Site, and further distribute it to a wider audience through third party sites and services. Once displayed on publicly viewable web pages, that information can be collected and used by others. We cannot control who reads your posting or what other users may do with the information that you voluntarily post, so it is very important that you do not put Personal Data in your posts. Once you have posted information publicly, while you will still be able to edit and delete it on the Site, you will not be able to edit or delete such information cached, collected, and stored elsewhere by others (e.g., search engines).

**(b) Other Disclosures.** Regardless of any choices you make regarding your Personal Data (as described below), Company may disclose Personal Data if it believes in good faith that such disclosure is necessary (a) in connection with any legal investigation; (b) to comply with relevant laws or to respond to subpoenas or warrants served on Company; (c) to protect or defend the rights or property of Company or users of the Site or Services; and/or (d) to

investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or our Terms of Use.

**2. Third Party Websites.** Our Site may contain links to third party websites. When you click on a link to any other website or location, you will leave our Site and go to another site and another entity may collect Personal Data or Anonymous Data from you. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be aware that the terms of this Privacy Policy do not apply to these outside websites or content, or to any collection of your Personal Data after you click on links to such outside websites. We encourage you to read the privacy policies of every website you visit. The links to third party websites or locations are for your convenience and do not signify our endorsement of such third party service providers or their products, content or websites.

**3. Your Choices Regarding Your Information.** You have several choices regarding use of information on our Services:

**(a) Email Communications.** We will periodically send you free newsletters and e-mails that directly promote the use of our Site or Services. When you receive newsletters or promotional communications from us, you may indicate a preference to stop receiving further communications from us and you will have the opportunity to “opt-out” by following the unsubscribe instructions provided in the e-mail you receive or by contacting us directly (please see contact information above). Despite your indicated e-mail preferences, we may send you service related communications, including notices of any updates to our Terms of Use or Privacy Policy.

**(b) Cookies.** If you decide at any time that you no longer wish to accept cookies from our Service for any of the purposes described above, then you can instruct your browser, by changing its settings, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. Consult your browser’s technical information. If you do not accept cookies, however, you may not be able to use all portions of the Service or all functionality of the Service. If you have any questions about how to disable or modify cookies, please let us know at the contact information provided above.

**(c) Changing or Deleting Your Personal Data.** All Users may review, update, correct or delete the Personal Information in their User account (including any imported contacts) by contacting us or by editing their profile via the Service. If you completely delete all of your Personal Information, then your User account may become deactivated. We will use commercially reasonable efforts to honor your request. We may retain an archived copy of your records as required by law or for legitimate business purposes. (For more information on how to control your User Content on the Service, including information regarding the use and storage of your User Content, please see the “Sharing Your Content” section in our Terms of Service.)

**4. Security of Your Personal Data.** Company is committed to protecting the security of your Personal Data. We use a variety of industry-standard security technologies and procedures to help protect your Personal Data from unauthorized access, use, or disclosure. We also require you to enter a password to access your Account information. Please do not disclose your Account password to unauthorized people. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, while Company uses reasonable efforts to protect your Personal Data, Company cannot guarantee its absolute security.

**5. Changes to This Privacy Policy.** This Privacy Policy may be updated from time to time for any reason. We will notify you of any changes to our Privacy Policy by posting the new Privacy Policy here [\[https://www.measurabl.com/wp-content/uploads/measurabl-privacy-policy.pdf\]](https://www.measurabl.com/wp-content/uploads/measurabl-privacy-policy.pdf) and we will change the “Last Updated” date. You should consult this Privacy Policy regularly for any changes.

**6. A Note About Children.** We do not intentionally gather Personal Data from visitors who are under the age of 16. If a child under 16 submits Personal Data to Company and we learn that the Personal Data is the information of a child under 16, we will attempt to delete the information as soon as possible. If you believe that we might have any Personal Data from a child under 16, please contact us at [support@measurabl.com](mailto:support@measurabl.com).