

# Privacy Policy

Updated: April 5, 2016

We at Euclid Platform LLC (“PivaTel”), are committed to protecting the privacy of customers and users of our PivaTel services, users of our website, [www.pivatel.com](http://www.pivatel.com), our services, and our mobile applications. We have therefore created this policy statement (the “Policy”) to explain our privacy practices and procedures, including:

- Information we collect
- Our use of personally identifiable information
- Disclosure of personally identifiable information
- Customer proprietary network information (“CPNI”)
- Security and data integrity
- Our use of “cookies”
- Our use of web beacons
- Our use of banner ads
- Checking account and preferences information for accuracy
- Social Media Features
- Tell A Friend
- Blogs and Forums
- Testimonials
- Safe Harbor Compliance
- Enforcement
- Updating of our Policy
- Contacting us

We believe that you should know what information we collect from you, as well as understand how we use, disclose, and protect that information. We believe that you should be able to communicate with us easily to limit the disclosure of any of your personally identifiable information, where practicable, and to address any questions or concerns that you may have. And we will not disclose information to unaffiliated third parties without your consent or as otherwise provided in this Policy.

By purchasing, subscribing to, or using PivaTel’s services or using PivaTel’s website, you agree to the terms and conditions set forth in this Policy. For other terms and conditions that govern your use of PivaTel’s services and its website, please review the Legal page of the PivaTel website. The use of information collected through our service shall be limited to the purpose of providing the service for which you have engaged PivaTel.

# 1. Information We Collect

We collect a variety of personally identifiable information (also referred to as “personal data”) about users of our services and visitors to our website in order to ensure an enjoyable user experience and seamless communications. When we use the term “personally identifiable information,” we mean information that is directly associated with, or could be used to identify, a specific person. Such information includes a name, address, telephone number, e-mail address, or information about activities directly linked to that person which would permit the physical or online contacting of that person.

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 website—aids us in understanding trends and customer needs. For example, 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.

Our definition of personally identifiable information also does not include your Internet protocol (“IP”) address, unless you have registered with us in the “Preferences” section of our website, in which case your IP address is linked to your personally identifiable information.

We collect the following types of personally identifiable information through use of our website and telephone calls to PivaTel customer service:

- **Information You Give Us:** We collect information you give us—such as your name, billing address, telephone number, e-mail address, and/or credit card number—when you purchase or use a service, participate in a promotion or survey, or register with us in the “Preferences” section on our website. The submission of certain types of information may be required in order for us to provide PivaTel services to you.
- **Information We Collect Automatically:** We automatically collect certain types of information whenever you interact with us. For example, when you use PivaTel services via your mobile phone carrier or the PivaTel mobile application, PivaTel will collect your mobile phone number and other information about the type of mobile device you use (e.g., operating system, device model) for the purpose of providing the services to you. When you visit PivaTel’s website, our systems automatically provide us with your IP address, Internet Service Provider (ISP), domain server, the type of web browser you use, any search terms used on or to get to our sites, and any clickstream data generated by your use of such sites, and store this information in log files, which may be linked to personally

identifiable information if you have registered with us in the “Preferences” section of our website. When you visit PivaTel’s website by clicking an advertisement on a third-party website, PivaTel automatically collects information about the website you were visiting when you clicked on PivaTel’s advertisement, including the IP address of the website and the date and time that you clicked on PivaTel’s advertisement.

- **Information We Obtain from Other Sources:** We may obtain information about you from outside sources and add it to, or combine it with, your personally identifiable information, including information such as:
  - Credit information, which allows us to complete transactions for the purchase of PivaTel services, and
  - Commercially available demographic and marketing information from third parties, which aids us in serving you and informing you of services that may be of interest to you.
- **Personal Information Transmitted by Our Customers Through Our Services:** We have no direct relationship with the individuals, if any, whose personal data our customers transmit, receive, and/or store through the services that we offer or the individuals, if any, whom our customers contact through the services that we offer.
  - If you are an individual who is being contacted by one of our customers through the services that we offer and would no longer like to be contacted by such customer through such services, please contact the customer directly.
  - We may transfer personal information, if any, contained within the communications sent, received, and/or stored by our customers through use of our services to the third party companies that help us provide these services.
  - Any individual whose personal data is included in the communications sent, received, and/or stored by one of our customers through the services that we offer who seeks access to, or who seeks to correct, amend, or delete any such inaccurate data should direct his or her request to the 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.

PivaTel retains the communications that we transmit or store on behalf of our customers for as long as needed to provide services to the applicable customer and as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

PivaTel does not knowingly collect—either actively or passively, or store any information, including personal information as defined by the Children’s Online Privacy Protection Act, from children under the age of 13. If you are a parent or guardian of a child under the age of 13 and believe he or she has disclosed personally identifiable information to us, please contact us here to request the specific information collected from your child. A parent or guardian of a child under age 13 may review and request deletion of such child’s personally identifiable information as well as prohibit the use thereof.

To see how we use, disclose, and protect the personally identifiable information that we collect, please review the rest of this Policy.

## 2. Our Use of Personally Identifiable Information

**Our Internal Use:** In general, we use personally identifiable information to serve our existing and prospective customers and to enhance and extend our customer relationships. By understanding how you use our services and our website, we are able to customize and personalize our interactions with you. More specifically:

- We use personally identifiable information for billing purposes, to provide services or complete transactions you have requested, to anticipate and resolve problems with your services, and to create and inform you of products or services from PivaTel or others that better meet your needs.
- Subject to your agreement, PivaTel uses e-mail, telemarketing, and direct mail to inform you about PivaTel products or services we think will interest you. If you do not wish to receive these types of communications you can choose at any time not to continue receiving them by contacting us here.
- We use mobile device information to conduct anonymous mobile analytics so we have a better idea on how you interact with your mobile device.
- To allow you to capture and upload your profile picture, the application needs access to the camera. PivaTel does not use this information for any purposes except for the designed use as mentioned here.
- To allow you to select a picture from your photo gallery and upload it to use the fax service and/or update your profile picture. PivaTel does not use this information for any purposes except for the designed use as mentioned here.
- We send you push notifications from time to time for you to get call alerts.

While you may choose not to receive marketing information from us, you will continue to receive bills, customer service-related notifications, and other similar information from us electronically or otherwise. You will also continue to receive communications directly related to each service you purchase or subscribe to.

**Our Customer Surveys:** Periodically, you may be able to participate in our surveys to help us improve our services. Any personally identifiable information that we may collect from you in a survey will ONLY be used internally by PivaTel. And unless otherwise explained in the instructions for a particular customer survey, any personally identifiable information you provide to us for purposes of that survey will be used in accordance with this Policy.

**Third-Party Use:** To understand when and how PivaTel may disclose personally identifiable information to unaffiliated third parties, please read the Disclosure of Your Personally Identifiable Information section below.

### 3. Disclosure of Personally Identifiable Information

Because information about our existing and prospective customers is one of our most important business assets, we seek to protect it and keep it confidential. We do not share personally identifiable information with unaffiliated third parties, nor do we sell it to third parties, unless permitted to do so in accordance with this Policy.

**Your Consent:** PivaTel may disclose your personally identifiable information and sensitive information if you consent to the disclosure in advance. Depending on the service, we may obtain your consent in a number of ways, including:

- In writing;
- Verbally;
- Online, by clicking on a link or button; or
- Through the use of a dialing string or buttons on a telephone handset.

In general, we may release personally identifiable information without your consent when we believe release is appropriate to do one of the following:

- Comply with the law or a lawful government request (e.g., lawful subpoena or court order);
- Enforce or apply our agreements to sell or provide services to you or enforce compliance with website policies;
- Bill and collect for services; or
- Protect or defend our legal rights and property, the interests of customers and website users, and the rights of third parties (e.g., to address allegations about fraudulent or unlawful activity on a PivaTel account);
- Protect health and safety of users or general public in an emergency.

**Disclosure to Affiliates:** We may share your personal data between our PivaTel group companies and business affiliates where it is necessary to support the services provided to you.

In order to verify payment methods and prevent fraud, PivaTel verifies personally identifiable information, including payment information, with payment providers and fraud prevention services. If at any time you apply for a credit line with PivaTel, PivaTel may perform a credit inquiry with credit reporting agencies, and such inquiry may be noted on your credit record. We may use automated decision-making systems to verify payment methods, assess creditworthiness, or prevent fraud, and we may contact you requesting additional information when needed.

For European Economic Area (“EEA”) customers, this may mean that the personally identifiable information (i.e., personal data) you provide us may be transferred to countries outside the EEA. By way of example, this may happen if any of our group servers or companies are located in a country outside the EEA, such as Euclid Platform LLC, which is located in the United States. These countries may not have similar data protection laws to the EEA. Nonetheless, if we transfer information outside the EEA in this way, we will take steps to ensure your privacy rights continue to be respected.

**Disclosure to Unaffiliated Third Parties:** We may share personally identifiable information with unaffiliated third parties only as necessary to complete a transaction or perform a service that you have requested, or to support the technical operation and maintenance of our services and of our website. We may also share personally identifiable information with or to our agents, outside vendors or service providers to perform functions on our behalf. For example, we use third party service providers to perform functions such as analyzing data, providing marketing assistance, providing customer service and processing orders. When the unaffiliated third party acts solely on our behalf, PivaTel requires that party to follow our privacy practices. PivaTel does not sell its customer lists or any personally identifiable information associated with its customers to third parties.

**Business Transfers:** Information about our users and customers, including personally identifiable information, may be disclosed as part of any merger, acquisition, or sale of company assets. It may also be disclosed in the unlikely event of an insolvency, bankruptcy, or receivership in which personally identifiable information would be transferred as one of the business assets of PivaTel.

**Emergency Calls:** If you dial for emergency services (e.g., 911 in the U.S.), we may provide personally identifiable location information to a public safety answering point; emergency medical service provider or dispatch provider; public safety, fire service, or law enforcement official; hospital emergency or other medical care facility; or to a service provider that provides such information to such emergency responders.

## 4. Customer Proprietary Network Information

In the normal course of providing telecommunications and interconnected voice-over-Internet-protocol (“interconnected VoIP”) services to its users and customers, PivaTel collects and maintains certain customer proprietary network information (“CPNI”). Your CPNI includes the types of telecommunications and interconnected VoIP services you currently purchase or subscribe to, how you use those services (for example, your calling records), and billing information related to those services. Your PivaTel telephone number, name, and address do not constitute CPNI.

PivaTel would like to share your CPNI within our company and with our affiliates and authorized agents in order to offer you additional products and services that may fit your needs. PivaTel does not sell, trade, or otherwise share your CPNI with anyone outside of PivaTel or with anyone who is not authorized to represent us to offer our services or to perform functions on our behalf, except as the law may require or you may authorize.

Protecting your CPNI is important to us. In the United States, Federal law permits us to use this information to provide the telecommunications and interconnected VoIP services you purchase or subscribe to, and to bill and collect for those services. We may also use or disclose your CPNI for legal or regulatory reasons such as to respond to a court order, to investigate fraud, to protect our rights or property, to protect against the unlawful use of our services, or to protect other users. You have a right and we have a duty under federal law to protect the confidentiality of your CPNI.

In order to opt-out and restrict access to your CPNI for our own marketing purposes, please contact us within 30 days of this notice. Restricting our use of your CPNI will not affect our provision of any service or product to which you currently subscribe, nor will you necessarily eliminate all types of PivaTel marketing.

## 5. Security and Data Integrity

We maintain a variety of physical, electronic, and procedural safeguards to guard your personally identifiable information and CPNI. Specifically, we use commercially accepted procedures and reasonable security systems to protect against unauthorized access to our systems. We restrict access to your personally identifiable information and CPNI to those employees and contractors—all of whom are covered by this Policy—who need to know that information to provide services to you or otherwise assist you for a legitimate business reason. We protect the security of your personally identifiable information during transmission via the PivaTel website by using Secure Sockets Layer (“SSL”) software, which encrypts information you input, so that no one else can read it as it is transmitted over the Internet. And we use an SSL connection to enable you to view, enter, and change the information in the “Preferences” section securely on our website.

You can take additional steps on your own to safeguard your personally identifiable information. For example, you should be sure to sign off when finished using a shared computer. And you should always log out of any website, including the PivaTel website, after viewing personal account information, such as the “Preferences” section of our website. Please be advised that PivaTel has no control over or responsibility for the security or privacy policies or practices of other sites on the Internet you might visit, interact with, or from which you might buy products or services, even if you visit them using links from the PivaTel website.

## 6. Our Use of “Cookies”

PivaTel uses tracking technologies such as “cookies”, tags, and scripts to enhance your use of our website. “Cookies” are small text files placed on your computer’s hard drive by a website when you visit that website. These files identify your computer and record your preferences and other data about your visit to a website so that when you return to that site, the site operator knows who you are and can personalize your visit. For example, cookies enable a website shopping cart to function so that you only have to check out once.

Consequently, cookies are often tied to the use of personally identifiable information while using our website. If you choose not to accept the use of cookies or choose to block or delete cookies, your use of our website may be impaired. Cookies allow us to do the following:

- Complete transactions you have requested;
- Collect information to determine which services and sections of our website are most and least popular;
- Personalize our website and make recommendations to you based on services you have used in the past; and
- Improve the ease of use of our website, sometimes in conjunction with web beacons.

We do not use cookies to store credit card information. PivaTel does, however, use cookies to store login information (including passwords) for customers who choose the option of storing such information on their computers.

We also use a session-based cookie to maintain continuity of navigation for you when viewing our website during a particular on-line session. After closing the browser, the session cookie simply terminates; it is not stored on your computer’s hard drive thereafter.

In conjunction with web beacons, PivaTel may also use cookies, but these cookies are not linked to your personally identifiable information.

We also use Local Storage Objects (LSOs) such as HTML5 to store content information and preferences. Third parties with whom we partner to provide certain features on our site or to display advertising based upon your Web browsing activity use LSOs such as HTML 5 and Flash to collect and store information. Various browsers may offer their own management tools for removing HTML5 LSOs. To learn how to manage privacy and storage settings for Flash cookies click [here:](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118)  
[http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html#117118](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html#117118).



PivaTel does not use technology that recognizes browser “Do Not Track” signals or other mechanisms that provide you with a choice regarding the collection of data related to your online activities over time and across third party websites. You can block cookies from your computer using your web browser’s settings (see below). For more information on how to disable and manage cookies and tracking devices see: [www.ftc.gov/ftc/cookies.shtm](http://www.ftc.gov/ftc/cookies.shtm).

- **Microsoft Internet Explorer:** Click the gear icon to the right of the address bar and select “Internet Options”. Select the “Privacy” tab, and you can move the slider to “High” or “Block All Cookies”. In order to delete cookies, select the “General” tab, and under the “Browsing history” section, click “Delete...”. Make sure “Cookies” is selected, and click “Delete” to delete cookies. Click “OK” when you are finished making your changes.
- **Mozilla Firefox:** Click the “Firefox” menu on the upper-right corner of your browser and select “Options”. Select the “Privacy” tab, and under the “History” section, select “Never remember history” or “Use custom settings for history”. If you select “Use custom settings for history”, you can deselect “Accept third-party cookies” or “Accept cookies from sites”. In order to delete cookies, click “Show Cookies”, scroll to the particular cookies you would like to remove, and click “Remove Cookie”, or click “Remove All Cookies” to remove all cookies. If your history setting is set to “Never Remember history”, click “clear all current history”, make sure “Cookies” is selected, and click “Clear Now”. Click “OK” when you are finished making your changes.
- **Apple Safari:** Click the gear icon to the right of the address bar and click “Preferences...”. Select the “Privacy” tab, and under the “Block cookies” section, you can select “From third parties and advertisers” or “always”. In order to delete cookies, click “Details...”, scroll to the particular cookies you would like to remove, and click “Remove Cookie”, or click “Remove All” to remove all cookies.
- **Google Chrome:** Click the wrench icon to the right of the address bar and select “Settings”. Click “Show advanced settings...”, scroll down to the “Privacy” section, and click “Content settings”. Under the “Cookies section”, you can select “Block sites from setting any data” or “Block third-party cookies and site data” to prevent cookies from being set. In order to delete cookies, click “All cookies and site data”, scroll to the particular cookies you would like to remove, and click “x” to the right of the cookies, or click “Remove all” to remove all cookies. Click “OK” when you are finished making your changes.

## 7. Our Use of Web Beacons

PivaTel uses web beacons on its website. A web beacon (sometimes called a “web bug” or “clear GIF”) is a tiny graphic image (usually a 1-by-1 pixel) displayed in a webpage, web-based document, or e-mail message, but it is usually invisible, as it is usually the same color as the background of the webpage, document, or e-mail message. When the user’s web browser reads the HTML code for the web beacon to retrieve the image, it can pass along the IP address of the user’s computer, the time the web beacon was viewed and for how long, and the type of browser used. Web beacons

can also be linked to a user's cookies and any personally identifiable information that may be stored in them.

PivaTel uses web beacons to gather aggregate information, as described above in Information We Collect. PivaTel does not use web beacons that link to cookies or to personally identifiable information on unaffiliated third-party websites. And it does not permit unaffiliated third parties to place such web beacons in advertisements on PivaTel's website.

For its web beacons, PivaTel uses Google Analytics to analyze use of PivaTel's website. For further information on how Omniture collects and uses information, you should refer to the Google's Privacy Policy at <https://www.google.com/policies/privacy/>.

## 8. Our Use of Banner ADs

We may use third-party advertising companies to place advertisements about PivaTel products and services on other websites. These advertising companies may use cookies, web beacons, or other technologies to measure the effectiveness of our ads. The advertising companies may use anonymous information about your visits to our and other websites in order to measure advertising effectiveness and offer selective ad content. But they use an anonymous identifier, such as a number, to identify you. They do not link to or collect any personally identifying information. The use of such cookies, web beacons, and other technologies is subject to the advertising companies' privacy policies, not the privacy policy of PivaTel. PivaTel does not control and is not responsible for how third party sites handle personal information of users. If you wish to not have this information used for the purpose of serving you targeted ads, follow the instructions to block cookies using your web browser settings, as described above. Please note this does not opt you out of being served advertising; you will continue to receive generic ads.

## 9. Checking Account and "Preferences" Information for Accuracy

PivaTel customers can review or change the information in the "Preferences" section of our website, or by telephoning or writing to Customer Service. For Customer Service contact information, please see the Contacting Us section below. As noted in the Information We Collect About You section above, we may also use updated address information obtained from other sources to update our records. We will respond to your requests to access your records within 30 days.

We will retain your information for as long as your account is active or as needed to provide you services, comply with our legal obligations, resolve disputes, and enforce our agreements. If you

wish to cancel your account or request that we no longer use your information to provide you services contact us here.

## 10. Social Media Features

Our website includes Social Media Features, such as the Facebook or Twitter button. These Features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the Feature to function properly. Social Media Features are either hosted by a third party or hosted directly on our Site. Your interactions with these Features are governed by the privacy policy of the third party company providing them. PivaTel does not control and is not responsible for how third party social media sites handle personal information of users.

## 11. Referral Programs

If you choose to use our referral programs to refer someone to our site, we will ask you for the intended recipient's name, email address, and phone number. PivaTel will store and use this information to send emails inviting him or her to visit the site. PivaTel stores this information for the sole purpose of sending the emails and tracking the success of our referral program. By agreeing to the terms in this privacy policy you acknowledge that you have received any referral recipient's consent to provide his or her information to PivaTel. Your referral may contact us here to request that we remove this information from our database.

## 12. Blogs and Forums

Our website offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas is public and may be read, collected, and used by others who access them and may remain on the public forum indefinitely. To request removal of your personal information from our blog or community forum, contact us here. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why. PivaTel is not liable for the distribution of personal information posted on a public forum. We encourage all users to exercise caution when providing personal information in blogs and community forums.

## 13. Testimonials

With your input and your consent, we may post a customer testimonial by you on our website, which may include your name, industry, company, title, or other identifying information. If you want your testimonial removed or wish to give or withdraw consent please contact us here.

## 14. Safe Harbor Compliance

PivaTel complies with the U.S.-EU Safe Harbor Framework and the U.S. - Swiss Safe Harbor framework as set forth by the U.S. Department of Commerce regarding the collection, use and retention of personal information from European Union member countries and Switzerland. PivaTel has certified that it adheres to the Safe Harbor Privacy Principals of notice, choice, onward transfer, security, data integrity, access and enforcement. To learn more about the Safe Harbor program and to view PivaTel's certification, please visit <http://www.export.gov/safeharbor/>.

## 15. Enforcement

PivaTel regularly reviews its compliance with this Privacy Policy. Please contact us with any questions or concerns regarding this Privacy Policy or PivaTel's treatment of personal information. When we receive formal written complaints, it is PivaTel's policy to contact the complaining customer or user regarding his or her concerns.

## 16. Updating of Our Policy

PivaTel will revise or update this Policy if our practices change or as we change existing services, add new services, or develop better ways to inform you of services we think will interest you. If we make any material changes, we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this website prior to the change becoming effective. You should refer back to this page for the latest information and the effective date of any changes.

## 17. Contacting Us

If you have any questions, comments or concerns about this Policy, please e-mail us at [legal@pivatel.com](mailto:legal@pivatel.com), or call us at 1 (855) 500-7482. Or you can write to us at:

Euclid Platform LLC  
Attn: Legal Team

1112 Montana Ave #122  
Santa Monica, CA 90403