

# Privacy Policy

Rev. April 28, 2020

This privacy policy applies to [www.conviva.com](http://www.conviva.com) (the “**Site**”) and our services accessed through the Site, which are all owned and operated by Conviva Inc. (“**Conviva**”, “**We**”, “**Us**” or “**Our**”). In addition to describing our practices and procedures regarding the collection, use and disclosure of information we receive through our website, this policy also describes the information collected through services provided to our business customers (media companies, broadcasters and operators of online video sites) (“**Customers**”). The policy explains how we use that personal information in order to provide our Customers with data analytics regarding the quality of video engagement by their end-users (the “**Services**”) and, if you are using the Services, how we use information when you access our Services through our user interface or otherwise. It also describes the choices available to you regarding our use of your personal information and how you can access and update this information. However, please note, if you are an end-user of one of our Customer’s services (“**End-User**”), then we will process your information pursuant to our agreements with our Customers. Accordingly, if you are an End-User, you can learn more about how our Customers use the information provided through our Services and the choices and requests you can make about your information by referring to our Customers’ privacy policies.

If we make material changes in the way we use personal information, we will notify you by posting a prominent announcement on our website or, if required by applicable law, sending you an email to the email address you provided when you submitted your personal information on the site prior to the change becoming effective. Users are bound by any changes to the Privacy Policy when they use the website after such changes have been first posted.

Conviva Inc. is the data controller of all personal information collected through the Site. Conviva Ltd. is Conviva’s EU-based representative and represents Conviva with regard to Conviva’s data protection obligations under this privacy policy.

If you provide information to us in connection with applying for a job, please note that such information is governed by our [Candidate Privacy Notice](#).

## 1. PERSONAL INFORMATION

**“Personal Information”** is information from which you can be personally identified. This includes your name, email address, location, job title and company or employer, your user ID and password when you access the Services, and other information you tell us about yourself if such information is tied to other information that identifies you. In certain jurisdictions, Personal Information also includes other information that relates to you or could be used to identify you, including your subscriber ID and your IP address.

Personal Information does not include **“anonymous information”**, which is data from which we cannot identify an individual or from which individual identities or other personal information has been removed. It may include information that has been aggregated.

The source of the personal information we collect is the individual to whom the personal information relates.

## 2. INFORMATION THAT WE COLLECT

### ***Information Collected from Use of the Site***

Conviva collects Personal Information such as your name, email address, company, and region (**“Identification Information”**) when you take certain actions on the Site, such as requesting to download our white paper or joining our marketing list. We also automatically collect information related to your Site visit, including IP address, internet service provider (ISP), referring/exit pages (where you go from our Site), date/time stamp, clickstream data (how you came to our Site) as well as your browser and operating system types (**“Internet Activity Information”**).

### ***Information Collected from Customers***

Conviva’s Social Insights Services include the use of features of and/or connections with certain third-party social media services, including Facebook, YouTube and Twitter

(“Social Media Services”). To enable the Social Insights Services, Customers must authenticate their social media account(s) with the Social Media Services. Through API “calls” to the Social Media Services, Conviva collects and tracks metrics and metadata from the End-Users’ activity on those authenticated accounts in order to provide Customers with consumption analytics and audience intelligence information. Conviva cannot identify individuals using this information. The following additional terms apply with regard to your use of the Social Media Services:

- Your use of the YouTube Services is subject to the then-current version of YouTube’s Terms of Service at <https://www.youtube.com/t/terms> and Google’s Privacy Policy at <https://www.google.com/policies/privacy/>.
- Your use of the Twitter Services is subject to the then-current version of Twitter’s Terms of Services at <https://twitter.com/en/tos> and Twitter’s Privacy Policy at <https://twitter.com/en/privacy>.
- Your use of the Facebook and Instagram Services is subject to the then-current version of Facebook’s Terms of Service at <https://www.facebook.com/legal/terms/update> and Facebook’s Data Policy at <https://www.facebook.com/about/privacy/update>.

For Conviva Services other than Social Insights, Conviva automatically computes and records anonymous information from the Conviva-enabled media player on an End-User’s computer, cellphone, tablet or other mobile device, such as internet service provider (ISP), information about content being viewed on the Customer’s platform, viewing device type, service quality and statistics, device advertising identifiers, geolocation information including GPS coordinates and cell tower ID, and browser and operating system types. Subject to our agreements with our Customers, we may collect additional information from an End-User’s interactions with our Customers’ services (“**End-User Information**”). For instance, Customers may also decide to provide other Personal Information associated with End-Users, such as viewer ID numbers, unique device identifiers and other specific geolocation information. Conviva cannot identify End-Users using such information.

Certain Services, such as Experience Insights Services, include the use of third-party features and/or connections including the following:

- Google Maps features and content, and your use of such features and content is subject to the then-current versions of the: (1) Google Maps/Google Earth Additional Terms of Service at [https://maps.google.com/help/terms\\_maps.html](https://maps.google.com/help/terms_maps.html); and (2) Google Privacy Policy at <https://www.google.com/policies/privacy/>.

We store the information collected from our Customers in log files and provide this to our Customers.

### ***Information collected for administrative and contact purposes***

Conviva may keep a record of your contact information if you have contacted us via our Site. Conviva may require our Customers to provide certain Personal Information of their employees when they become Conviva’s Customers, so we may have received your Personal Information directly from your employer, if they are a Conviva Customer. If you wish to contact our Site or file a support request, we will collect Personal Information such as your first and last name, email address and phone number. The information described in this paragraph will be referred to collectively as “**Administrative and Contact Information.**”

## **3. INFORMATION USE AND DISCLOSURE**

### ***How we use your Personal Information***

Conviva uses information we collect for the following business purposes in the performance of our legitimate interests as a business: to provide the Services to our Customers; to enhance your video viewing experience; to improve our Services and develop new services; to analyze interactions with our Site; to contact you; to conduct innovative research; and to provide anonymous intelligent analytic and benchmark reporting for Customers.

In addition, we also use Personal Information for the following commercial purposes:

### **Newsletters, Marketing, and Opt-out Preferences**

If you subscribe to our newsletter(s) and/or marketing emails, we will use your name and email address to send the newsletter or marketing emails to you. You may choose to stop receiving our newsletter or marketing emails by following the unsubscribe instructions

included in these emails or you can contact us at [privacy@conviva.com](mailto:privacy@conviva.com).

We may also send you service-related announcements on rare occasions when it is necessary to do so. For instance, if our service is temporarily suspended for maintenance, we might send you an email. Generally, you may not opt-out of these communications, which are not promotional in nature.

## **Testimonials**

We display personal testimonials of satisfied customers on our site in addition to other endorsements. With your consent we may post your testimonial along with your name. You may ask us to update or delete your testimonial by contacting us at [privacy@conviva.com](mailto:privacy@conviva.com). 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.

## **Blogs**

Our website offers publicly accessible blogs or community forums. In order to provide this element of the Service to you, you may choose to post Personal Information on such blogs or community forums which we will host for your benefit. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your Personal Information from our blog or community forum, contact us at [privacy@conviva.com](mailto:privacy@conviva.com). 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.

## **Social Media Widgets**

Our website includes social media features, such as Facebook and Twitter buttons and widgets, or interactive mini-programs that run on our Site. In order to provide this element of the Service to you, 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 (for more information please see our [Cookie Policy](#)). Social media features and widgets are either hosted by a third party or hosted directly on our website. Your interactions with these features are governed by the privacy policy of the company providing the feature.

## ***How we share your Personal Information and who we share it with***

We do not sell your Personal Information.

We may disclose information, including your Identification Information, Internet Activity Information, and Administrative and Contact Information under the following circumstances:

- **Third-party service providers:** We may share Personal Information with third-party service companies to facilitate or to help provide our Services. Third-party service providers include:
  - ■ IT infrastructure companies that facilitate our provision of the Services to you, such as AWS, AT&T, and Google;
  - IT support service providers; Third-party service providers whose services are bundled with or part of our Services; and
  - Other third-party service providers, for the purpose of tracking our Customers' use of the Service and the Site.
  
- **Partners:** If a Customer obtains from a Conviva partner services that rely upon or incorporate our Services for that Customer, then we may share Personal Information with such partner for the purpose of it providing services.

These companies listed above are authorized to use your Personal Information only as necessary to provide these services to us and/or for us to provide the services requested by our Customers.

- **Group companies:** We may provide your Personal Information to our subsidiaries or affiliated companies for the purpose of processing Personal Information on our behalf to provide the Site and Services to you. These parties are required to process such information based on our instructions and in accordance with this privacy policy. They do not have any independent right to share this information.
- **Compliance with laws and legal proceedings:** When we respond to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims. When we believe in our sole discretion it is necessary to share information in order to investigate, prevent or take actions against illegal activities,

suspected fraud, situations involving potential threats to the physical safety of any person, violations of Conviva's terms of use, or otherwise required by law.

- **Business Transfers:** If Conviva is involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, transition of service to another provider, or sale of all or a portion of its assets (collectively a "**Transaction**"), your Personal Information may be shared in the diligence process with counterparties and others assisting with the Transaction and transferred to a successor or affiliate as part of that Transaction. We will make reasonable commercial efforts to notify you via email and/or a prominent notice on our Site of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

## **Frames**

Some of our pages utilize framing techniques to serve content to or from our partners while preserving the look and feel of our Site. Please be aware that, when you view such content, those third parties may be collecting Personal Information from you about your viewing of that content.

## **Links to Other Sites**

The Site contains links to other sites that are not owned or controlled by Conviva. Please be aware that we are not responsible for the privacy practices or use of your Personal Information by such other sites.

We encourage you to be aware when you leave our Site and to read the privacy policies of each and every website that collects Personal Information.

This privacy policy applies only to information collected by this Site.

## **4. COOKIES AND OTHER TRACKING TECHNOLOGIES**

Technologies such as cookies, beacons, tags and scripts are used by Conviva and our partners, affiliates, or analytics or service providers. These technologies are used in analyzing trends, administering the Site, tracking users' movements around the Site and to gather demographic information about our user base as a whole. We may receive

reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

We use cookies, for example, to remember users' settings (e.g. language preference) and for authentication. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our Site, but your ability to use some features or areas of our Site may be limited. We and our third party service providers may use cookies or other tracking technologies to collect information about your browsing activities over time and across different websites following your use of the Site. Our Site currently does not respond to "Do Not Track" (DNT) signals and operates as described in this Privacy Policy whether or not a DNT signal is received. If we do so in the future, we will describe how we do so in this Privacy Policy.

Please read more about how we use cookies and what information is collected using cookies in our cookie policy found at [www.conviva.com/legal](http://www.conviva.com/legal).

## **5. CONFIDENTIALITY AND SECURITY**

We follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure.

Therefore, while we strive to use commercially acceptable means to protect your Personal Information, we cannot guarantee its absolute security and you use the Site and Services at your own risk.

Conviva limits the access to your Personal Information about you to Conviva employees who are required to handle that information to provide services to you or in order to perform their jobs.

## **6. OUR POLICY TOWARD CHILDREN**

Conviva does not knowingly collect Personal Information from children under 16. If you become aware that a child under 16 has provided us with Personal Information without the consent of their parent or guardian, you should contact us. If we become aware that a child under 16 has provided us with Personal Information, we will delete such information

from our files.

## **7. INTERNATIONAL TRANSFER**

Your Personal Information may be transferred to, and maintained on, computers located outside of your state, province, country or other government jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside of the United States and choose to provide your Personal Information to Conviva, please be advised that we transfer all information including Personal Information to the United States and process it in the United States. If you are using the Services in the European Economic Area (the “**EEA**”), then we will transfer your Personal Information outside of the EEA in accordance with applicable law, through the use of data transfer agreements authorized by the European Commission or other applicable supervisory authority.

## **8. ABILITY TO CHANGE OR DELETE YOUR INFORMATION AND EXERCISE OTHER RIGHTS**

To the extent provided for by law and subject to applicable exceptions, you may have the following rights in relation to the Identification Information, Internet Activity Information, and Administrative and Contact Information we collect:

- the right to reasonable access to find out what Personal Information (if any) we process about you and how we are processing such Personal Information. On request, we can also provide you with a copy of any of your Personal Information that we hold.
- the right to correct, amend, or delete information (in accordance with applicable data protection laws). Please contact [privacy@conviva.com](mailto:privacy@conviva.com) to change your Personal Information gathered on our website.
- the right to request that we stop using your Personal Information. In certain circumstances we may not be able to stop using your Personal Information but, if that is the case, we'll let you know and tell you why.

- the right to be free from discrimination (e.g. you will not be penalized) in relation to the exercise of your privacy rights described in this Section 8.

Please contact [privacy@conviva.com](mailto:privacy@conviva.com) to exercise these rights.

Please note that we may require you to verify your login credentials before you can submit a request in order to protect your Personal Information. If you do not have an account with us, or if we suspect fraudulent or malicious activity, we may ask you to provide additional Personal Information for verification. If you submit a request through an authorized agent, the agent must present signed written permission to act on your behalf and you may also be required to independently verify your identity with us. If we cannot verify your identity, we may deny your request.

Please note that these rights do not apply to End-User Information. If you are an End-User, please contact the Customer directly to make any of the requests described in this Section 8 regarding your End-User Information.

If you are a Customer and you have authenticated your YouTube user account in order to receive Social Insights Services, you may also revoke our access to receiving data from YouTube's applicable APIs via the Google security settings page located at <https://security.google.com/settings/security/permissions>.

## **9. DATA RETENTION**

We will retain Personal Information about your use of the Site for marketing purposes until you request to be removed from our marketing lists, in which case we will delete it except where we need to keep any Personal Information about you to prevent marketing to you again without your permission, comply with our legal obligations, resolve disputes, or enforce our agreements. We will retain any Personal Information you submit as part of a job application or job alert notification for as long as we deem it necessary to evaluate your application for employment opportunities.

We will retain your Personal Information collected in connection with your use of the Services, such as account login information, for as long as your account or your employer's account is active (whichever is longer) or as needed to provide you or your employer with the Services. Once you and your employer have closed your account we'll

delete your account information (including any Personal Information) within one month after account closure except where we need to keep any Personal Information to prevent fraud or other misuse of the Services, as necessary to comply with our legal obligations, resolve disputes, or enforce our agreements. We retain anonymous information, such as service statistics.

## **10. COMPLAINTS, QUESTIONS AND SUGGESTIONS**

If you have any complaints about our Site or Services or need to access an alternative format of this privacy policy, please contact us at our designated request address or via email:

### **Conviva Inc.**

Legal-Privacy Policy Issues

989 East Hillsdale Boulevard, Suite 400

Foster City, CA 94404 USA

(650) 401-8282

[Privacy@conviva.com](mailto:Privacy@conviva.com)

Conviva's EU-based representative, Conviva Ltd., also can be contacted at:

### **Conviva Ltd.**

2-7 Clerkenwell Green

Clerkenwell

London, EC1R 0DE

United Kingdom

Attention: General Manager

[privacy@conviva.com](mailto:privacy@conviva.com)

In the EEA, you may make a complaint to our supervisory body for data protection matters (for example, the UK Information Commissioners' Office) or seek a remedy through local courts if you believe your rights have been breached.