

# Exit Mobile Privacy Policy

*Effective date: This policy was last updated on May 03, 2010*

Exit Mobile believes that when you use any Exit Mobile product or service, you should understand when and how personal information is collected, used, retained, disclosed and protected, and how you can restrict the use or disclosure of personally identifiable information. That is why we have provided you with this Privacy Policy (hereafter "Policy").

We will not sell or disclose information to unaffiliated third parties without your consent except as otherwise provided in this Policy. We may use information about who you are, where and when you browse on the Web, where your wireless device is located, and how you use our network to provide you better service and enrich your user experience when you sign up or use any of our products or services.

Exit Mobile will revise and update this Policy if our practices change or if changes in the law so require.

This Policy applies to all United States Exit Mobile business units, and to all Exit Mobile traffic originated in the United States, including those providing retail and wholesale wireline, wireless and Internet services. International transactions are protected under applicable laws in the various nations where the transactions take place. The Privacy Policy applies to visits to or transactions with Exit Mobile website(s) such as [www.exitmobile.com](http://www.exitmobile.com), as well as to internet services accessed through Exit Mobile devices, internet services, wireless voice services, and wireline voice products.

## INFORMATION WE COLLECT ABOUT YOU

We collect a variety of personal information about users of our products or services in the normal course of our business. Personal information is information that is directly associated with a specific person such as name, address, telephone number, e-mail address, activities, and personal preferences.

Our definition of personal information does not include "aggregate" information. Aggregate information is data we collect about a group or category of services or customers from which individual customer identities have been removed. For example, we could prepare a report that indicates that a certain number of customers always use their wireless phones at certain times of the day at a specific location. Aggregate data helps us understand trends and customer needs so that we can better consider new services or tailor existing services to customer requirements. The aggregate data also might be purchased by or shared with a third party, for example, one interested in locating a business in a particular part of town.

Here are some examples of the types of personal and other information we collect. You should refer to the rest of this Policy to see how we use, disclose and protect that information:

### • Information You Give Us

We collect personal information you give us when you purchase a Exit Mobile product or use our services. When you purchase phones, accessories, or services, we may request information about you, such as your name/corporate name, shipping, and/or billing address, credit card or account number, residential or business phone/fax number, e-mail address, date of birth, social security number/federal tax id, and driver's license number. Other information you may be asked to provide are a user name, password, and/or response to a secret question. Moreover, the numbers you dial from your wireless phone is also another example of information you give us and that we collect and use so we can bill you appropriately and investigate fraudulent usage.

### • Automatically Collected Information

We automatically receive certain types of information whenever you interact with us. For example, when you visit our website(s), our system automatically collect your IP address, the type of browser you use, and/or the website from which your visit originated. When you browse the wireless web, our systems log the websites you visit. Similarly, all wireless communications systems know when your wireless device is turned on and approximately where it is located, what device you are using, and how you are using it. In fact, that is the way calls or messages are delivered to you in real time.

- **Information from Other Sources**

We may obtain information about you from outside sources and add it to or combine it with your account information. For example, we may receive credit information for purposes of initiating service. We also may use commercially available demographic marketing information from third parties to help us better serve you or inform you about products or services that we think will be of interest to you. We sometimes receive updated delivery and address information from our shippers or other sources so that we can correct our records and deliver your next purchase or communication more easily. Moreover, we often receive information from the dealer from whom you purchase your wireless phone or device prior to initiating service with us.

We may also receive personal information from those application service providers that bring you services through the Exit Mobile network and with whom you subscribe. (You should always check the privacy policies of other service providers to ensure you understand your privacy choices before subscribing to any service.) Also, we may purchase lists containing your personal information from third parties for advertising purposes. We only purchase lists of individuals who have allowed third-party use of their e-mails address for marketing purposes. If you have previously requested to participate in an email advertising program, the information we receive may include your name, information on previous transactions, or any other personal information you have provided. Information we purchase from others is not protected as non-public personal information under this Policy.

- **Business Customers**

In a Business Agreement, our customer is a business or other entity purchasing service for employees or authorized users. If you receive certain benefits through a business or government customer's agreement with us, this Policy will generally govern your personal information. However, if you receive service where a business or government entity pays Exit Mobile for your account or is otherwise liable to Exit Mobile for the charges (for example, as guarantor if you fail to pay), we may share your account information with that entity. If you receive certain benefits tied to a Business Agreement, but you are liable for your own charges, then we may share enough account information with that entity to verify your continuing eligibility for those benefits. Please contact Exit Mobile if you have any questions about who is the liable party on your bill.

## **USE OF PERSONAL INFORMATION**

### **Internal Use**

In general, we use personal information to serve our customers, to enhance and extend our customer relationship, and to enable our customers to take maximum advantage of products and services we think they would enjoy. For example, by understanding how you use our website, we are able to customize and personalize your experience. More specifically, we use personal 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 Exit Mobile or others that better meet your needs.

Exit Mobile uses email, short text messages, telemarketing, and direct mail to inform you about products or services we think will interest you. You can modify your preferences on receiving these types of communications by doing the following:

- **Current Exit Mobile Customer**

If you wish to change your preferences on receiving these types of communications, you may contact us in writing by directing your response to the Exit Mobile Privacy Officer at [privacyoffice@exitmobile.com](mailto:privacyoffice@exitmobile.com).

- **Not A Current Exit Mobile Customer**

If you wish to opt out of receiving marketing communications, you can complete an online request to tell us your preferences.

While you may choose not to receive marketing information from us, you will continue to receive invoices, customer service-related notifications, and other similar information from us electronically or otherwise.

### **Third-Party Use**

Please review the following section to completely comprehend when Exit Mobile discloses personal information to third parties.

## DISCLOSURE OF PERSONAL INFORMATION

Information about our customers is one of the most important business assets, and therefore we strive to protect it and keep it confidential. We do not sell personal information to third parties without your consent. When and what types of information Exit Mobile discloses depends on the service and in some types the choices you have made.

Exit Mobile will not disclose personal information other than in accordance with this Policy. In general, that means that you must consent to the disclosure in advance. Depending on the service, we may obtain your consent in a number of ways, including, in writing; verbally; on by clicking a button; through the use of a dialing string or button on a wireless device or handset; or at the time of initiation of a particular service offering, your consent is part of the terms and conditions to use that service.

For example, your consent to disclose personal information can be implied simply by the nature of your request, such as when you ask us to deliver an email or short message to another person. Your return address is disclosed as part of the service and your consent to do so is implied by your use of the service. To determine how personal information may be disclosed as part of a particular service, you should review the terms and conditions of use for that service.

We share personal information with third parties as necessary to complete a transaction, perform a service on our behalf (such as enhancing our ability to serve you better), or perform a service that you have requested. When the third party acts solely on our behalf, Exit Mobile does not allow them to use your information for other purposes. For example, our vendors process and print your billing statement on our behalf. They can only use the personal information we give them to produce the billing statement. When we write off an account for non-payment, Exit Mobile sometimes discloses personal information about the account to third parties such as credit bureaus. Credit bureaus may use the personal information to update their records. Exit Mobile does not currently disclose wireless numbers in any listings or published directories. If we do so in the future, you will be able to choose whether your number is listed.

Aside from our services, however, you may also want to take advantage of services and products offered by other companies utilizing our wireless service. In those cases, you will be providing information to those companies, and information about you received by those third parties will be governed by their privacy policies, not this Policy. For example, if you are roaming on the network of another carrier, information about your usage and the numbers you dial will be available to the carrier providing the service. Also, as another example, if you purchase something using our mobile Internet service, you will be disclosing personal information directly to the company facilitating the transaction, a merchant bank and the merchant. Finally, if you bought your wireless device from a third party retailer or dealer, both they and Exit Mobile will have personal information as a result of the transaction and your ongoing service with Exit Mobile. Whenever third parties have a role in any such transaction, you should review their privacy policies as well.

From time to time you may be able to participate in contests, giveaways, or other similar promotions we sponsor. Except as explained otherwise in the rules for a particular contest, giveaway, or promotion, any personal information you provide will be used in accordance with this Policy.

In addition, from time to time you may be able to participate in our surveys to help us improve our offerings and services. Except as explained otherwise in the survey, any personal information so collected will be used for our internal purposes.

Under federal law, you have a right, and we have a duty, to protect the confidentiality of information about your telephone usage, the services you buy from us, who you call, and the location of your device on our network when you make a voice call. This information is sometimes referred to as "Customer Proprietary Network Information," or "CPNI." We share CPNI and other personal information about you with affiliates of NOSVA Limited Partnership (the parent company of Exit Mobile) that provide telecommunications services to which you also subscribe. Before sharing CPNI in any other way, we will first notify you of your rights under the law, describe how we intend to use the CPNI, and give you an opportunity to opt out of such usage (or, when required by law, to opt in).

## BUSINESS TRANSFERS

Information about our users, including personal information, may be disclosed as part of any merger, acquisition, sale of company assets or transition of service to another provider, as well as in the unlikely event of an insolvency, bankruptcy or receivership in which personal information would be transferred as one of the business assets of the company.

## PROTECTION OF Exit Mobile AND OTHERS

We disclose personal information when we believe release is appropriate to comply with the law (e.g., legal process, E911 information); to enforce or apply our customer agreements; to initiate, render, bill, and collect for services; protect our rights or property, or those of users of our services; to protect other service providers from fraudulent, abusive, or unlawful use of, or subscription to, such services; facilitate or verify the appropriate calculation of taxes, fees, or other

obligations due to a local, state, or federal government requirement, or eligibility for government benefits; or if we reasonably believe that an emergency involving immediate danger of death or serious physical injury to any person requires disclosure of communications or justifies disclosure of records without delay.

## **CHILDREN'S ONLINE PRIVACY**

Exit Mobile understands that parents often purchase our products and services for family use, including for use by minors. Moreover, in certain instances if we make available offers and products online where a child informs us that he or she is under the age of 13, we will ask a parent to confirm his/her consent in advance of further collection, use or disclose of personal information from that child. You should be aware, however, that our products and services purchased for family use may be used by minors under 13 without Exit Mobile's knowledge. If that happens, any information collected from the usage will appear to be the personal information of the actual adult subscriber and treated as such under this Policy.

## **PRESENCE, LOCATION AND TRACKING INFORMATION**

To make wireless communications possible, our network knows the general location of your phone or wireless device whenever it is turned on. Your wireless device sends out a periodic signal to the nearest radio tower/cell site so that our network will know where to route an incoming communication and how to properly bill for the service. This is necessary to make wireless communications possible.

If you dial 9-1-1 for emergency services, we provide your call location to a public safety answering point, emergency medical service provider or emergency dispatch provider, public safety, fire service, or law enforcement official, or hospital emergency or trauma care facility. The law also permits us to disclose the call location of a device on our network without a user's consent (1) to a user's legal guardian or members of a user's immediate family in an emergency situation that involves the risk of death or serious physical harm, (2) to database management services or information providers solely to assist in delivering emergency services, (3) if we reasonably believe that an emergency involving immediate danger of death or serious physical injury to any person requires or justifies disclosure of a device's location on the network without delay. Legally required upgrades will allow us to provide a location more precise than cell site location.

In addition, we offer optional services on our GSM/GPRS network that make use of your network location. Please review the terms and conditions for each service for additional information about how the location information will be used. The location used for these services is separate from the network location information when you make a voice call.

Your wireless Internet service may also be personalized using your zip code or other location identifiers. We use this information to serve you relevant content, and we treat the information like any other personal information under this Policy.

## **USE OF COOKIES**

Exit Mobile website(s) also use "cookies," which may be sent by contractors that we use to track how our website(s) are used. They allow us to serve you more efficiently, when you visit our sites. When you use our sites, we or our contractors send a cookie to your computer. "Cookies" are small files placed on your computer's hard drive by a website when you visit. These files identify your computer and record your preferences and other data about your visit so that when you return to the site, the site knows who you are and can personalize your visit. For example, if you entered your zip code on a visit to our site, when you return you will see information about how our websites are used and how to improve them. Consequently, cookies are often tied to the use of personally identifiable information while using our site and some functionality may be lost if you choose not to accept the use of cookies.

In general, we use cookies to collect information so that we can determine how to improve our site by seeing which areas, features and products are most popular; to personalize the site and make recommendations based on products you have liked in the past as well as to improve the site experience; and to complete transactions you have requested. Advertisers that serve ads on our site may also use their own cookies. Such outside cookies are governed by the privacy policies of the entities placing the ads, and are not subject to this Policy.

We also use a session-based cookie that maintains a user's session for continuity of navigation while viewing the site. After closing the browser the session cookie simply terminates.

With wireless Internet service, cookies are also used by our suppliers and third party vendors to facilitate the various services and information offered. Depending on the phone or device being used, cookies may be stored locally on the phone or device, or on servers operated by Exit Mobile. This Internet cookie-like functionality is in place for the same reasons and designed for the same purposes as cookies placed on your computer when interacting with internet websites. Each site you visit while using the wireless Internet service is controlled by a separate company and their individual privacy policies will govern information they receive automatically from the cookie or information you voluntarily provide.

## USE OF BEACONS

A web beacon, also known as a web bug, is a small, graphic image on a web page, web-based document or in an e-mail message that is designed to allow the site owner or a third party to monitor the address and other information of the site viewing the item. Web beacons are often invisible to the user because they are typically very small (only 1-by-1 pixel) and the same color as the background of the Web page, document or e-mail message. Web beacons are represented as HTML IMG tags in the Web page; users can click on "view profiles" of the web page to see whether the page is using a web beacon. Web beacons collect the IP address of the computer to which the web beacon is sent, the URL of the page from which the web beacon comes, and the time it was viewed. Web beacons can also be linked to personal information.

Exit Mobile may place web beacons on its site in conjunction with cookies to monitor how visitors are navigating and/or interacting with the site. Exit Mobile does not link web beacons to a visitor's personal information and generally does not permit third parties, other than those working on our behalf, to place them on our site.

## NETWORK AND INFORMATION SECURITY

We maintain a variety of physical, electronic, and procedural safeguards to guard your personal information. We require our employees to protect the privacy of information about our customers and expect our partners and suppliers to do so as well. You can feel confident that your individual information will be protected when you access your account or order products or services from our website(s).

When you are ordering new services or products through the Exit Mobile website(s), we employ the Secure Sockets Layer (SSL) protocol for the transmission of the information from you to us. Also, we use encryption technologies to protect your account information when you are viewing your bill on our Website or via email. You should be aware that Exit Mobile has no control over the security of other sites on the Internet you might visit, interact with, or from which you buy products or services.

## PROTECTING PERSONAL INFORMATION

An important part of ensuring the security of personal information is your own effort to protect against unauthorized access to your wireless device and the personal information contained in it and where applicable, on your SIM card. Therefore, before discarding your phone or PDA, trading it in or giving it away, be sure you remove and retain your SIM card and follow the manufacturer's instructions for deleting all personal information on the device itself. (This can be found in your owner's manual or the manufacturer's web site.)

Moreover, you should keep your user name, password or other access information safe and confidential to protect against unauthorized access to your account information and services. Also, you must adopt passwords that others may not guess easily.

## RECEIPT OF MARKETING MESSAGES ON WIRELESS DEVICE FROM THIRD PARTIES

You should be aware that not all advertisements appearing on or delivered to your mobile phone or device are authorized by Exit Mobile. We have developed and implemented systems in our network to reduce unsolicited bulk short text messages, but we cannot at this time block all such messages. We continue to look for other options to reduce these unsolicited bulk messages. If you have an email account with Exit Mobile, this service is subject to unsolicited messages as any other email service.

It is unlawful for any third party to make any unsolicited telemarketing call using an autodialer or to send a prerecorded message to wireless phone or device. You should report any such unsolicited calls to the Federal Communications Commission.

## COMPLIANCE WITH LAWS

Though we make every effort to preserve user privacy, we may need to disclose personal information when required by law wherein we would have a good-faith belief that such action is necessary to comply with a current judicial proceeding, a court order or legal process served on our websites.

## **RETENTION OF INFORMATION**

Exit Mobile retains all of the information it collects under this Policy for as long as there is a business need for it. In addition, we have a record retention policy that generally implements the broad range of regulatory requirements imposed on service providers for recordkeeping.

## **Exit Mobile PLACEMENT OF BANNER ADS ON OTHER WEBSITES**

Exit Mobile may use third-party advertising companies to place advertisements about our products and services on other websites. The advertising companies may use cookies and other technology such as web beacons or tagging to measure the effectiveness of our ads. To measure advertising effectiveness and offer selective ad content, the advertising companies may use anonymous information about your visits to our and other websites. The use of such cookies is subject to the advertising company's privacy policy, not the policy of Exit Mobile.

## **LINKS TO OTHER WEBSITES**

Exit Mobile website(s) contain links to other sites. We are not responsible for the content or the privacy practices employed by other sites. To improve the services it can offer you, Exit Mobile may opt to expand its capabilities for obtaining information about users in the future. Exit Mobile will update this privacy policy continually to ensure that you are aware of developments in this area.

## **CHECKING ACCOUNT INFORMATION FOR ACCURACY AND ACCESSING YOUR REGISTRATION PROFILE**

To change your contact, phone, account or e-mail preference information, please visit our website(s).

## **UPDATING THIS POLICY**

Exit Mobile will update this Policy if our practices change or if the law requires changes to it. If at any point we decide to use personally identifiable information in a manner that is materially different from what was stated at the time it was collected, we will notify you via posting on this page for 30 days before the material change is made and give you an opportunity to opt out of the proposed use at any time.

## **CONTACTING US**

If you have any questions about, or complaints that concern, this Policy, please call Customer Care at 1-866-624-3948. If you prefer, you also may write us at Office of Privacy - Legal Department, Exit Mobile, 250 Pilot Road, Suite 300, Las Vegas, Nevada 89119. Our representatives will respond to your inquiries or help resolve any dispute concerning this Online Privacy Policy.