

## Unite Private Networks

### PRIVACY POLICY

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#### UPN Mission Statement regarding Privacy.

Unite Private Networks, LLC (“UPN,” “we,” “us,” or “our”) respects your privacy and is committed to protecting your privacy by delivering telecommunications services that give you the most powerful and safe online experience. Recognizing the importance of privacy in today’s complex and constantly changing technology environment, we have created this privacy statement and the following privacy policy to explain our approach to the collection, use, and disclosure of customer information in the usage of our services or as you interact with our website.

#### Introduction.

This Privacy Policy (the “**Privacy Policy**” or “**policy**”) governs data collection and usage and has been compiled to better serve those concerned with "personally identifiable information" ("PII") and how such information is used. PII, as used in United States privacy law and information security, is information that can be used on its own or with other information to identify, contact, or locate a single person, or to identify an individual in context. This policy is intended to provide a clear understanding of how we collect, use, protect, or otherwise handle PII in accordance with UPN’s website (<http://uniteprivatenetworks.com>). **By accessing and using UPN’s website, you consent to the data practices described in this Privacy Policy and you agree to the terms of this Privacy Policy.** Please read this policy carefully to understand UPN’s policies and practices regarding PII. This policy may be updated from time to time in UPN’s sole discretion as described in more detail below. Please review this policy periodically for updates.

This policy applies to information collected on UPN’s website, in email, text, and other electronic messages, through any mobile or desktop applications downloaded from UPN’s website, and when you interact with UPN’s advertising and applications on third-party websites and platforms. This policy also applies to information collected offline only to the extent that such information is later inputted or stored online; UPN may receive or collect information offline, such as to manage potential sales leads and opportunities. Any information collected offline and later inputted online, is used in accordance with this Privacy Policy. This Privacy Policy does not apply to information collected offline that is not stored or inputted on online. This Privacy Policy also applies to our privacy practices related to our customers and service offerings (the “**Service Privacy Notice**”). In the event of any conflicts between the Privacy Policy and a separate agreement between you and us, the terms of the separate agreement shall apply to the extent permitted by applicable law.

#### UPN Privacy Overview (Service Privacy Notice).

- For [UnitePrivateNetworks.com](http://UnitePrivateNetworks.com) and associated UPN service portals

(including UPN's Carrier ASR portal) — UPN's website (<http://uniteprivatenetworks.com>) is used to publish corporate information as well as to market UPN services and make those services available to customers. UPN's website automatically collects website visitor information in the form of generic website statistics and cookies including device, operating system and browser type, country and time zone indicators and other system settings. UPN also collects information such as the IP address of website visitors and statistics regarding the duration of page visits and website elements that visitors click on. The information UPN collects may also include information provided at the time of registering to use UPN's website, subscribing to our services, purchasing design work, posting material, or requesting further services, responses to surveys, details of transactions you carry out and of the fulfillment of your orders, and online search queries. UPN may also ask you for information when you report a problem or in order to provide you services that you request. **By accessing and using UPN's website, you consent to the data practices described in this Privacy Policy and you agree to the terms of UPN's Privacy Policy outlined below.**

- **For Data Services (including Dark Fiber, Wave, Voice, WAN, and Ethernet)** — UPN provides fiber optic infrastructure and bandwidth services that permit customers to transport data in accordance with customer specifications. The Customer is responsible for ensuring the data transmitted through these services is appropriately protected and compliant with current privacy legislation. Although customer information is moving through UPN infrastructure, UPN is **NOT** acting in the role of a processor of customer data. UPN's network is conduit through which data travel and UPN does NOT possess any direct or administrative access to any customer content that is transmitted through our communication infrastructure. This separation is maintained through both technological and security controls implemented on our service architecture.
- **For VoIP Services, Cloud Services, and DDoS Mitigation Services** — UPN utilizes third party vendors to provide certain non-UPN hosted services to some of UPN's customers, such as voice over internet protocol services (“**VoIP**” or “**VoIP services**,”) Distributed Denial of Services prevention and mitigation services (“**DDoS Mitigation Services**”) and cloud connectivity services (“**Cloud Services**”). To the extent necessary to provide such Services, UPN may share or process such information in conjunction with UPN's vendors, subject to this policy. To the extent any information is processed in the fulfillment of VoIP, DDoS Mitigation, or Cloud Services, such information is subject to the privacy policies of the applicable UPN Vendor.
- **For Existing Customers — Customer Proprietary Network Information (CPNI)** — CPNI is information about your telecommunications and VoIP (internet phone) services from us, including what plans you subscribe to, how you use these services and billing information. Your telephone number, name and address are not considered CPNI. We use CPNI internally and share it outside UPN only when

conforming with applicable regulations and orders of the Federal Communications Commission. CPNI notices are issued yearly in accordance with FCC rules— Customers can opt-out at any time by emailing [privacy@upnfiber.com](mailto:privacy@upnfiber.com) or by completing the opt-out on the annual CPNI notice form and returning it to UPN.

- **For any other information collected in the ordinary course of business and stored online** — UPN also collects information offline to manage potential sales leads, opportunities, and in the course of hiring candidates for employment. Any information collected offline and later inputted or uploaded online for such purpose is used in accordance with UPN's Privacy Policy. Specifically, UPN will only process a candidate's personal information to the extent necessary for the job application process or their subsequent employment with UPN, as required by our legitimate legally-protected interests and applicable laws. More specifically, applicant personal information is used to assess and process their job application; to make a decision about whether to employ such applicants; to deal with their queries and defend against potential claims in relation to the process; to consider applicants for future job opportunities with us; and, if they are hired, to make decisions about their employment with us.

### **What and How Information is Collected.**

UPN collects several types of information from and about users of its website, including information by which you may be personally identified, such as name, postal address, e-mail address, telephone number and any other identifier by which you may be contacted online or offline; that is about you, but individually does not identify you; and about your internet connection, the equipment you use to access UPN's website and usage details. This information is collected directly from you when you provide it to us or automatically as you navigate through the site; information collected automatically includes usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies described below.

The information UPN collects may include information provided at the time of registering to use UPN's website, subscribing to our services, including Customer Proprietary Network Information ("CPNI"), purchasing design work, posting material, or requesting further services, responses to surveys, details of transactions you carry out and of the fulfillment of your orders, and online search queries. UPN may also ask you for information when you report a problem to provide you services that you request.

**Disclaimer:** Any information posted or otherwise made public by a user ("**User Contributions**") are posted and transmitted as the user's exclusive risk. Please be aware that although UPN takes reasonable security measures to protect data, no security measures are perfect or impenetrable. UPN cannot control the actions of other users with whom you may knowingly or unknowingly share your User Contributions.

### **Information Collected through Automatic Data Collection Technologies.**

UPN may use automatic data collection technologies to collect certain information about

your equipment, browsing actions, and patterns, including details of your website use, including traffic data, location data, logs, and other communication data and the resources that you access and use on UPN's website, and information about your computer and internet connection, including your IP address, operating system, and browser type. The information collected automatically is statistical data and may include personal information; UPN may maintain it or associate it with personal information we collect in other ways or receive from third parties, which helps UPN improve and deliver a better and more personalized service, including enabling UPN to estimate audience size and usage patterns, store information about user preferences, allowing us to customize according to individual interests, speed up searches, and recognize you when you return.

The technologies we use for this automatic data collection may include:

- **Cookies.** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of a website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies.
- **Web Beacons.** Webpages and emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit UPN, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).
- **Website Visitor Information.** UPN collects website visitor information in the form of generic website statistics and cookies including device, operating system and browser type, country and time zone indicators and other system settings. UPN also collects information such as the IP address of website visitors and statistics regarding the duration of page visits and website elements that visitors click on, sometimes known as "clickpaths."

### **Third Parties.**

- **UPN Services:** UPN engages with third party vendors to provide certain non-UPN hosted services (each, a "**Vendor**" and collectively, "**Vendors,**") such as voice-over internet protocol ("**VoIP Services,**") Distributed Denial of Service prevention ("**DDoS Mitigation Services**") and cloud connectivity services ("**Cloud Services**"). UPN may share information with its Vendors in order to provide these specific services to UPN customers. To the extent any VoIP Services, DDoS Mitigation Services, or Cloud Services are provided by UPN to a customer, such services are also subject to the applicable privacy policy of the Vendor to the extent such Vendor actually processes customer information.
- **On UPN's Website:** UPN engages with third parties to provide website analytics and to advertise UPN's services. By using UPN's website, you agree to UPN's use of third-party analytics and software to monitor and record system and user interactions with our website. We also use this data to detect and resolve issues and to ensure that the website is functioning as designed for user experience. Aggregated, anonymous statistical information and data that is not identifiable to any person or entity may be used for third-party auditing, research, and analysis purposes to operate and improve the system subject to contractual limitations.

UPN's Website may contain links to other sites; we try to link to sites that share UPN's high standards and respect for personal privacy, however, because such third-party sites are not hosted or controlled by UPN, we are not responsible for the content, or the privacy practices used by any third-party site. We encourage you to review and understand the privacy practices of any third-party sites before providing any information to or through them as such practices may differ from those applicable to our own. This Privacy Policy only applies to information collected and maintained by UPN.

### **How We Use Your Information.**

UPN uses information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account or subscription, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Website or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria. Thus, your engagement with UPN's website or a specific advertisement may result in the same or other advertisements being displayed on the same website or on another site that displays advertisements.

### **Disclosure of Your Information.**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction. We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, designers, service providers, and other third parties we use to support our business, including ad delivery services. We do not allow contractors or Vendors to use your information for any purpose other than to perform those services, and we require them to protect the

confidentiality and security of data they get from us in a way that is consistent with this Policy.

- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by the Company about our Website users is among the assets transferred.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- For any other purpose with your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including responding to any government or regulatory request.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Website, our users, our customers, or others.

UPN does not sell your personal information and UPN does not have plans to do so in the future. UPN will never sell your personal information without your express consent.

### **Choices About How We Use and Disclose Your Information.**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of the Website may then be inaccessible or not function properly.
- We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).
- **Customer Proprietary Network Information (CPNI)** — CPNI is information about your telecommunications and VoIP (internet phone) services from us, including what plans you subscribe to, how you use these services and billing information. Your telephone number, name and address are not considered CPNI. We use CPNI internally and share it outside UPN only when conforming with applicable regulations and orders of the Federal Communications Commission. CPNI notices are issued yearly in accordance with FCC rules—Customers can opt-out at any time by emailing [privacy@upnfiber.com](mailto:privacy@upnfiber.com) or by completing the annual CPNI notice form and returning it to UPN.

## **Accessing and Correcting Your Information**

You may also send us an email at [privacy@upnfiber.com](mailto:privacy@upnfiber.com) to request access to, correct or delete any personal information that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. We may ask you for information to allow us to confirm that the person making the request is you or is authorized to access your information before granting access. For example, we may require you to verify your identity before you access your personal information.

## **Children Under the Age of 19**

UPN's website is not intended for children under 19 years of age. UPN does not knowingly collect PII from children under the age of 19. If UPN becomes aware of personal information from a child under 19 being collected without verification of parental consent, UPN will promptly delete such information. Please contact UPN [privacy@upnfiber.com](mailto:privacy@upnfiber.com) with concerns related to this section.

## **Your California Privacy Rights**

California Civil Code Section § 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@upnfiber.com](mailto:privacy@upnfiber.com). We may ask you for information to allow us to confirm that the person making the request is you or is authorized to access your information before granting access. For example, we may require you to verify your identity before you access your personal information.

## **Biometric Data**

UPN does not currently collect biometric information of any individual and does not presently have plans to do so in the future. If UPN ever were to collect biometric information, UPN will only do so with the express consent of the individual whose biometric information is being collected.

## **Data Security**

UPN works hard to safeguard your data using a range of physical, technological, procedural, and organizational security controls. We maintain and protect the security of computer storage and network equipment, and we use security procedures that require employees to authenticate themselves to access sensitive data. Our information systems are maintained behind hardware and software firewalls to isolate them from access by other networks connected to the internet. UPN also has internal security policies and procedures directed to employees and we limit access to personal information only to those with jobs requiring such access and advise all Company employees about their responsibility to protect customer data and provide them with appropriate guidelines for adhering to our company's business ethics

standards and confidentiality policies. We require callers and online users to authenticate themselves before providing account information. No security measures are perfect, however, and we cannot guarantee that your information will never be disclosed in a manner inconsistent with this Policy. If a breach were to occur, we will notify you as required by applicable law and as soon as reasonably possible.

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. Any payment transactions and other payment information will be encrypted.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

THE TRANSMISSION OF INFORMATION VIA THE INTERNET IS NOT COMPLETELY SECURE. ALTHOUGH WE DO OUR BEST TO PROTECT YOUR PERSONAL INFORMATION, WE CANNOT GUARANTEE THE SECURITY OF YOUR PERSONAL INFORMATION TRANSMITTED TO OUR WEBSITE ANY TRANSMISSION OF PERSONAL INFORMATION IS AT YOUR OWN RISK. WHILE UPN TAKES REASONABLE STEPS TO SAFEGUARD AND TO PREVENT UNAUTHORIZED ACCESS TO YOUR PRIVATE INFORMATION, WE CANNOT BE RESPONSIBLE FOR THE ACTS OF THOSE WHO GAIN UNAUTHORIZED ACCESS, AND WE MAKE NO WARRANTY, EXPRESS, IMPLIED, OR OTHERWISE, THAT WE WILL PREVENT UNAUTHORIZED ACCESS TO YOUR PRIVATE INFORMATION. WE ARE NOT RESPONSIBLE FOR CIRCUMVENTION OF ANY PRIVACY SETTINGS OR SECURITY MEASURES CONTAINED ON THE WEBSITE.

### **Changes to Our Privacy Policy**

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information or to this Policy, we will notify you by email to the primary email address specified in your account or through a notice on the Website home page. We display a last updated date at the top of this Privacy Policy for you to know when there has been a change. You are responsible for ensuring we have an up-to-date active and deliverable email address for you or for periodically visiting our Website and this privacy policy to check for any changes.

### **Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at: [privacy@upnfiber.com](mailto:privacy@upnfiber.com).