

MacStadium, Inc.

## Privacy Notice

MacStadium respects your privacy and is committed to protecting the privacy and confidentiality of personal data we collect. The purpose of our Privacy Notice is to demonstrate our firm commitment to protect the private information of all persons who provide personal data to MacStadium and its affiliates. This Privacy Notice describes the types of information we may collect from you or that you may provide when you visit MacStadium websites, including but not limited to [www.macstadium.com](http://www.macstadium.com) and [www.atlcolo.com](http://www.atlcolo.com), and our practices for collecting, maintaining, protecting and disclosing that information so that you may decide whether or not to provide information to us.

Please read this Privacy Notice carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is to not use MacStadium websites. By visiting MacStadium websites or otherwise providing your personal information to MacStadium via any other means, you are accepting and consenting to the policies and practices described in this Privacy Notice. This Privacy Notice may change from time to time. Your continued use of MacStadium websites after we make changes is deemed to be acceptance of those changes, so please check the Privacy Notice periodically for updates.

For purposes of this Privacy Notice, the term “visitor” includes visitors to our websites who are not yet customers, whether they become customers, as well as those who upload information to our websites, download it, or are merely visiting our websites.

MacStadium and its affiliated websites offer visitors the ability to choose what information they wish to provide to our websites. By only providing certain information to MacStadium, the visitor may not be able to access or take advantage of certain features.

### 1. WHAT INFORMATION DOES MACSTADIUM AND ITS AFFILIATES COLLECT?

We collect several types of information from and about visitors to our websites, including (i) information by which you may be personally identified, such as name, address, phone numbers, email addresses; (ii) that is about you but does not identify you; and (iii) about your internet connection, the equipment you use to access our websites and usage details.

1.1. Analytical Data. MacStadium collects the following website analytic data: (a) Internet Protocol (IP); (b) Web pages requested; (c) Referring web page; (d) Browser used; (e) Access date and times.

1.2. Personal Data. MacStadium may collect information about visitors by which they may be personally identified, including but not limited to: (a) First and Last Name; (b) Address; (c) Phone numbers; (d) Email addresses; (e) Financial account numbers; (f) IP Addresses; (g) Live Chat messages; (h) Telephone/voice-chat conversations; (i) Website product and service selections and orders; (j) Weblog comments

### 2. HOW DO WE COLLECT INFORMATION?

2.1. Web Visit. You may visit our websites in any of the following ways: (a) by using your browser to navigate to our websites, [www.macstadium.com](http://www.macstadium.com) and [www.atlcolo.com](http://www.atlcolo.com); (b) by viewing an advertisement displayed on a third party website that is served content by our web server or a web server affiliated with us; and (c) by viewing an email that is served content by MacStadium or a third party web server.

2.2. Information You Provide Us. We may collect information from you directly when you provide it to us. The information we collect on or through our websites may include: (a) Information that you provide by filling in forms on our websites, which includes information provided at the time of registering to use our

websites, subscribing to our services on a trial or permanent basis, posting material, or requesting further services and orders; (b) Records and copies of your correspondence if you contact us, which includes information such as email addresses, Live Chat messages, Telephone/voice-chat conversations and Weblog comments; and (c) Details of transactions you carry out through our websites and of the fulfillment of your orders, such as financial information that is required before placing an order through our websites. You also may provide information to be published or displayed (“posted”) on public areas of our websites, or transmitted to other users of the websites or third parties (“Visitor Contributions”). This information is posted and transmitted to others at your own risk. We cannot control the actions of other users of our websites with whom you may choose to share your Visitor Contributions. Therefore, we cannot guarantee that your Visitor Contributions will not be viewed by unauthorized persons.

2.3. Information We Collect through Automatic Data Collection Technologies. We may collect information from you automatically through data collection technologies, as described below.

a. *IP Address and Usage Details.* When you visit our websites, our server logs your IP address (a unique network address), the time and duration of your visit and the time and duration that you view of the pages on our websites. If you arrive at our websites by clicking a paid advertisement (including a paid search engine result) or a link in an email, then we will capture information that tracks your visit from that link. If you arrive at our websites by clicking a non-paid source, such as link in a non-paid search engine result or an unsponsored link on another website, we may capture information that tracks your visit from that source, to the extent we are able to do so. We may also capture information about your computer system, such as your browser type and operating system. This information may be collected to improve web presentation and utilization. IP address may also be used for troubleshooting purposes.

b. *Cookies.* We will likely place a cookie on your hard drive during your web visit. A cookie is a unique identifier that we use to help us identify the number of unique visitors to our websites, whether or not those visitors are repeat visitors and the source of the visits. Cookies cannot be executed as code or used to deliver a virus. Other servers cannot read them and personal information cannot be gathered from them. They are simply an identifier shared between you and us to allow us to improve the services we offer to you through our websites. If you do not wish cookies to be placed on your computer, then they may be disabled in your web browser settings. However, please note, permanently disabling cookies in your browser may hinder your use of our websites as well as other websites and interactive services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our websites. Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.

c. *Use of Automatically Collected Data.* The information we collect automatically is statistical and does not include personal information but we may maintain it or associate it with personal information we collect in other ways or receive from third parties. Additionally web visit information may be tied to other information (including personal information) we collect from you through other sources or that you provide us. This helps us improve our websites and deliver a better and more personalized service, including by enabling us to (i) estimate our audience size and usage patterns, (ii) store information about your preferences, (iii) speed up your searches and (iv) recognize you when you return to our websites.

2.4. Third Party Use of Cookies.

a. *Advertisers.* Our advertising agencies may also use cookies to collect information about you and track your activity on our websites originating from the advertisement. However, we will not provide your personal information to our advertising agencies. If you have any questions about our advertisements or other

targeted content, you should review our advertising agencies' privacy policies or contact our advertising agencies directly.

b. *Service Providers*. Some content or applications, including advertisements, on our websites are served by third-parties, including advertisers, ad networks and servers, content providers and application providers. These third parties may use cookies to collect information about you when you use our websites. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based advertising or other targeted content. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should review the responsible provider's privacy policy or contact the responsible provider directly.

2.5. Personal information received from the EU. MacStadium is a participant in the US-EU Safe Harbor program developed by the US Department of Commerce and the European Union (EU), regarding the collection, use, and retention of personal information from European Union member countries. MacStadium has certified that it adheres to the Safe Harbor Privacy Principles agreed upon by the US and the EU. To learn more about the Safe Harbor program, and to view MacStadium's certification, please visit the US Department of Commerce's Safe Harbor website at <http://www.export.gov/safeharbor/>.

2.6. Sensitive Information. We will not intentionally or knowingly collect or maintain, and do not want you to provide, any information regarding your medical or health condition, race or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, sex life or other sensitive information. If we learn that we have collected or received this sensitive information on our websites, we will delete that information.

2.7. Children's Online Privacy Protection. Our websites are not designed for or directed to children under the age of 13, and we do not knowingly collect or maintain information about children under the age of 13. If we learn that we have collected or received personal information from a child under the age of 13 without verification of parental consent, we will delete that information. If you believe that we might have any information from or about a child under the age of 13, please contact us at [privacy@MacStadium.com](mailto:privacy@MacStadium.com) or write us at Chief Compliance Officer, MacStadium, Inc., 1120 Curran St. NW, Atlanta, GA 30318.

### **3. WHAT DO WE USE THIS INFORMATION FOR?**

3.1. Personal Information. We may use your information to process your service requests, handle orders, deliver products and services, process payments, communicate with you about orders, provide access to secure areas of the websites, recommend current and future merchandise and services that might be of interest to you, to personalize your visit to our websites, and to enable us to review, develop and continually improve the products services and offers we provide online. We also use this information to prevent or detect fraud or abuses of our websites and to enable third parties to carry out technical, logistical or other functions on our behalf.

3.2. Contact Information. We use your contact information to send you information about our company and to get in touch with you when necessary. We may need to get in touch with you to provide you with notices about your account, carry out our obligations and enforce our rights arising out from any contracts entered between you and us, including for billing and collection and to notify you about changes to our websites, products or services. We may also use your contact information to recommend current and future merchandise and services that might be of interest to you. Visitors are given the choice at the point when we request their information to opt out of future marketing mailings. We may also use your contact information that we collect to improve the content of our websites and as training aides for our employees.

3.3. Financial Information and Payment details. We may ask visitors to enter credit card or account information in order to process orders for services placed with MacStadium or its affiliates. Financial information provided via our websites or via the MacStadium customer portal is transferred over a secure connection. We collect this information on a transaction-by-transaction basis and will not authorize the release of the information with anyone not directly involved in processing the transaction. This information may be encrypted and stored for logging purposes in accordance with applicable regulatory requirements. Credit card numbers are used only for processing payments and are not used for any other purposes. When we use third party service providers for credit card processing services we will enter into a written agreement with such third party ensuring appropriate security and confidentiality measures are in place in safeguarding your personal data.

3.4. Website Analytics. We use web visit information to measure interest in and develop our web pages and marketing plans, customize the content you view on your web visits based on your activity on past visits and administer our websites. We use the visitor's IP address to help diagnose problems with our servers and to administer our websites. We use cookies to help us recognize visitors as unique visitors (just a number) when they return to our websites. For example, if there are 200 visits to our websites on a certain day, we can use cookies to discover how many of those visits were made via the same browser, meaning the same visitor. We may also use the cookie to discover whether a certain visitor has visited our sites more than once, and the source for each visit. We also use cookies to allow us to tailor content or advertisements to match your preferred interest; avoid showing visitors the same advertisements repeatedly; compile anonymous, aggregated statistics that allow us to understand how users use our site and to help us improve the structure of our websites (we cannot identify visitors personally in this way); and count the number of anonymous users of our sites. Even though we do not disclose your personal information for the purposes of displaying and tailoring advertisements without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

3.5. Telecommunications. We use information you provide to us via telephone calls, chat, email, web forms and other communications to correspond with you about services you may be interested in purchasing. If you elect to purchase a service online using a web form, we will use the information to establish your account. Information you submit in writing, such as chat, email, and web form information is archived and may be tied to information that we collect about your web visits. Your telephone call may be recorded for training purposes and we may enter information you provide via telephone into our systems to use for the purposes described in this paragraph.

3.6. Future Mailings. We may also use your information to contact you about our own or third parties' merchandise and services that may be of interest to you. If you do not want us to use your information this way, please check the relevant box located on the form in which we collect your data. If we do so, each marketing communication we send you will contain instructions permitting you to "opt-out" of receiving future marketing communications. In addition, if at any time you wish not to receive any future marketing communications or you wish to have your name deleted from our mailing lists, please contact us in the manner indicated in Section 5 of this Privacy Notice.

#### **4. DISCLOSURE OF PERSONAL INFORMATION**

4.1. Internal Use. The personal information that you provide to use or that we gather from you is intended for internal use only. Except as described in the limited situations in Section 4.2, we will not disclose your personal information without your consent.

4.2. Permitted Disclosure. We may disclose your information to:

- a. Comply with any court order, law or legal process, including responding to any government or regulatory request;
- b. To enforce or apply our Terms of Use (available at <http://www.macstadium.com/docs>) and other agreements, including without limitation, for billing and collection purposes;
- c. If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of MacStadium, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection, credit risk reduction, spam or other undesirable conduct; and
- d. To contractors, service providers and other third parties we use to support our business for the purpose of providing services to us. These contractors, service providers and other third parties are bound by contractual obligation to use the same level of privacy protection described in this Privacy Notice.

## **5. OPTING OUT OF COMMUNICATIONS**

MacStadium gives you an opportunity to choose to opt-out of personal data being disclosed to third parties for a purpose incompatible with the purpose for which it was originally collected (except for meeting applicable legal requirements or permitting third party service providers who perform functions on our behalf as described in Section 2 of this Privacy Notice), including your opting out of receiving future marketing mailings from us or third parties. We will not use your contact information to correspond with you about our services if you ask us not to. Please send your request to [privacy@MacStadium.com](mailto:privacy@MacStadium.com) or write us at Chief Compliance Officer, MacStadium, Inc., 1120 Curran St. NW, Atlanta, GA 30318. Please note that it may take up to ten (10) business days to remove your contact information from our marketing communications lists, so you may receive correspondence from us for a short time after you make your request.

## **6. DATA SECURITY**

6.1. Best Practices. MacStadium is committed to industry best practices approaches concerning security measures to prevent the loss, misuse and alteration of the information in our possession. We use various security measures to protect the information we collect, as appropriate to the type of information, including encryption, firewalls, and access controls. We store information you provide to us on a computer system located in a controlled facility with a limited access. Visitor textual information is encrypted during transmission, our company databases are accessible only by MacStadium employees, contractors and agents on a need to know basis and who have entered into and are bound by a confidentiality and nondisclosure agreement with MacStadium.

6.2. Encryption. MacStadium uses SSL (Secure Sockets Layer) encryption to protect visitor data. SSL is the standard security technology for establishing an encrypted link between a web server and a browser. This link ensures that all data passed between the web server and browsers remain private and integral.

6.3. Your Role in Security. While we have adopted the industry's best practices to protect your data, the safety and security of your information also depends on you. Where you have chosen a password for access to certain parts of our websites, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

6.4. Inherent Risk. Unfortunately, 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 websites. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the websites.

## **7. DATA INTEGRITY**

Personal data we collect is relevant for the purposes for which it is to be used. MacStadium takes reasonable steps to ensure that data is reliable for its intended use, accurate, complete, and current.

## **8. RIGHT TO ACCESS YOUR INFORMATION**

8.1. Access. You may review and change your personal information by logging into the websites and visiting your account profile page. You may also send us an e-mail at [privacy@MacStadium.com](mailto:privacy@MacStadium.com) to request access to or correct or delete your personal information or if you believe that any personal information we have about you has been or might be used inappropriately. We will take steps to correct or delete the information, or restrict its use, as appropriate, provided that these actions would not violate any law or legal requirement or cause the information to be incorrect. If you delete your Visitor Contributions from the websites, copies of your Visitor Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other users of our websites.

8.2. Your California Privacy Rights. California Civil Code Section § 1798.83 permits users of our websites 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 e-mail to [privacy@macstadium.com](mailto:privacy@macstadium.com) or write us at: Chief Compliance Officer, MacStadium, Inc., 1120 Curran St. NW, Atlanta, GA 30318.

## **9. VERIFICATION**

MacStadium utilizes the self-assessment approach to assure its compliance with its Privacy Notice. MacStadium regularly verifies that the privacy statement is accurate, comprehensive, prominently displayed, completely implemented and in conformity with the EU Safe Harbor Principles and conducts its self-assessment on an annual basis to ensure that all relevant privacy practices are being followed. Appropriate employee training is in place and internal procedures for periodically conducting objective reviews of compliance are in place. A statement verifying this self-assessment is signed by a corporate officer or other authorized representative at least once a year.

## **10. CONTACT INFORMATION**

To ask questions, comment, or submit complaints about this Privacy Notice and our privacy practices, contact us at: [privacy@macstadium.com](mailto:privacy@macstadium.com) or write us at: Chief Compliance Officer, MacStadium, Inc., 1120 Curran St. NW, Atlanta, GA 30318. We will investigate the matter and are committed to resolve any privacy concerns that you may have. If you are a visitor located in the EU and your complaint or dispute regarding use and disclosure of personal information in accordance with the Safe Harbor Privacy Principles cannot be resolved, you may contact European Data Protection Authorities, elected as a Dispute Resolution in our Safe Harbor self-certification.

## **11. CHANGES**

Our business changes constantly and our Privacy Notice may also change from time to time. It is our policy to post any changes we make to our Privacy Notice on this page. We will never materially change our policies and practices to make them less protective of personal information collected in the past without your prior consent. If we make material changes to how we treat our visitors' personal information, we will notify you through a notice on our websites' home pages or by emailing you. You are responsible for periodically visiting our websites and this Privacy Notice to check for any changes. The date the Privacy Notice was last revised is identified at the top of the page.