



Alyrica Networks, Inc.

Privacy Policy and Customer California Privacy Rights
February 24, 2016

Alyrica Networks, Inc. Privacy Policy and Customer California Privacy Rights
Effective date: March, 2015

Alyrica knows Customers care about how their personally identifiable information (“Personal Information”) is used and shared, and Alyrica takes Customers’ privacy seriously. Please read the following to learn more about Alyrica’s Privacy Policy. By using the Service (as defined in the [Alyrica Terms of Service](#)) or accessing Alyrica’s website in any manner, Customer acknowledges that Customer accepts the practices and policies outlined in this Privacy Policy, and Customer hereby consents that Alyrica will collect, use, store and share Customer’s Personal Information in the following ways.

Remember that Customer’s use of the Service is at all times subject to Customer’s Service Agreement, which incorporates this Privacy Policy by reference. Customer’s use of Alyrica’s website is at all times subject to Alyrica’s Website Terms of Use. Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in Customer’s Service Agreement and Website Terms of Use. [Make the first reference to “Website Terms of Use” a live hyperlink to that Agreement.]

Alyrica Services are designed and targeted to U.S. audiences and are governed by and operated in accordance with the laws of the U.S. If Customer is not a U.S. citizen or do not reside in the U.S., Customer voluntarily consents to the collection, transfer, use, disclosure and retention of Customer Personal Information in the U.S. Customer also agrees to waive any claims that may arise under Customer’s own national laws.

When Customer uses the Service, the Personal Information (as defined below) Customer sends and receives is transmitted over a wireless network, and may be subject to interception by unauthorized third parties who seek to do you harm. While it is Alyrica’s objective to take reasonable measures to reduce the risk that unauthorized third parties will be able to intercept the information Customer sends and receives through the Service, Alyrica cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.

Alyrica recommends that you use caution when sending any Personal Information over the Internet and use encryption technology whenever possible, such as websites that have the “https” designation in the website’s address bar and show a padlock icon in the browser’s window.

Alyrica does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If Customer is under age 13, please do not attempt to register for the Services or send any Personal Information about yourself to Alyrica. If Alyrica learns that Alyrica has collected Personal Information from a child under age 13, Alyrica will delete that information as quickly as possible to the extent technically feasible. If Customer believes that its child under



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age 13 may have provided Alyrica Personal Information, please contact Alyrica at privacy@alyrica.net.

Your California Privacy Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to ask Alyrica for a notice identifying the categories of Personal Information which Alyrica shares with its Affiliates and/or other third parties for their marketing purposes, and providing contact information for such Affiliates and/or third parties unless Alyrica meets certain exceptions in the law. This Privacy Policy qualifies for the exception to those requirements. If Customer resides in California and Customer has an established business relationship with Alyrica, Customer may request information about Alyrica's opt-out and out-in policies of sharing Customer Personal Information with other companies (including Our Affiliates) for their marketing purposes.

Please send Customer's written request via email or postal mail following the instructions below. Alyrica will not accept requests via the telephone or facsimile. Alyrica will not respond to requests that are not labeled or sent properly, or do not have complete information.

- For all requests, include Customer's full name, street address, city, state and zip code.
- In an email request, Customer must state "Re: Your California Privacy Rights" in the subject line and send Customer email to privacy@alyrica.net.
- In a postal request, Customer must send a letter or post card to:

Alyrica Networks, Inc.
521B N. 19th Street
Philomath, OR 97370
Attention: Your California Privacy Rights

What types of information does this Privacy Policy cover?

Alyrica collects and stores various types of information about Customers and Customers' use of the Service via the Alyrica website, Help Desk and call centers, postal mail, remote kiosks, the Alyrica Facebook Page or other social network platforms or by other means, generally classified as Personal Information and Non-Personal Information.

Generally, Alyrica gathers and uses Personal Information internally in connection with providing the Service to Customer, including to personalize, evaluate and improve the Service and Alyrica's ability to provide the Service to Customer, to contact Customer, to respond to and fulfill Customer requests regarding the Service, and to analyze how Customer uses the Service.

Alyrica may share Your Personal Information with its Affiliates and with other third parties as described below:



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What Information does Alyrica collect and how does Alyrica use this Information?

Personal Information

Personal Information is the information Customer provides to Alyrica voluntarily or passively through Customer use of the Service and/or website, and which is directly associated with or reasonably linked to a specific person, computer or device. For example, through the registration process, when the equipment to provide the Service is installed, maintained or upgraded at Customer's premises, when Customer contacts Alyrica regarding the Service, and through Customer account settings, Alyrica collects and stores Personal Information such as Customer name, email address, phone number, billing address and billing information (such as credit card account number or other financial account information), service address, and the nature of any of Customer devices or other property making use of the Service. Customer may be required to provide certain Personal Information to Alyrica in order to register with Alyrica, to assist Alyrica in improving Customer's Service or troubleshooting problems Customer is experiencing with the Service, Customer computer or device, or otherwise to improve the quality of the Service.

Alyrica will communicate with Customer if Customer has provided Alyrica the means to do so. For example, if Customer has given Alyrica Customer's email address or phone number, Alyrica will email or call Customer about Customer use of the Service or product improvements or upgrades, and other transactional information about Customer Service.

Alyrica may also combine Customer Personal Information with additional Personal Information obtained from Alyrica Facebook Pages or other social network platforms, its Affiliates, its Operational Service Providers (third party owned companies that provide or perform services on Alyrica's behalf, to help serve Customer better and to perform functions in order to support Alyrica businesses and operations), or other companies, such as credit bureaus, background check firms, and marketing research companies.

Some forms of Non-Personal Information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information.

Non-Personal Information

Website Information, Use of Cookies and other Similar Tracking Technology

When you visit Alyrica's website, Alyrica will collect various types of Non-Personal Information, such as information on Alyrica server logs from Customer's browser or device, which may include Customer IP address, unique device identifier, "cookie" information, the type of



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browser and/or device you're using to access the Service, and the page or feature Customer requested. (IP Address and device identifiers are traditionally classified as Non-Personal Information, unless Alyrica is required to do so otherwise under applicable law.) Cookies" and "web beacons" are text file identifiers Alyrica transfers to Customer's browser or device that allow Alyrica to recognize Customer's browser or device and tell Alyrica how and when pages and features on the Alyrica website are visited, by how many people, and other activity on the website.

Customer can change the preferences on Customer's browser or device to prevent or limit Customer's device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the Alyrica website, or accessing certain functions and conveniences. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer. Again, this Privacy Policy does not cover the use of cookies or other such tracking technology by any third parties, and Alyrica is not responsible for their privacy policies and practices.

Alyrica also uses Personal Information and Non-Personal Information to enhance the Alyrica website and Alyrica Service offerings. For example, such information can tell Alyrica how often visitors use a particular feature of the Alyrica website and which products and services are most interesting to current and potential customers, and Alyrica can use that knowledge to make the website useful and interesting to as many users as possible and to enhance and refine Alyrica's Service offerings. Alyrica will continue to conduct analytics on Alyrica website performance; Customer may not opt-out of this use of cookies or other Personal Information or Non-Personal Information.

Technology is improving every day and to improve Alyrica's Services' operation and function Alyrica may introduce new technologies and monitoring techniques without advance notice or consent from Customer. Alyrica may also use third party providers to conduct such internal analyses.

Network Information

Alyrica also collects and stores Network Information, information about Customer access to, and use of, the Alyrica network, which may or may not be directly associated with or reasonably linked to a specific person, computer or device. For example, Alyrica may collect and store information about the performance of the Provider Equipment installed on Customer property or at Customer premises, when Customer is using the Service, the various devices Customer is using to access the Service, the amount of data Customer is transmitting and receiving, the content of the data Customer are transmitting and receiving, the websites Customer is visiting, and any other information that is transmitted over the Alyrica network. Alyrica may also aggregate Network Information from multiple subscribers and Alyrica will share such aggregated Non-Personal information about the overall performance of the Alyrica Service and



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network with our Affiliates and other third parties. Aggregated information does not identify a specific individual, computer or device.

Click here for information how we use [Network Information](#).

How is Personal Information used for marketing and advertising purposes?

Alyrica will use Personal Information to send Customer marketing and advertising messages related to Alyrica's Service and website using Customer's email address, postal address, or telephone number (for voice, texts, and pre-recorded calls). Alyrica may deliver a marketing or advertising message based on Customer visits to Alyrica website, which will be general advertising or "Contextual Advertising," which is advertising based on the subject matter or the content of the specific website page or subject matter. Alyrica may also send Customer "First Party Advertising," which is advertising that is customized or personalized based on a history of Customer's use of our Services (possibly combined with information from our Facebook fan page or other social network platforms). First Party Advertising is based solely on a combination of information Alyrica collects from Customer – not from Customer's visits to other websites across the Internet.

Customer may opt-out of First Party Advertising but not Contextual Advertising. No Personal Information is used to deliver Contextual Advertising; it automatically will appear based on the content or webpage Customer is viewing. And Customer may continue to receive general advertising if Customer opts-out of First Party Advertising, it will not be customized or personalized for Customer.

Alyrica does not provide third party "Network Advertising," which is advertising based on Customer's overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a "network" of advertising providers.

Because Alyrica does not provide network ads, Alyrica does not recognize the "Do Not Track" settings on various Internet browsers. Alyrica does not engage or allow third parties to track you across the Internet and across time for advertising purposes.

Links to other websites or online services

The Alyrica website and/or Facebook Pages (or other social networking platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to Alyrica and our Affiliates. The presence of a link does not constitute or imply Alyrica's endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Alyrica encourages Customers to be aware and informed when Customers



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leave Alyrica's website and Alyrica's Facebook Pages, or any other social networking platforms.

Will Alyrica share Customer Personal Information?

Customer's Personal Information will only be disclosed to third parties (including Alyrica's Affiliates) as listed in this Privacy Policy, if Alyrica has received your consent at the time Alyrica will collect and store your Personal Information or prior to the disclosure of any Personal Information. Alyrica reserves the right to fully use, disclose and process any Non-Personal Information collected from Customer in any manner as well as any information Customer makes public via Alyrica Services or website.

Alyrica will not rent, sell or disclose Personal Information to anyone not related to Alyrica for marketing or promotional purposes, unless in connection with a potential or actual sale, merger or a corporate restructuring by or of Alyrica. (See "For Business Transfers" below for more information.) Alyrica will share Customer Personal Information with its Affiliates and with other third parties as described in this section for the following reasons:

- To Our Affiliates. Alyrica relies on various Affiliates in order to provide the Service to Customers. These are companies that are related to Alyrica by common ownership or control. Alyrica may share Personal Information and Non-Personal Information with any of its Affiliates for business, operational, promotional and/or marketing and advertising purposes.
- To Operational Service Providers: Alyrica and its Affiliates contract with other companies and people to perform tasks or services on Alyrica's behalf and need to share Customer Personal Information to provide products or services to Customers. For example, Alyrica may use a payment processing company to receive and process Customer's ACH or credit card transactions for Alyrica, or Alyrica may contract with third parties to assist Alyrica in optimizing Alyrica's network. Unless Alyrica tells Customer differently, Alyrica does not grant its Operational Service Providers any right to use the Personal Information Alyrica shares with them beyond what is necessary to assist Alyrica.
- For Business Transfers/Restructuring: Alyrica may choose to buy or sell assets, or Alyrica may sell assets or be sold. In these types of transactions, customer Personal Information is typically one of the business assets that would be disclosed and transferred. Also, if Alyrica (or Alyrica's assets) are acquired, or Alyrica goes out of business, enter bankruptcy, or go through some other change of control, including restructuring, re-organization or financing arrangements, Personal Information could be one of the assets disclosed, transferred to or acquired by a third party.
- For Protection of Alyrica, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety: Alyrica reserves the right to access, read,



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preserve, and disclose any Personal Information Alyrica has access to if Alyrica believes doing so will implement and/or enforce the Service Agreement, Website Terms of Use Agreement, Privacy Policy or any legal document; protect our Network(s), website(s), and company assets; protect the interests, rights, property, and/or safety of Alyrica or Our Affiliates, employees and officers/directors, Operational Service Providers, Users and Subscribers, agents, third party licensors or suppliers, or the general public.

- When Required by Law or in Response to Legal Process: Alyrica reserves the right to access, read, preserve, and disclose any Personal Information to which Alyrica has access if Alyrica is required by law or legal process to do so, or if Alyrica has a good faith belief that Alyrica is required by law or legal process to do so.

Is Customer Personal Information secure?

Alyrica endeavors to protect the privacy of Customer's account and other Personal Information Alyrica holds in its records using reasonable administrative, technical and physical security measures. However, Alyrica cannot and do not guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of Personal Information at any time.

Customer's account is protected by a password for Customer privacy and security. It is Customer's responsibility to prevent unauthorized access to Customer's account and Personal Information by selecting and protecting Customer password and/or other sign-on mechanism appropriately and limiting access to Customer computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer is required to notify us immediately if Customer's password or account has been disclosed to a person whose name does not appear on Customer's account, even if you have allowed such disclosure.

Customer understands, acknowledges and agrees that Customer is solely responsible for any use of Alyrica Services via Customer's username and password.

Additionally, if Customer contacts Alyrica, Alyrica will ask Customer for verification of Customer's identification and account. Alyrica will not send an email or text, nor should Customer respond to any email or text communications asking for any sensitive or confidential Personal Information, such as social security number, bank account or credit card account number, or a driver's license number. If Customer receives an email or text requesting any such information from Alyrica or someone that claims they are with Alyrica or Our Affiliates please contact our Privacy Administrator immediately: privacy@alyrica.net.

For Alyrica's IT Support Services as detailed in our Service Agreement, the code that allows Alyrica to access Customer's computer desktop to help your resolve technical problems is limited only for that specific session. Alyrica is not able to access Customer's Computer without Customer's knowledge, affirmative consent and involvement.



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What Personal Information can Customers access, modify and/or delete?

Generally, Customer may access the following Personal Information in Customer's account:

- Full name
- Username and password
- Email address
- Telephone number; and
- Billing and Service address
- Account and billing information

By contacting Alyrica at privacy@alyrica.net, or through any online access portal Alyrica may create to enable Customers to view and modify Customer account settings, Customer may access, and, in some cases, edit or delete the Personal Information listed above. For example, Alyrica may retain historic email, billing and/or Service addresses for security and verification purposes. Customer may not delete such information.

When Customer updates Personal Information, however, Alyrica may maintain a copy of the unrevised information in Alyrica's records for internal security reasons and recordkeeping. Some information may remain in Alyrica's records after it is modified, amended or deleted by Customer or Alyrica. Alyrica may use any aggregated data derived from or incorporating Customer's Personal Information after Customer updates or deletes it, but not in a manner that would identify Customer personally. Alyrica may also maintain Personal Information regarding Customer and Customer's use of the Service after Customer are no longer an Alyrica customer as required by Alyrica's business practices, by law, and/or tax reporting purposes.

The information Customer can view, update, and delete may also change. If Customer has any questions about viewing or updating information Alyrica has on file about Customer, please contact Alyrica at privacy@Alyrica.net.

What third party disclosure choices do Customers have?

Customer can always choose not to disclose Personal Information to Alyrica; however, certain Personal Information is necessary for Alyrica to provide the Service to Customer. Customer may opt out of sharing Personal Information with Our Affiliates only for marketing or advertising purposes, but not for business or operational purposes.

Customer may opt out of email marketing and advertising from Alyrica or its Affiliates using the "Unsubscribe" mechanism in each email. Before Alyrica sends Customer a text for any reason, or sends Customer a pre-recorded call that contains advertising or marketing information, Alyrica will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Non-telemarketing pre-



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recorded calls do not require Customer's prior express consent in writing, unless they are sent to a wireless device. Customer understands, acknowledges and agrees that such texts and pre-recorded telemarketing calls may be sent using an autodialer and are not conditioned on your purchase of the Service. Customer may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message. Customer may opt out of receiving pre-recorded calls by the opt-out instructions in the call. However, Customer will continue to receive calls related to debt-collection and Customer's current Service. Customer may also opt-out of First Party Advertising, but not Contextual Advertising, as detailed in the "Use of Personal Information for Marketing or Advertising Purposes" section above.

Customer may not opt out of Alyrica's use of cookies or other similar technology, or use of Customer's Personal Information and Non-Personal Information for Alyrica's internal analytics used to monitor activity on Alyrica's website, measure Alyrica Service performance, or to operate and protect the Alyrica network.

Will this Privacy Policy ever change?

Yes, Alyrica is constantly working to improve the Service, so Alyrica will need to update this Privacy Policy from time to time as Alyrica's business practices change and service offerings increase, and/or there are changes in local, state or federal laws. Additionally, Alyrica will also make stylistic, organizational and/or grammatical changes to present Alyrica privacy practices in a user friendly easy to read manner. Alyrica will alert Customers to any such changes by placing a notice on www.alyrica.net with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided Alyrica with Customer's email address or Customer has not updated Customer contact information, those legal notices will still govern Customer use of the Service, and Customer is still responsible for reading and understanding all notices posted on Alyrica's website. Customer's continued use of the Service or website after notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by applicable law.

Use of Customer's Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the Alyrica website. If Alyrica elects to use or to disclose Personal Information that identifies Alyrica as an individual in a manner that is materially different than that stated in the Privacy Policy in effect at the time you subscribed to the Service or visited the Alyrica website, Alyrica will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

What if you have questions or comments about this Privacy Policy?



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If you have any questions or concerns regarding Alyrica's privacy practices and policies, please contact Alyrica at privacy@Alyrica.net.

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