

PRIVACY STATEMENT

ProfitBricks is committed to protecting the privacy of your information. This Privacy Statement outlines ProfitBricks's information data security practices.

ProfitBricks supports the effort to build users' trust and confidence in the Internet by promoting the use of fair information practices. ProfitBricks also abides by the EU Safe Harbor Framework as outlined by the U.S. Department of Commerce and the European Union. For more information on the EU Safe Harbor Framework, please visit <http://www.export.gov/safeharbor/>.

1. WEB SITES COVERED

This Privacy Statement covers the information practices of Web sites that link to this Privacy Statement. When sites are posted by ProfitBricks, the site will link to this Privacy Statement, and this Privacy Statement applies. When sites are posted by third parties, the privacy statement of the third party applies, and this Privacy Statement does not apply.

ProfitBricks's Web sites may contain links to other Web sites. ProfitBricks is not responsible for the information practices or the content of such other Web sites. ProfitBricks encourages you to review the privacy statements of other Web sites to understand their information practices.

2. PERSONAL INFORMATION COLLECTED

ProfitBricks offers a variety of services that are collectively referred to as the "Service." ProfitBricks collects information from individuals who visit the Company's Web sites ("Visitors") and individuals who register to use the Service ("Customers").

When expressing an interest in obtaining additional information about the Service or registering to use the Service, ProfitBricks may require you to provide the Company with contact information, such as name, company name, address, phone number, and e-mail address ("Required Contact Information"). When purchasing the Service, ProfitBricks requires you to provide the Company with financial qualification and billing information, such as billing name and address, credit card number, and such other information as is required for the provision of the Services ("Billing Information"). ProfitBricks may also ask you to provide additional information, such as company annual revenues, number of employees, or industry ("Optional Information"). Required Contact Information, Billing Information, and Optional Information are referred to collectively as "Data About ProfitBricks Customers."

As you navigate the Company's Web sites, ProfitBricks may also collect information through the use of commonly used information-gathering tools, such as cookies and web beacons ("Web Site Navigational Information"). Web Site Navigational Information includes standard information from your web browser (such as browser type and browser lan-

guage), your Internet Protocol (“IP”) address, and the actions you take on the Company's Web sites (such as the web pages viewed and the links clicked).

3. USE OF INFORMATION COLLECTED

The Company uses Data About ProfitBricks Customers to perform the services requested. For example, if you fill out a “Contact Me” Web form, the Company will use the information provided to contact you about your interest in the Service.

The Company may also use Data About ProfitBricks Customers for marketing purposes. For example, the Company may use information you provide to contact you to further discuss your interest in ProfitBricks, the Service, and to send you information regarding the Company and its partners, such as information about promotions or events.

ProfitBricks uses credit card information solely to check the financial qualifications of prospective Customers and to collect payment for the Service.

ProfitBricks uses Web Site Navigational Information to operate and improve the Company's Web sites. The Company may also use Web Site Navigational Information in combination with Data About ProfitBricks Customers to provide personalized information about the Company.

4. WEB SITE NAVIGATIONAL INFORMATION

ProfitBricks uses commonly used information-gathering tools, such as cookies and web beacons, to collect information as you navigate the Company's Web sites (“Web Site Navigational Information”). This section describes the types of Web Site Navigational Information the Company may collect and how the Company may use this information.

Cookies

ProfitBricks uses cookies to make interactions with the Company's Web sites easy and meaningful. When you visit one of the Company's Web sites, ProfitBricks's servers send a cookie to your computer. Standing alone, cookies do not personally identify you. They merely recognize your web browser. Unless you choose to identify yourself to ProfitBricks, either by responding to a promotional offer, opening an account, or filling out a web form (such as a “Contact Me” or a “30-Day Free Trial” web form), you remain anonymous to the Company.

There are two types of cookies: session-based and persistent-based. Session cookies exist only during one session. They disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer after you close your browser or turn off your computer.

If you have chosen to identify yourself to ProfitBricks, the Company may use session cookies containing encrypted information to allow the Com-

pany to uniquely identify you. Each time you log into the Service, a session cookie containing an encrypted, unique identifier that is tied to your account is placed in your browser. These session cookies allow the Company to uniquely identify you when you are logged into the Service and to process your online transactions and requests. Session cookies are required to use the Service.

ProfitBricks uses persistent cookies that only the Company can read and use to identify browsers that have previously visited the Company's Web sites. When you purchase the Service or provide the Company with personal information, a unique identifier is assigned to you. This unique identifier is associated with a persistent cookie that the Company places on your web browser. The Company is especially careful about the security and confidentiality of the information stored in persistent cookies. For example, the Company does not store account numbers or passwords in persistent cookies. If you disable your web browser's ability to accept cookies, you will be able to navigate the Company's Web sites, but you will not be able to successfully use the Service.

ProfitBricks may use information from session and persistent cookies in combination with Data About ProfitBricks Customers to provide you with information about the Company and the Service.

Web Beacons

ProfitBricks may use web beacons alone or in conjunction with cookies to compile information about Customers and Visitors' usage of the Company's Web sites and interaction with e-mails from the Company. Web beacons are clear electronic images that can recognize certain types of information on your computer, such as cookies, when you viewed a particular Web site tied to the web beacon, and a description of a Web site tied to the web beacon. For example, ProfitBricks may place web beacons in marketing e-mails that notify the Company when you click on a link in the e-mail that directs you to one of the Company's Web sites. ProfitBricks may use web beacons to operate and improve the Company's Web sites and e-mail communications. ProfitBricks may use information from web beacons in combination with Data About ProfitBricks Customers to provide you with information about the Company and the Service.

IP Addresses

When you visit ProfitBricks's Web sites, the Company collects your Internet Protocol ("IP") addresses to track and aggregate non-personally identifiable information. For example, ProfitBricks uses IP addresses to monitor the regions from which Customers and Visitors navigate the Company's Web sites.

ProfitBricks also collects IP addresses from Customers when they log into the Service as part of the Company's "Identity Confirmation" and "IP Range Restrictions" security features.

Third-Party Cookies

From time-to-time, ProfitBricks engages third parties to track and analyze non-personally identifiable usage and volume statistical information from individuals who visit the Company's Web sites. ProfitBricks may also use other third-party cookies to track the performance of Company advertisements. The information provided to third parties does not include personal information, but this information may be re-associated with personal information after the Company receives it. This Privacy Statement does not cover the use of third-party cookies.

5. PUBLIC FORUMS, REFER A FRIEND, AND CUSTOMER TESTIMONIALS

ProfitBricks may provide bulletin boards, blogs, or chat rooms on the Company's Web sites. Any personally identifiable information you choose to submit in such a forum may be read, collected, or used by others who visit these forums, and may be used to send you unsolicited messages. ProfitBricks is not responsible for the personally identifiable information you choose to submit in these forums.

Customers and Visitors may elect to use the Company's referral service to inform friends about the Company's Web sites. When using the referral service, the Company requests the friend's name and e-mail address. ProfitBricks will automatically send the friend a one-time e-mail inviting him or her to visit the Company's Web sites. ProfitBricks does not store this information.

ProfitBricks may post a list of Customers and testimonials on the Company's Web sites that contain information such as Customer names and titles. ProfitBricks obtains the consent of each Customer prior to posting any information on such a list or posting testimonials.

6. Sharing of Information Collected

ProfitBricks may share Data About ProfitBricks Customers with the Company's agents so that these agents can contact Customers and Visitors who have provided contact information on our behalf. ProfitBricks may also share Data About ProfitBricks Customers with the Company's agents to ensure the quality of information provided. ProfitBricks does not share, sell, rent, or trade personally identifiable information with third parties for their promotional purposes.

ProfitBricks uses a third-party intermediary to manage credit card processing. This intermediary is not permitted to store, retain, or use Billing Information except for the sole purpose of credit card processing on the Company's behalf.

ProfitBricks reserves the right to disclose personally identifiable information of the Company's Customers or Visitors if required by law or if the Company believes, in its sole discretion, that disclosure is necessary to protect the Company's rights and/or to comply with a judicial proceeding, court order, subpoena, request of a governmental or regulatory body, or other legal process or authority.

7. COMMUNICATIONS PREFERENCES

ProfitBricks offers Customers and Visitors who provide contact information a means to choose how the Company uses the information provided. You may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of the Company's marketing e-mails. Additionally, you may send a request specifying your communications preferences to support-us@ProfitBricks.com. Customers cannot opt out of receiving transactional e-mails related to their account with ProfitBricks or the Service.

8. CORRECTING AND UPDATING YOUR INFORMATION

Customers may update or change their registration information by editing their user or organization record. To update a user profile or your organization information, or to update your Billing Information please log in to <http://www.ProfitBricks.com> with your ProfitBricks user name and password. To discontinue your account and to have information you maintained in the Service returned to you, please e-mail support-us@ProfitBricks.com or call 866-936-0764. Requests to access, change, or delete your information will be handled within 30 days.

9. CUSTOMER DATA

ProfitBricks Customers use the Service to host data and information (“Customer Data”). ProfitBricks will not review, share, distribute, or reference any such Customer Data except as provided in the ProfitBricks General Terms & Conditions of Service or as necessary to protect the Company's rights and/or to comply with a judicial proceeding, court order, subpoena, request of a governmental or regulatory body, or other legal process or authority. Individual records of Customer Data may be viewed or accessed only for the purpose of resolving a problem, support issues, or suspected violation of the ProfitBricks General Terms and Conditions of Service, or as may be required by law. Customers are responsible for maintaining the security and confidentiality of their ProfitBricks user names and passwords.

10. Security

ProfitBricks uses robust security measures to protect Customer Data from unauthorized access, maintain data accuracy, and help ensure the appropriate use of Customer Data. These technologies help ensure that Customer Data is safe, secure, and only available to the Customer to whom the information belongs and those to whom the Customer has granted access. ProfitBricks hosts its Web sites in a secure server environment that uses firewalls and other advanced technology to prevent interference or access from outside intruders. ProfitBricks also offers enhanced security features within the Service that permit Customers to configure security settings to the level they deem necessary.

Because ProfitBricks uses the Service to maintain Data About ProfitBricks Customers, this information is secured in the same manner as described above for Customer Data.

11. Changes to this Privacy Statement

ProfitBricks reserves the right to change this Privacy Statement in accordance with Section 2.1 of the ProfitBricks General Terms and Conditions of Service.

12. Contacting Us

Questions regarding this Privacy Statement or the information practices of the Company's Web sites should be directed to ProfitBricks Privacy at legal@profitbricks.com or by mailing ProfitBricks Inc.:

Profitbricks Inc.
Attn: PRIVACY
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Cambridge MA 02139

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