

# Mersive - Privacy Policy

## Privacy Policy

Updated: Oct 30, 2018

This privacy policy is designed to help you understand how Mersive Technologies, Inc. (“Mersive”, “we”, “us” or “our”) collects, uses and shares your personal information.

## What this privacy policy covers

This privacy policy applies to our collection, use and sharing of personal information when you visit our website at [www.Mersive.com](http://www.Mersive.com) and any other website to which this privacy policy is posted; use our products, including our hardware, mobile applications and desktop clients; or receive our marketing communications. For convenience, we refer to our websites and our services collectively as the “Products”.

If you reside in the European Economic Area (“EEA”) or Switzerland, you may have additional rights with respect to your personal information, as further outlined in the Notice to European Users section below.

If you reside in California, you may have additional rights with respect to your personal information, as further outlined in the Your California Privacy Rights section below.

## Collection of your personal information

Information you provide.

Personal information you provide to us when you use or otherwise interact with our Products includes:

- Name
- Title
- Email address
- Username and password
- Home/work/mobile telephone number
- Postal or other physical address
- Credit/debit card information
- Geolocation information of your mobile device, when you authorize us to access it in your mobile device’s settings
- Device information

You provide this personal information to us in connection with the below activities related to our Products:

- Account registration
- Use of certain features of our Products
- Requesting service and support for our Products
- Placing transactions or orders
- Registering to attend a seminar or webinar
- Participating in an online survey
- Billing and collecting payments for our Products
- Participating in discussion groups or forums
- Registering for newsletter subscriptions

#### Information automatically collected.

Mersive and our third party service providers automatically collect some information about you when you use our Products, using methods such as cookies and tracking technologies (further described below and as described in more detail on the cookie notice on our site). Information automatically collected may include Internet protocol (IP) addresses, browser type, Internet service provider (ISP), device type, device identifier (UDID), referring/exit pages, the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, date/time stamp, clickstream data and other Product usage information.

#### Information collected from social networking sites.

If you use a social networking site (“SNS”) (e.g., Facebook) to create an account for our Products or to login to our Products, you will be asked to enter your SNS credentials, and we may receive information from the SNS for you to do so. Any information that we collect from your SNS account may depend on the privacy settings you have with that SNS, so please consult the SNS’s privacy and data practices. If you wish to disconnect your SNS profile from the Products, you can edit privacy settings that appear on the SNS, but doing so may terminate your ability to access the Products.

#### Information collected from others.

We may collect information about you, such as your name and email address, from our business partners. We will use and share such information in accordance with this Privacy Policy.

#### Sensitive personal information.

We do not intentionally collect any sensitive personal information (e.g., social security numbers, information related to racial or ethnic origin; political opinions, religion or other beliefs; health, biometrics or genetic characteristics; criminal background or union membership) through the Products or otherwise, but, if you provide it to us, you must consent to our use of this information as described in this Privacy Policy.

## Use of your personal information

We process information you provide to us and we collect about you:

- To provide the Products
- To process your orders and deliver the Products that you have ordered
- For research and development
- To create anonymous data
- To keep you up to date on the latest Product announcements, software updates, software upgrades, system enhancements, special offers, and other information
- To provide support and assistance for our Products
- To create personal profile areas and view protected content
- To provide customer feedback and support
- To provide and administer opt-in contests, sweepstakes or other marketing or promotional activities on our websites or others
- To conduct questionnaires and surveys in order to provide better products and services to our customers and end users
- To contact individuals that you refer to us and identify you as the source of the referral, in accordance with the “Referral” section below
- To meet contractual or legal obligations
- To investigate violations of our Terms of Use and protect our and others’ rights
- To investigate unethical, unauthorized, fraudulent or illegal activity

## Sharing your personal information

We do not sell or rent your personal information to third parties for marketing purposes unless you have granted us permission to do so. We only share your personal information with third parties in the following circumstances:

**Forums and chat rooms.** If you participate in a Mersive discussion forum or chat room, the information you provide will be made broadly available to others—potentially inside or outside Mersive—who have access to that discussion forum or chat room.

**Service providers.** We share your personal information with third party service providers for purposes such as data and order processing, storage, payment processing, event registration and customer support. We provide these third parties with limited access to your information that is reasonably necessary for them to provide their services.

**Business transfers.** We may sell, transfer or otherwise share some or all of our business or assets, including your personal information, in connection with a business deal (or potential business deal) such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.

**For compliance with law.** As required by law, we may respond to subpoenas, court orders, or similar legal process by disclosing your personal information and other related information, if necessary. We also may use personal information and other related information to establish or exercise our legal rights or defend against legal claims.

## **Linked websites and third party services**

Our websites and services may provide links to other third-party websites and services which are outside our control and not covered by this policy. We encourage you to review the privacy policies posted on these (and all) sites you visit or services you use.

## **Choice**

You can choose whether to provide personal information to Mersive, but you may be unable to access certain options, offers, and services if they require personal information that you have not provided. If you would like to discontinue receiving marketing communications, you can update your preferences by using the “Unsubscribe” link found in such emails or by contacting us using the information in the “Contact Us” section of this policy. You may continue to receive administrative messages from us.

## **Cookies and similar technologies**

Mersive and our partners use cookies or similar technologies to analyze trends, administer the website, track users’ movements around the website and other sites and online services over time, and gather information about our user base. Users can control the use of cookies at the individual browser level. For more information regarding cookies or similar technologies, please review our cookies notice on our site.

Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites, web applications and services (including behavioral advertising services) that you do not wish such operators to track certain of your online activities over time and across different websites. Our Products do not support Do Not Track requests at this time.

## **Security of your personal information**

We utilize a combination of security technologies, procedures, and organizational measures to help protect your personal information from unauthorized access, use or disclosure. For example, when we transfer credit card information over the Internet, we protect it using Secure Sockets Layer (SSL)

encryption technology. However, security risk is inherent in all internet and information technologies and we cannot guarantee the absolute security of your personal information.

## **Your California Privacy Rights**

California residents are entitled to ask for and obtain from us once a year and free of charge a list identifying all third parties to which we have disclosed certain information during the preceding calendar year for the third parties' direct marketing purposes. If you are a California resident and would like such a list, please submit a written request to the address below. For all requests, you must put the statement "Your California Privacy Rights" in the message field of your request, as well as your name, street address, city, state, and zip code. Please note that we will not accept these requests by telephone, mail or fax, and we are not responsible for notices that are not labeled or sent properly, or that do not have complete information.

## **Changes to this Privacy Policy**

We reserve the right to modify this Privacy Policy at any time. If we make changes to this Privacy Policy we will post them on the site and indicate the effective date of the change. If we make material changes to this Privacy Policy we will notify you by email or through the Products.

## **Contact Us**

To address your individual rights or if you have any privacy-related questions or comments related to this privacy policy, please send an email to [support@mersive.com](mailto:support@mersive.com). You can also contact us by writing to this address:

Mersive Technologies, Inc.

2399 Blake Street, Suite 150

Denver, CO 80205

## **Notice to European users**

The following applies to individuals in the European Economic Area and Switzerland.

**Controller.** Mersive Technologies, Inc. is the controller of your personal information covered by this privacy policy for purposes of European data protection legislation.

**Legal bases for processing.** Our legal basis for processing the personal information described in this Privacy Policy will depend on the type of personal information and the specific context in which we process it. However, the legal bases we typically rely on are set out in the table below. If you have questions about the legal basis of how we process your personal information, contact us at [privacy@mersive.com](mailto:privacy@mersive.com).

Processing purpose	Legal basis
To provide the Products	You have entered a contract with us and we need to use your personal information to provide services or products you have requested or take steps that you request prior to providing services or products.
For research and development To process your orders and deliver the Products you order To communicate with you regarding our Products, special offers and other information To create personal profile areas and view protected content To provide customer feedback and support To provide and administer surveys, contests, sweepstakes and other promotional activities To create anonymous data For compliance, fraud prevention and safety To investigate violations of our Terms of Use and protect ours and others' rights To investigate unethical, unauthorized, fraudulent or illegal activity To contact individuals you refer to us	These activities constitute our legitimate interests. We do not use your personal information for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law).
For compliance with law	Processing is necessary to comply with our legal obligations.
With your consent	Processing is based on your consent. Where we rely on your consent you have the right to withdraw it anytime in the manner indicated in the Products.
To share your personal information as described in this Privacy Policy	This sharing constitutes our legitimate interests, and in some cases may be necessary to comply with our legal obligations.

**Retention.** We retain personal information where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested; to comply with applicable legal, tax or

accounting requirements; to establish or defend legal claims; or for fraud prevention). When we have no ongoing legitimate business need to process your personal information, we will either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

**Your Rights.** European data protection legislation gives you certain rights regarding your personal information. You may ask us to take the following actions in relation to your personal information that we hold:

- **Access:** You can request more information about the personal information we hold about you. You can also request a copy of the personal information.
- **Rectification:** If you believe that any personal we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data. You can also correct some of this information directly by logging into your service account. Please contact us as soon as possible upon noticing any such inaccuracy.
- **Objection:** You can object to the collection or use of your personal information for certain purposes.
- **Erasure:** You can request that we erase some or all of your personal information from our systems.
- **Restriction of Processing:** You can ask us to restrict further processing of your personal information.
- **Portability:** You can request a copy of your personal information in a machine-readable format. You can also request that we transmit the data to another entity where technically feasible.
- **Withdrawal of Consent:** If we are processing your personal information based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note that if you withdraw consent to use personal information on which the functionality of the Product depends, that functionality may be unavailable to you.

**To make these requests, contact us using the contact details referred to in the “Contact Us” section of this policy. We may request specific information from you to help us confirm your identity and process your request. Applicable law may require or permit us to decline your request. If we decline your request, we will tell you why, subject to legal restrictions. If you would like to submit a complaint about our use of your personal information or our response to your requests regarding your personal information, you may contact us or submit a complaint to the data protection regulator in your jurisdiction. You can find your data protection regulator [here](#).**

#### **Cross-Border Data Transfer**

If we transfer your personal information from the European Economic Area to a country outside of it and are required to apply additional safeguards to your personal information under European data protection

legislation, we will do so. Please contact us for further information about any such transfers or the specific safeguards applied.