

PRIVACY POLICY

Pier 2 Marketing, LLC (“**Pier 2**”) is committed to protecting your privacy when using our Portal. (Pier 2 may also be referred using the pronouns “we,” “us,” or “our”.) This Policy explains how we handle data, including what we collect and how we obtain it, how we use it, when and if we disclose it, and some of your options for managing your data. It covers all data you provide to us, as we describe below. Personal Data (as defined below) will only be disclosed by Pier 2 in the ways stated in this Policy.

DEFINITIONS. The following capitalized terms have the following meanings when used in this Policy.

“**Customer**” means the person or entity that signed up for the Pier 2 account.

“**Host**” means a User who can host meetings under Customer’s account.

“**Personal Data**” means information that can be used to identify or be reasonably associated with a specific person.

“**Participant**” means anyone who participates in an event hosted on the Pier 2 Portal.

“**Portal**” means Pier 2’s website including the computer hardware, software, and other tangible equipment and intangible computer code necessary to deploy and serve Pier 2’s SaaS services.

“**User**” means anyone who uses the Portal and can mean the Host or a Participant.

KINDS OF DATA WE COLLECT, HOW WE COLLECT IT, AND HOW WE USE IT.

Services Provided through the Portal. Pier 2 obtains data when you use the Portal to allow us to deliver our services and provide a better experience for you. The categories of data Pier 2 obtains when you use the Portal includes data you provide to us as well as data that the Portal collects from you.

Data You Give Pier 2. This data includes data you or another User provides in a virtual event and consists of the following:

- Information that identifies you
 - Customer name, billing name, address, and payment method that Pier 2 uses to create your Customer account and provide you with Pier 2 services
 - Your employer may require the use of one or more of the following: Your name, username, password, email address, employee ID, phone number that Pier 2 uses to communicate with you and provide you access to the Portal
- Other account data
 - Your phone number, password, title, and department that Pier 2 uses to provide you with Pier 2 services
- Customer content uploaded by you or other Users
 - Chat/forum instant messages, raffle entries, and other information shared through the Portal that Pier 2 uses to store chat logs

Data Collected by the Portal

- Technical information about your devices, network, and internet connection that Pier 2 uses to connect you to and optimize your experience with the Portal, provide Customer reports, respond to requests for support, monitor performance of data centers and networks, and to conduct anonymized, aggregated analytics to improve Portal performance.
 - IP address, MAC address, other device id (UDID), device type, operating system, operating system version, client version, and connection type
- Approximate location that Pier 2 uses to connect you to the nearest data center, comply with privacy laws, suggest choices for language preferences, and monitor performance of data centers and networks
 - Location to the nearest city
- Information about how you use the Portal so Pier 2 can respond to requests for support, optimize your Portal experience, and conduct anonymized, aggregated analytics to improve Portal performance
 - Mobile client or desktop
- Metadata to allow Pier 2 to provide Customer reports and respond to requests for support
 - Duration of the event attendance
 - Join and leave time of Participants
 - Name of the event

Data You Can Choose to Provide

- Information that identifies you to allow Pier 2 to create an account for you and to respond to requests from you
 - Your name, username, password, email address, employee ID, phones number
- Information about your job to allow Pier 2 to provide you with tailored information and respond to requests from you
 - Your company, your title, your department, your work location, your employee group, or other similar segments required by your employer.

Data We May Obtain about You

- Data collected through tools such as Google analytics to allow Pier 2 to analyze Portal usage and improve your experience
- Data collected through the use of cookies and pixels to allow you to do things like share pages, track raffle entries

Additional Data Uses

Specific requests. In addition to the uses described above, we may also receive data from you for specific purposes. When you give it to us, we use the data for that specific purpose, such as, to keep you up-to-date on the latest Pier 2 announcements, software updates, upgrades, system enhancements, special offers, raffle entries, and other information.

Compliance with legal obligations. We use data to detect, investigate, and stop fraudulent, harmful, unauthorized, or illegal activity. We also use data to comply with our contractual and legal obligations, resolve disputes, and enforce our agreements, if needed.

Revised June 4, 2020

Disclosures

During use of the Portal. When you use our Portal, some data will be disclosed to your employer. For example, if you participate in an event hosted through the Portal, your name, email address, phone number or employee ID may appear in an attendee list. If you send out a chat or share content, that can be viewed by other Users in the chat, forum or ask a question.

Customer context, dashboards, and reports. Customer content, including information shared during an event, information about the Participants, and any chat, forum, ask a question content, belongs to the Customer. Customers may use this content, which may include personal data about the Participants, for their own purposes. Customers may also receive data we collect (for example, Participant names) when they generate reports for themselves.

At the direction of our Customers. As described below, under the EU's GDPR, Pier 2 is a Processor of customer content and Personal Data that our Customers may put into our systems when they use the Portal. Our Customers are the Controllers. We follow Customers' directions regarding this data and may store it, delete it, or disclose it at their direction.

Legal disclosures. We may also disclose data when we respond to valid legal process. Pier 2's policies regarding compliance with valid legal process preclude cooperation where a government does not have jurisdiction. Pier 2 may also disclose data when reasonably necessary to preserve our legal rights.

Third-party service providers. We may use third-party service providers to help us provide portions of the Portal and to give support. Examples of these third-party service providers include cloud-computing platforms (such as Amazon Web Services, Microsoft Azure, and Google Cloud Platform), our payment processor, and our payment processor. These third parties will only receive data that is necessary for them to provide their services. Pier 2 has agreements with our service providers to ensure they will not use any of this data for their own purposes or for purposes of another third party. We prohibit our service providers from selling data they receive from us or receive on our behalf. We require service providers to use data only in order to perform the services we have hired them to do (unless otherwise required by law).

OUR HANDLING OF YOUR DATA.

Pier 2 Does Not Sell Your Data. We do not allow marketing companies, advertisers, or similar companies to access Personal Data in exchange for payment. We do not allow any third party to use any Personal Data obtained from us for their own purposes, unless you consent. When you register for an event as a Participant, you provide your data to the Customer, and, if required, any consent that you give about your data would be to them, as well. Pier 2 may keep the data about your registration in order to facilitate the event but Pier 2 does not use or share that data other than to provide services.

Data Retention. Pier 2 will retain Personal Data for as long as required to do what we say we will do in this Policy, unless a longer data retention period is required by law. Customers can delete their own content.

Transfer and Storage of Personal Data. Pier 2 generally stores data in the United States, though through our global data centers, data may come in from wherever Users are located. We may transfer your data to the US, or to third parties acting on our behalf, for the purposes of processing or storage. Customers may choose to have their data stored outside the US, for example, they may choose to have their data stored in their geographic vicinity. We may store local data locally in order to comply with specific local laws and regulations. By using the Portal, or providing Personal Data for any of the purposes stated above, you consent to the transfer and storage of your Personal Data in the US, or other location as direct by our Customer. In certain limited circumstances, courts, law enforcement agencies, regulatory agencies, or security authorities in those other countries may be entitled to access your Personal Data.

Security of Your Personal Data. Pier 2 is committed to protecting your Personal Data. We use a combination of industry-standard security technologies, procedures, and organizational controls and measures to protect your data from unauthorized access, use, or disclosure.

Your Responsibility. We recommend you take every precaution in protecting your data when you are on the Internet. For example, you should change your passwords often, using a combination of upper- and lower-case letters, numbers, and symbols when creating passwords, and make sure you are using a secure browser.

Data Subject Rights.

Generally, when we obtain Personal Data, we do so on behalf of our Customers. For purposes of GDPR and CCPA, our Customer is the Controller (decision maker) for the Personal Data and we are the Processor (acting as a service provider) for, and at the direction of, our Customer. "Processing" means doing something with the data. We are typically required to follow a Customer's instructions about Personal Data we hold for that Customer.

There are certain requests you can make related to Personal Data about you. We will respond to these requests as permitted by applicable laws.

Below are some of the legal rights you may have with respect to your Personal Data (depending on where you reside):

- *Access:* You can request more information about the Personal Data we hold about you. You can request a copy of your Personal Data.
- *Rectification:* If you believe that any of the Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement the data. You can also correct some of this information by directly logging into to your account, if you are a Customer.
- *Objection:* You can let us know that you object to the collection or use of your Personal Data for certain purposes.
- *Erasure:* You can request that we erase some of your Personal Data.
- *Restriction of Processing:* You can ask us to restrict further processing of your Personal Data (i.e., you can ask us to stop using it for the things we have been using it for). This may require us to delete your account.
- *Portability:* You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to someone else, where it is technically possible.
- *Withdrawal of Consent:* If we are processing your Personal Data based on consent you gave us when we got the data, you may have the right to withdraw your consent at any time.

Revised June 4, 2020

- *Right to File a Complaint:* You have the right to lodge a complaint about our practices with respect to your Personal Data with the supervisory authority of your country or EU Member State.

We will not be able to fulfill your request (a) if your request prevents us from complying with our regulatory obligations or impacts other legal matters, (b) if we cannot verify your identity, or (c) if it requires extraordinary cost or effort. If we are unable to fulfill your request, we will give you an explanation within a reasonable timeframe.

To make a request, please contact our Privacy Team at: support@pier2marketing.com

If you have a password-protected Pier 2 account, we will use your account information to verify your identity. If not, we will ask you to provide additional verification information. The information we request will depend on the nature of your request, the sensitivity of the information, and the harmfulness that unauthorized disclosure or deletion would cause.

Additional Information about Specific Regulations

Residents of the European Union (EU), United Kingdom, Lichtenstein, Norway, Iceland, or Switzerland. If you reside in the European Union (EU), United Kingdom, Lichtenstein, Norway, Iceland, or Switzerland, you may have legal rights with respect to your Personal Data, including those set forth under the EU's General Data Protection Regulation (GDPR). GDPR requires we have a "basis" for processing your data. We process your Personal Data (a) with your consent (where applicable), (b) to perform a contract with a Customer, and (c) for other legitimate interests and business purposes.

Residents of the State of California. If you reside in California, you may have legal rights with respect to your Personal Data, including those set forth under the California Consumer Privacy Act (CCPA). If you are a California resident, you can request information about both the categories and specific pieces of data we have collected about you in the previous twelve months, the reason we collected it, the category of entities with whom we have shared it, and the reason for the disclosure. Pier 2 is prohibited from discriminating against California consumers that choose to exercise their privacy-related rights under CCPA.

EU-US Privacy Shield and Swiss-US Privacy Shield

Pier 2 participates in and has certified its compliance with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield. Pier 2 is committed to subject all Personal Data received from UE Member Countries, Switzerland, and the United Kingdom, in reliance on the Privacy Shield Frameworks to the Framework's applicable principles. To learn more about the Privacy Shield Frameworks, and to view our certification, visit the US Department of Commerce's Privacy Shield List, <https://www.privacyshield.gov/list>.

Pier 2 is responsible for the processing of Personal Data it receives under the Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf. Pier 2 complies with the Privacy Shield Principles for all onward transfers of Personal Data from the EU, Switzerland, and the United Kingdom, including the onward transfer of liability provisions.

Revised June 4, 2020

With respect to Personal Data received or transferred pursuant to the Privacy Shield Frameworks, Pier 2 is subject to the regulatory enforcement powers of the US Federal Trade Commission. In certain situations, Pier 2 may be required to disclose Personal Data in response to valid and lawful requests by public authorities or pursuant to requests from law enforcement.

In certain cases, Pier 2 will transfer personal data from the EU in accordance with the European Commission-approved Standard Contractual Clauses, a copy of which can be obtained at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32010D0087>

AMENDMENTS TO THIS POLICY

We may change this Policy at any time, without prior notice to you, by posting a new version on this page or on a successor page. The new version will become effective on the date it's posted, which will be listed at the top of the page as the new Revised date. Your continued use of the Portal is your acceptance of the new terms of the Policy.

If we make any modifications to this Policy that are materially less restrictive with regard to our use or disclosure of your Personal Data, Pier 2 shall notify you and ask for your permission before continuing use of your Personal Data under these new terms.

CONTACT US

If you have any privacy-related questions or comments related to this Policy, please send an email to support@pier2marketing.com.