

# Buddy Privacy Policy

Effective Date: September 22, 2011



Buddy offers a set of web services to mobile application developers to help them build better apps. As such, our customers are typically developers, and are not usually consumers or end users of mobile apps. Buddy's customers use our Site and Services to build and offer mobile apps to consumers,

This Privacy Policy applies to [www.buddy.com](http://www.buddy.com) (the "Site") which is operated by Buddy Platform, Inc. ("us," we," "our" or "Buddy"), and to the Buddy technology and other mobile services provided by Buddy (collectively, the "Services). At Buddy, we recognize and respect your privacy. This Privacy Policy explains how we collect, use and disclose personally identifying information about individuals ("Personal Information") gathered through our Site and Services. Buddy also offers mobile apps through Buddy Studios. However, each Buddy Studios app has its own privacy policy, which is viewable inside the app; this Privacy Policy **does not** apply to Buddy Studios or Buddy Studios apps.

In this Policy, the following definitions apply in this Privacy Policy:

- The term "**Customer**" means a customer of Buddy who is a user of the Site and a subscriber of the Services.
- The term "**End User**" means an end user of one of the mobile apps developed by a Buddy Customer.

We may collect certain Personal Information from Customers. Through the provision of our Services, we may also receive Personal Information about End Users who use any of our Customer's mobile apps. This Privacy Policy applies to how Buddy uses and discloses the Personal Information it collects or receives through the Site or Service.

**This Privacy Policy does not apply to the collection, use or disclosure of Personal Information about End Users by our Customers – we have no control over our Customer's information privacy practices.** You should check the Privacy Policy of any mobile app that you download for information about how that app developer collects, uses and discloses Personal Information.

The Privacy Policy is subject to and incorporates by reference our Terms of Use, including their limitation on liability. To review the Terms of Use, visit <http://www.buddy.com/Pages/TermsOfService.aspx>.

## Personal Information We Collect and Receive

### About our Customers

Customers may browse our Site without creating an online account, but to use our Services you are required to create an account. When you create an account with us, we collect:

- your name and contact information;
- the name of your business or company;
- an email address and password, which you will use to access your account;
- your payment and billing information, which we use to bill you for the Services and to process your payments;
- and
- other optional information.

We also collect information about our Customers' use of the Services, including their order and billing history, Services usage and other information.

### About Visitors to our Site

We automatically collect through our Site and Services, information that is often not personally identifiable, such as the website from which visitors came to our Site, IP address, browser type and other information relating to the device through which they access the Site. We may combine this information with the Personal Information we have collected about Customers.

### **About Mobile App End Users**

While we do not directly collect any information from End Users, we may receive Personal Information about End Users that use our Customers' mobile apps. In order to provide our Services to Customers, each End User of one of our Customer's mobile apps is assigned a unique identification number, which is used to distinguish amongst individual app users. We also receive information about the type of mobile device an End User is using, as well as the date and time the End User installs, accesses and/or uses a Customer's mobile app.

In addition, our Customers may, through their mobile apps, collect additional information from End Users such as name, e-mail address, gender, location information and other information. Depending upon how our Customers manage their mobile apps, we may receive this End User information and store it on behalf of our Customers, along with the unique identification number we have assigned to that End User.

**Please note that we maintain End User Personal Information only on behalf of our Customers – This information belongs to our respective Customers, not to Buddy. As noted above, our Customers' collection, use and disclosure of End User Personal Information is not governed by this Privacy Policy.**

### **How We Use Personal Information**

We use the Personal Information you provide us online for the following types of purposes:

- to provide our products and Services to Customers, including to generate aggregate reports for Customers about mobile app usage;
- to respond to requests or inquiries from Customers, to communicate with Customers about their accounts or orders, and for similar customer-service-related purposes;
- to process Customer payments (currently we use PayPal as our payment processor) and to assess charges for our Services;
- to effectuate or enforce a transaction or agreement with a Customer;
- to tailor the information we send or display to Customers;
- to provide Customers with information about our company or Services that we believe may be of interest, including to send marketing and promotional e-mails;
- to improve our Site, offerings or Services and to better understand how Customers access and use our Site and Services, on an aggregated and individualized basis.

Notwithstanding anything else in this Privacy Policy, we also may use in aggregate or non-personally identifying information about Customers or End Users for market analysis, research, marketing or other purposes.

### **How We Disclose Personal Information**

We may disclose any of the Personal Information we collect or receive through our Site and Services as follows:

- to our contractors or service providers who provide services or perform functions on our behalf;
- in response to a subpoena or other legal process by a governmental entity or third party, or if otherwise required by law;
- to protect or enforce our rights or property;
- in the event of the sale or dissolution (bankruptcy) of assets, in whole or in part, of Buddy or any of its affiliates; and
- to our affiliates and subsidiaries, for purposes consistent with this Privacy Policy.

Further, we may disclose End User Personal Information to the Customer who owns such information. As noted above, End User Personal Information belongs to the Customer whose mobile app was used to collect such information, not to Buddy. Notwithstanding anything else in this Privacy Policy, our Customers may freely access, view and download any End User information belonging to them, and we have no control over their collection, use or disclosure of this information.

In addition, we may share aggregate or non-personally identifying information with third parties for marketing, advertising, research or other purposes.

We will not disclose your Personal Information to any third parties for such third parties' own marketing purposes, unless we first receive your consent.

## **Cookies and Analytics**

When you interact with our Site, we strive to make your experience easy and meaningful. We or our third party service providers may use cookies, web beacons (clear GIFs, web bugs) and similar technologies to track site visitor activity and collect site data. We may combine this data with the Personal Information we have collected from Customers.

**Cookies.** We (or our third party service providers) use cookies to track visitor activity on the Site. A cookie is a text file that a website transfers to your computer's hard drive for record-keeping purposes. Our cookies assign a random, unique number to each visitor's computer. They do not contain information that would personally identify the visitor, although we can associate a cookie with any identifying information that is or has been provided by a Customer while visiting our Site. We or our third party service providers use cookies that remain on your computer for a specified period of time or until they are deleted (persistent cookies). These cookies record clickstream information (data reporting the URLs, or names of the pages, on our Site that have been visited). We may also use cookies that exist only temporarily during an online session (session cookies) – these cookies allow you to log in to your account and they allow us to identify you temporarily as you move through the Site. Most browsers allow users to refuse cookies, but doing so may impede the functionality of some portions of our Site.

**Web Beacons.** Web beacons are tiny graphics with a unique identifier, similar in function to cookies, that are used to track the online movements of Web users. In contrast to cookies, which are stored on your computer's hard drive, Web beacons are embedded invisibly on webpages and may not be disabled or controlled through your browser.

**Third Parties.** As noted, we may also engage third parties, including Google Analytics, to track and analyze Site activity on our behalf. To do so, these third parties may place cookies or web beacons to track user activity on our Site. We use the data collected by such third parties to help us administer and improve the quality of the Site and to analyze usage of the Site.

## **Third-Party Links**

At times, our Site may contain links to other, third-party websites. Any access to and use of such linked websites is not governed by this Privacy Policy, but, instead, is governed by the privacy policies of those third party websites. We are not responsible for the information practices of such third party websites.

## **Marketing Communications**

We may send you emails from time-to-time, about information that we believe may be of interest to you. We may also send you news and offers from us or other third parties, which may include our newsletter or information about special offers, products or offerings, or other items.

If, at any time, you would like to stop receiving these promotional e-mails, you may follow the opt-out instructions contained in any such e-mail. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt-out of receiving emails or promotions from us, we still may send you e-mail about your account, your account or any Services you have requested or received from us, or for other customer service purposes.

## **Consent to Transfer Information to the United States**

If you are located outside of the United States, please note that information we collect or receive will be transferred to and processed in the United States. By using our Site and Services, you consent to the transfer and processing of

your Personal Information in the United States, which does not have data protection laws that provide the same level of protection that exists in countries in the European Economic Area. Your consent is voluntary. If, however, you do not consent, we will not be able to provide you with our Services.

## **Security**

We use commercially reasonable physical, technical and administrative measures to protect the security of the Personal Information that we collect or receive, including, where appropriate, password protection, encryption, and SSL to protect our Site and the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our best efforts, no data security measures can guarantee 100% security all of the time.

## **Changes To This Privacy Policy**

We may change this Privacy Policy from time to time. You should check <http://www.buddy.com/Pages/UserPrivacy.aspx> periodically to review our current Privacy Policy, which is effective as of the effective date listed above. Your use of any of our Site and Services constitutes your acceptance and understanding of the Privacy Policy as in effect at the time of your use. If we make any changes to this Privacy Policy that materially affect our practices with regard to the Personal Information we have previously collected from you, we will endeavor to provide you with notice in advance of such change by highlighting the change on the Site, or where practical, by emailing Customers.

## **How To Contact Us**

Questions? You may contact us with any questions or concerns about this Privacy Policy at [privacy@buddy.com](mailto:privacy@buddy.com).