



# INTERMEDIA®

## PRIVACY POLICY\*

**In this Privacy Policy, “Intermedia” means Intermedia Technologies Company Ltd.**

### **What is the Purpose of this Privacy Policy?**

Intermedia created this Privacy Policy to demonstrate our firm commitment to the privacy of our customers, private label resellers and affiliates. This Privacy Policy sets forth our practices regarding the gathering and dissemination of Information (as defined below).

### **How does Intermedia define “Information” under this Privacy Policy?**

In this Privacy Policy, “Information” means the following:

- information collected from you through access to or use of Intermedia’s websites; and
- if you are a current customer of Intermedia,
  - your Data, if and as such term is defined in your Master Services Agreement with Intermedia (the “Agreement”); and
  - if your Agreement does not define the term “Data”, any information collected through your and your users’ access to or use of our platform or services (the “Services”), including as the term “Services” is defined in the Agreement.

**If you have an Agreement with Intermedia, (i) any conflict or inconsistency between this Privacy Policy and Intermedia’s confidentiality obligations to you under the Agreement shall be resolved in favour of the Agreement and (ii) any reference to “you” in this Privacy Policy shall also refer to any individual or entity using Services under your account with Intermedia.**

***By visiting our websites or using our Services, you accept and consent to the practices set forth in this Privacy Policy on behalf of you and your users.***

### **What is the Scope of this Policy?**

This Privacy Policy only covers Information collected by Intermedia. Intermedia's websites may, from time to time, contain links to third party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that Intermedia does not accept any responsibility or liability for these policies. Please check these policies before you submit any data to these websites.

### **What are Intermedia’s Guidelines Regarding Children?**

Intermedia requires that all account holders be 18 years of age or older. In addition, our websites and Services are not designed for or directed to children under the age of 18, and Intermedia will not intentionally collect or maintain data about any person under the age of 18. If you believe Intermedia has collected any data from or about any person under 18, please contact us immediately.

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\* This Privacy Policy was previously referred to as the Privacy Statement.



# INTERMEDIA®

## **How Does Intermedia Use Cookies?**

We use cookies to retain your session states when you are logged into our administrative control panels. You may opt out of the use of cookies by turning them off in your web browser. However, the use of cookies is necessary for the use of the administrative control panels and other Services. Unless you have adjusted your web browser setting so that it will refuse cookies, our system will issue cookies when you log into our administrative control panels. Please note that any of our advertisers also may use cookies, over which we have no control.

## **What about My Use of Intermedia Forums?**

Intermedia may make chat rooms, forums, message boards, news groups and similar media, including social media, available to you. Please remember that any Information that is disclosed in these areas may become public and you should exercise caution when deciding to disclose any Information in any of these areas.

## **What Kind of Information Does Intermedia Collect?**

Intermedia may collect the following Information about you:

- personal and non-personal information that you voluntarily provide when using our websites or Services, including contact information (such as name, address, email address and telephone number), financial information and other information;
- any Data required to provide the Services to you, including the content of e-mail and other material you use in connection with the Services;
- information collected during your visits to our websites or your use of our Services, including, but not limited to, traffic data, location data, IP address, your computer's operating system and browser type, weblogs and other communication and technical data; and
- information about your general Internet usage collected by using a cookie file which is typically stored on the hard drive of your computer. Please see the "Cookies" section below for a further explanation.

## **How Does Intermedia Use, Store and Retain Information?**

Intermedia may use, store and retain Information in the following ways:

- to provide you with information regarding the status of your account, to determine your tax (including VAT) status, and to bill you for our Services;
- to provide you with information and Services that you request from Intermedia and to carry out Intermedia's obligations arising from any agreement entered into between you and Intermedia, including the Agreement;
- to administer, test, analyse and improve Intermedia's Services and to facilitate marketing, including providing you with information about available Services and related products and services;
- to gather broad demographic and statistical information and to report aggregate information to Intermedia's advertisers and partners; and
- to notify you about changes to the Services.



# INTERMEDIA®

If you are an existing customer, unless you ask Intermedia to provide you with additional marketing information we will only contact you by electronic means (e-mail or by posting to your account with Intermedia) with information about services similar to the Services.

We are committed to not keeping Information longer than necessary to achieve the purpose for which it was collected unless we are required to retain it for a longer period by law, by any governmental or other regulatory authority or by a court or other authority of competent jurisdiction. Such Information shall continue to be subject to this Privacy Policy after any termination of your account.

## **How Does Intermedia Access, Release and Disseminate Information?**

Intermedia will release your Information as is reasonably necessary for the provision of Services. This includes, but is not limited to:

- provision of financial information to organisations such as VeriSign, PaymenTech, Signio CyberCash and similar organisations for billing purposes;
- provision of contact, usage related Information to our service and license providers including Microsoft Corporation and Research in Motion Limited for the purpose of licensing compliance, licensing usage calculation, billing and support purposes;
- provision of Data and other Information to vendors and contractors providing services in support of Intermedia's provision of Services to you; and
- transfer Information for the purposes of any purchase, enabling or engagement by you of Third-Party Services. Such Third-Party Services will be subject to the privacy policy and other related terms of the Third-Party Services provider and not to this Privacy Policy once such Information is released to such Third-Party Services provider.

Intermedia may disclose your Information to any member of our group, which means our subsidiaries, our ultimate holding company and its subsidiaries, as defined in section 1159 of the UK Companies Act 2006.

In addition, Intermedia may access and release your Information without notice or consent under the following circumstances:

- To the extent required by law, by any governmental or other regulatory authority or by a court or other authority of competent jurisdiction, or to establish or exercise our rights to defend against legal claims, as determined by Intermedia in each case;
- If we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, safety of person or property, violation of our policies, or as otherwise required by law (this includes exchanging information with other companies and organisations for the purposes of fraud protection and credit risk reduction); and
- If Intermedia sells or buys any business or assets, in which case Intermedia may disclose your Information to the prospective seller or buyer of such business or assets.

## **Where Is My Information Stored?**

Your Information may be transferred to, processed and stored at, a destination outside the EEA which may not have similar data protection laws to the EEA. Information may also be processed by staff operating outside the EEA who work for Intermedia or for one of Intermedia's suppliers. Such staff maybe engaged in, among other things, the fulfilment of your Services and the processing of your payment



## INTERMEDIA®

details. In addition, if you access our websites or Services while you are outside of the EEA, your Information may be transferred outside of the EEA in order to provide you with such access. By submitting your Information, you agree to this transfer, storing or processing. Intermedia will take all steps reasonably necessary to ensure that your Information is treated securely and in accordance with this Privacy Policy.

### **Is My Information Secure?**

Intermedia takes steps reasonably necessary to ensure that your Information is treated securely and in accordance with this Privacy Policy and requires its suppliers to do the same. Intermedia has security measures in place to help protect against the loss, misuse, or alteration of the Information under Intermedia's control. Your contact and financial information is submitted via a secure (HTTPS) connection and stored in the Intermedia database protected by a firewall. Any payment transactions will be encrypted using SSL technology.

Although Intermedia uses reasonable efforts to protect your Information, transmission via the Internet is not completely secure. Therefore Intermedia cannot guarantee the security of your Information transmitted using our websites or Services and any transmission is at your own risk.

### **How Do I Contact Intermedia, Including to Terminate or Opt-Out?**

You have the right to request that Intermedia not contact you or use your Information for purposes which are not reasonably necessary for the administration of our websites and/or the provision of Services. If you wish to exercise this opt-out right or to terminate your account, please contact the data controller (Intermedia) at the address below.

Please note that you cannot unsubscribe from certain correspondence from us regarding our provision of Services to you, including messages relating to your account. In addition, certain Information may be required in order to use our websites or Services; as such, the only practicable method to opt out of providing Information in connection with the use of those websites or Services would be to refrain from subscribing to or using those websites or Services.

If you have any questions about this Privacy Policy, the privacy practices of our websites or Services, or your dealings with our websites or Services, you may contact:

Intermedia Technologies Company Ltd, Portland House, Regus, Stag Place, London SW1E 5RS United Kingdom. [privacy@intermedia.co.uk](mailto:privacy@intermedia.co.uk)

If you contact us, we may keep a record of that correspondence.

### **How Do I Access or Revise Information?**

For the purposes of the Data Protection Act of 1998 (the "Act"), the data controller is Intermedia Technologies Company Ltd (company number 6350460), Portland House, Regus, Stag Place, London SW1E 5RS United Kingdom. The Act gives you the right to access Information held about you and for you to request that changes be made to this information if it is not accurate or up-to-date. Please send all access requests to the data controller at the address provided in this paragraph. Any access request may be subject to a fee of £10 (as amended from time to time) to meet our administrative costs in addressing your request.

You may also revise your contact and financial information or terminate your account through the administrative control panel.



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**How is this Privacy Policy Updated?**

Intermedia reserves the right to change this Privacy Policy at any time. Any changes to the Privacy Policy will be posted to at least one of our websites, including at <http://intermedia.co.uk/legal>.