

Pin2Talk, Inc. Privacy Policy

Last Updated: January 4, 2021

Pin2Talk, Inc., together with its wholly-owned subsidiaries (“Pin2Talk“, “we” or “us“), is committed to your privacy. We provide Voice over IP services for businesses and consumers and related mobile applications; and internet access and managed Wi-Fi® (together, “Equipment” and “Services“). Except as set forth in this Privacy Policy (“Policy“), we will not trade, sell, or disclose to any third party any form of Personal Information without your consent. This Policy explains how we collect and use information from visitors to our websites, customers who use Equipment and Services (including customers’ end users), and potential customers who have communicated, made contact with, or otherwise interacted with Pin2Talk in connection with online and offline Equipment and Services offered by Pin2Talk (collectively, “Customers“). The Terms and Conditions which appear on our website, as amended from time to time, are incorporated by reference herein.

1. Collection of Personal Information

In this Policy, “Personal Information” means any information relating to an identified or identifiable individual. Pin2Talk may collect Personal Information about you directly from you and from third parties, as well as automatically through your use of our websites and Equipment and Services.

1.1 Personal Information Provided by You

When you purchase Equipment and Services we collect your Personal Information, including, but not limited to, name, physical address, email address, telephone number, certain billing information, and other information you provide. If you make a purchase through our Services, your payment information, such as credit card information and billing details, will be collected by a third party payment processor, and not by us.

If you complete our surveys, contact us directly, or provide information on our website, we may collect your name, email address, phone, company, job title, physical address, Equipment and Services of your interest, date and time of your communication and any attachments thereto, and other content or information you may directly provide to us.

You should be aware that any Personal Information which you voluntarily include and transmit through publicly accessible forums may be viewed and used by anyone with access to such forums. We are not responsible for other users' use of available information, so you should carefully consider whether and what to post or how you identify yourself on such forums.

Where required by applicable law, we indicate whether and why you must provide us with your Personal Information, as well as the consequences of failing to do so.

1.2 Personal Information Collected via Automated Means

We may collect Personal Information from Customers when Customers use our websites or mobile applications. Such Personal Information may include website pages viewed, time spent using certain services, demographic data, and data collected via cookies (as described below). We collect information related to the types of Equipment and Services you purchase and how and when you use such Equipment and Services. If you use our Managed Wi-Fi® Service, we may also automatically collect data regarding the devices that connect to your network and how your network is being used. Such information may include an end user's unique personal identifier, online identifier, Internet Protocol address, operating system, browser type, username, location-based data, and interactions with an Internet website, application, or advertisement.

"Cookies" are pieces of software information that may be placed on your computer by a website for the purpose of facilitating and enhancing your communication and interaction with that website. Many websites use cookies for these purposes. We may use cookies to customize your visit to our websites and for other purposes to improve your online user experience and to enable us to enhance our website and Equipment and Services.

In addition to cookies, Pin2Talk (and our third party advertisers) may also use clear gifs, web beacons, and third party cookies to improve the performance of our websites, provide certain features, such as advertising, or to anonymously track usage of our websites and track the online activity of users. In addition, we may use such devices in our HTML-based emails to track the usage of such emails in much the same manner as we track usage of our websites.

1.3 Third Parties

We may obtain information, including Personal Information, from sources other than the Equipment and Services, such as our partners and advertisers. If we receive, combine or associate information from other sources with Personal Information that we collect from you or through the Equipment and Services, we will treat the combined information as Personal Information in accordance with this Policy.

2. How We Use Your Personal Information

2.1 Purposes of Processing Personal Information

We may process Personal Information for the following purposes:

- **Providing the Services.** We process your Personal Information to provide our Equipment and Services. We will not monitor or disclose to any third parties conversations, voice messages, or other communications that are transmitted using our Equipment and Services except in connection with the Services, as required to ensure proper operation of Equipment and Services, or as otherwise authorized by law.
- **Personalized Advertising.** We may process your Personal Information to provide you with tailored and personalized online advertisements.
- **Marketing.** We may process your Personal Information to send email marketing about our Equipment and Services, as well as products and services from our partners, to Customers that Pin2Talk believes have interest in Where required under applicable law, we will only send you promotional emails with your opt-in consent.
- **Customer Relationship Management.** We may process your Personal Information for customer relationship management purposes, such as to provide you with customer support upon your request.
- **Analytics and Product Development.** We process your Personal Information to understand and analyze the usage trends and preferences of our Customers, to improve the Equipment and Services, and to develop new products, services, features, and functionalities.
- **Communications.** We may process your Personal Information to communicate with you for administrative purposes, such as to provide necessary communications regarding functionalities of the Equipment and Services, to provide information that you request, and to respond to comments and questions.

- Aggregation. We may aggregate or otherwise anonymize Personal Information. We may process and disclose information that does not identify or otherwise relate to an individual for any lawful purpose.
- Surveys. We may process your Personal Information collected via surveys to improve the types of Equipment and Services we offer and how we provide them to you. For example, we may combine this information with Personal Information provided by other Customers to understand trends in our user base, and improve our Equipment and Services accordingly
- Administrative and Legal Purposes. We may also process and disclose Personal Information to investigate and help prevent potentially unlawful activities that threaten the integrity of our Equipment, Services or network, to investigate fraud or violations of our Terms and Conditions or other agreements with Customers, as required by courts or administrative agencies, or in connection with a sale, merger or reorganization of Pin2Talk's business.

2.2 How We Use Cookies and Similar Technologies

We and third parties may use the following types of cookies to collect Personal Information:

- Functional cookies. Some cookies are strictly necessary to make our websites and mobile applications available to you. For example, to provide the chat functionality and to remember your consent and privacy choices. We cannot provide you with the Services without this type of cookie.
- Analytical cookies. We also use cookies for analytics purposes in order to operate, maintain and improve our Services. We may use third party analytics providers such as Google Analytics to collect and process certain analytics data on our behalf. These providers may also collect information about your use of other websites, mobile applications, and online resources.
- Advertising cookies. We work with third-party advertising companies to show you ads we think may interest you. To do so, we and our advertising partners may place and access cookies through our websites and otherwise collect or access Personal Information collected over time and across different online services.

Where required by applicable law, we obtain your consent to use cookies. You can find more information about your rights and choices, and how to opt out of the use of certain cookies in section 4 (Your Rights and Choices) below.

2.3 Our Use of European Personal Information

If you are located in the European Economic Area, we only process your Personal Information when we have a valid “legal basis,” a list of which can be found [here](#).

3. How We Disclose Your Personal Information

We may disclose your Personal Information to third parties in the following circumstances:

- We disclose your Personal Information to third party service providers such as our vendors and contractors to provide application development, hosting, maintenance, and other services and to assist Pin2Talk in our provision of Equipment and Services. Generally, we limit the information provided to these service providers to what is reasonably necessary for them to perform their functions on our behalf, and we require them to agree to maintain the confidentiality of such information.
- Any Personal Information that you voluntarily choose to post to a publicly accessible area of the services will be available to anyone who has access to that content, including other users.
- We share Personal Information with third party vendors who we partner with to offer co-branded Pin2Talk Equipment and Services.
- We may disclose your Personal Information if required to do so by law or in the good-faith belief that such action is necessary to comply with applicable laws, in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies.
- We also reserve the right to disclose your Personal Information that we believe, in good faith, is appropriate or necessary to (i) take precautions against liability; (ii) protect ourselves or others from fraudulent, abusive, or unlawful uses or activity; (iii) investigate and defend ourselves against any third-party claims or allegations; (iv) protect the security or integrity of our Services and any facilities or equipment used to make our Services available; or (v) protect our property or other legal rights including, but not limited to, enforcement of our agreements, or the rights, property, or safety of others.
- We may disclose and otherwise transfer Personal Information to an acquirer, successor or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, as well as in the event of

an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets.

- We may share Personal Information with our affiliates, subsidiaries, and branch offices to which it is reasonably necessary or desirable for us to disclose Personal Information for the above-mentioned purposes and in order to market our co-branded Equipment and Services more effectively to Customers.

Customer Specific Network Information

In the course of providing Equipment and Services to you, Pin2Talk will collect and maintain certain customer-specific network information. Customer Specific Network Information refers to the types of products and services you currently purchase, related usage, and billing information for those products and services. Your telephone number, name, and address are not Customer Specific Network Information. Likewise, Customer usage and call patterns of multiple Customers which are aggregated together in a summary form and other information which cannot identify any one individual is not considered Customer Specific Network Information.

We value our relationships with our Customers and are committed to respecting and protecting your Customer Specific Network Information. Accordingly, we will not sell, trade, or share your Customer Specific Network Information, including your calling records outside of Pin2Talk or with anyone not authorized to offer our Equipment and Services, or to perform functions on our behalf except as authorized by you or required by law. Generally, we can use your Customer Specific Network Information to offer additional services to you, and for billing and collections purposes. We can also disclose your Customer Specific Information for legal or regulatory reasons, including in response to subpoenas and court orders. We can also use Customer Specific Network Information to investigate fraud and to prevent violation of our agreements or Terms and Conditions and monitor potentially unlawful use of our network, Equipment and Services, and abuse of other Customers.

4. Your Rights and Choices

You may decline to share certain Personal Information with us, in which case we may not be able to provide to you some or all of the features and functionalities of our Equipment and Services. You also have the right to access your Personal Information you have provided to us.

If you receive commercial email from us, you may unsubscribe at any time by following the instructions contained within the email. You may also opt out from receiving commercial email from us by contacting us using the contact details at the end of this Policy.

Please be aware that if you opt out of receiving commercial email from us or otherwise modify the nature or frequency of promotional communications you receive from us, it may take up to ten business days for us to process your request and you may receive promotional communications from us during that period. Additionally, even after you opt out from receiving commercial messages from us, you will continue to receive administrative messages from us regarding our Services.

4.1 Your Cookie Choices

You have the following choices with regard to the use of cookies and similar technologies.

- Many web browsers allow you to manage your preferences relating to cookies. You can set your browser to refuse cookies or delete certain cookies. You may be able to manage other technologies in the same way that you manage cookies using your browser's preferences. Please note that if you choose to block cookies, doing so may impair the use of our Equipment and Services.
- Google Analytics. You can learn about Google's practices [here](#) and opt out by downloading the Google Analytics [opt-out browser add-on](#), or via Google's Ads Settings or Ad Settings for mobile applications.
- Some of our advertising partners may be members of the Network Advertising Initiative or the Digital Advertising Alliance. If you prefer to not receive targeted advertising, you may be able to opt out of some network advertising programs by visiting the Digital Advertising Alliance [Opt-Out Page](#) and the Network Advertising Initiative [Opt-Out Page](#). Please note that even if you choose to opt-out from interest-based advertising, you may see advertising that is not relevant to you.

4.2 Your European Privacy Rights

If you are located in the European Economic Area ("EEA"), you have additional rights as described [here](#).

Pin2Talk, Inc. and its wholly-owned subsidiary Talkatone, LLC (the "Certified Parties") comply with the EU-U.S. Privacy Shield Framework as set forth by

the U.S. Department of Commerce regarding the collection, use, and retention of Personal Information transferred from the European Union to the United States. The Certified Parties have certified to the Department of Commerce that they adhere to the Privacy Shield Principles. If there is any conflict between the terms in this Policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view the Certified Parties' certification, please visit <https://www.privacyshield.gov/>.

The Certified Parties comply with the Privacy Shield's Principle regarding accountability for onward transfers. The Certified Parties remain liable under the Privacy Shield Principles if their onward transfer recipients process Personal Information in a manner inconsistent with the Privacy Shield Principles, unless they prove that they were not responsible for the event giving rise to the damage.

In compliance with the Privacy Shield Principles, the Certified Parties commit to resolve complaints about their collection or use of your Personal Information. The Certified Parties have further committed to cooperate with the panel established by the EU data protection authorities (DPAs) with regard to unresolved Privacy Shield complaints concerning data transferred from the EU.

We are aware of the July 16, 2020 decision from the European Union Court of Justice which invalidated the EU-U.E. Privacy Shield. Nonetheless, we will continue to abide by the Privacy Shield Principles with respect to the protection of personal information. We are closely monitoring developments and guidance from both European and US regulatory authorities and will update this Policy as needed.

EU individuals with inquiries or complaints regarding our Privacy Shield policy should first contact the Certified Parties at: privacy@Pin2Talk.com. Under certain circumstances, you may be able to invoke binding arbitration to address complaints about their compliance with the Privacy Shield Principles. In addition, the U.S. Federal Trade Commission has Privacy Shield investigatory and enforcement powers over the Certified Parties.

4.3 Your Canadian Privacy Rights

If you are located in Canada, you have additional rights as described [here](#).

4.4 Your California Privacy Rights

If you are located in California, you have additional rights as described [here](#).

5. International Customers

Our Services are currently hosted in the United States, and we may host our Services in other countries and territories in the future. If you choose to use our Equipment and Services from regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you are transferring your Personal Information outside of those regions to the U.S. for storage and processing. We take steps to comply with applicable data protection law, in particular legal requirements regarding adequate protection for data transfers. Also, we may transfer your data from the U.S. to other countries or regions in connection with storage and processing of data, fulfilling your requests, and providing our Equipment and Services. By providing any information, including Personal Information, you consent to such transfer, storage, and processing.

6. How Long Do We Store Your Data?

When determining the retention period of your Personal Information, we take into account various criteria, including but not limited to the type of Equipment and Services provided to you, the nature and length of our relationship with you, and mandatory retention periods provided by law.

7. Security

Pin2Talk makes reasonable efforts to protect your information by using physical and electronic safeguards designed to improve the security of the information we maintain. However, no system or service can offer a 100% guaranty of security, especially a service that relies upon the public Internet and public phone system.

8. Third Party Websites and Services

Our Services may contain links to other websites and services not maintained by Pin2Talk, which are outside our control. We are not responsible for the privacy practices or the content of these third party websites and services. We encourage you to read their privacy policies before providing any information to them.

9. Children's Privacy

We do not knowingly collect, maintain, or use Personal Information from children under 16 years of age, and no part of our Equipment and Services is directed to children. If you learn that a child has provided us with Personal Information, then you may alert us at info@Pin2Talk.com.

10. Changes to This Policy

We will post any changes to this Privacy Policy on this page, and the revised version will be effective when it is posted. You should review this Policy regularly for changes, and can easily identify if changes have been made by checking the "Last Updated" date at the top of this page. However, if at any time in the future we plan to use Personal Information in a way that materially differs from this Policy, we will notify you through the Services, by email, or other communication.

11. Contact Details

Unless otherwise indicated, Pin2Talk, Inc. is the entity responsible or "data controller" for the processing of your Personal Information as described in this Policy. Please contact us with any questions or comments about this Policy, your Personal Information, our use and disclosure practices, or your consent choices by email at info@Pin2Talk.com