

Privacy Policy

Thanks for using adVision or visiting one of our websites. This policy explains the what, how, and why of the information we collect when you visit one of our websites, or when you use our Services. It also explains the specific ways we use and disclose that information. We take your privacy extremely seriously, and we never sell lists or email addresses.

1. Definitions

These definitions should help you understand this policy. When we say “we,” “us,” “our,” and “adVision,” we are referring to adVision Digital Communications Solution, Inc., a State of California limited liability company. We provide online platforms that you may use to market to or stay in contact with others, including creating, sending, and managing emails and other information related to your Subscribers (the “Services”). When we say “Member,” we are referring to the person or entity that is registered with us to use the Services. When we say “you,” we are referring either to a Member or to some other person who visits any of our Websites. A “Subscriber” is a person you contact through our Services, or a person who you might choose to contact at some point in the future through the use of our Services. In other words, a Subscriber is anyone on your Distribution List or about whom you have given us information. “Personal Information” means information that can be used to identify you or a Subscriber, including, but not limited to, first and last name, date of birth, email address, gender, occupation or other demographic information. A “Distribution List” is a list of Subscribers and all associated information related to those Subscribers (for example, email addresses).

We offer the Services on our website: <http://www.advisioninc.com>. This Privacy Policy applies to these specific websites, and as well as any other sites owned or operated by us, including the websites [add Additional websites here] (each a “Website” and together the “Websites”). The “Websites” include the Websites themselves, and any web pages, interactive features, applications, widgets, blogs, social networks, social network “tabs,” or other online, mobile, or wireless offerings that post a link to this Privacy Policy, whether accessed via computer, mobile device, or other technology, manner or means. While providing the Services, and as described in more detail below, we may collect Personal Information about a Website visitor, Member, person or email address on or related to a Distribution List, or Subscriber.

2. Changes

We may change this Privacy Policy at any time and from time to time. The most recent version of the Privacy Policy is reflected by the version date located at the bottom of this

Privacy Policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including, but not limited to, by posting a revised version of this Privacy Policy or other notice on the Website. We encourage you to review this Privacy Policy often to stay informed of changes that may affect you, as your continued use of the Website signifies your continuing consent to be bound by this Privacy Policy. Our electronically or otherwise properly stored copies of this Privacy Policy are each deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this Privacy Policy which were in effect on each respective date you visited the Website.

3. Scope

This Privacy Policy is effective with respect to any data that we have collected, or collect, about and/or from you, according to our [Terms of Use](#).

4. Questions & Concerns

If you have any questions or comments, or if you want to update, delete, or change any Personal Information we hold, or you have a concern about the way in which we have handled any privacy matter, please use our [contact form](#) to send us a message. You may also contact us by postal mail or email at:

Compliance Manager
adVision, Inc.
1605 Grand Avenue
San Marcos, CA 92078
Phone: (951) 553-8843

Email: DMCA@advisioninc.com

YOUR INFORMATION

5. Information We Collect

(a) **Information you voluntarily provide to us:** When you sign up for and use the Services, consult with our customer service team, send us an email, post on our blog, integrate the Services with another website or service (for example, when you choose to connect your e-commerce account with adVision), or communicate with us in any way, you are voluntarily giving us information that we collect. That information may include either your or your Subscribers' name, physical address, email address, IP address, phone number, credit card information, as well as details including gender, occupation, location, purchase history, and other demographic information. By giving us this

information, you consent to this information being collected, used, disclosed, transferred to the United States and stored by us, as described in our [Terms of Use](#) and in this Privacy Policy.

(b) Information we collect automatically: When you use the Services or browse one of our Websites, we may collect information about your visit to our Websites, your usage of the Services, and your web browsing. That information may include your IP address, your operating system, your browser ID, your browsing activity, and other information about how you interacted with our Websites or other websites. We may collect this information as a part of log files as well as through the use of cookies or other tracking technologies. Our use of cookies is discussed more below, and in more detail in our Cookie Statement [here](#).

(c) List and email information: When you add a Distribution List or create an email with the Services, we have and may access the data on your list and the information in your email. If a Subscriber chooses to use the 'forward to a friend' (FTF) link in an email campaign you send, it will allow the Subscriber to share your email content with individuals not on your Distribution List. When a Subscriber forwards an email to a friend, we do not store your Subscriber's email address or their friend's email address, and no one is added to any Distribution List as a result of the FTF. The Member who created the email campaign only sees an aggregate number of times their email campaign was forwarded by a Subscriber and does not have access to the email addresses used to share or receive that forwarded content.

(d) Information from your use of the Service: We may receive information about how and when you use the Services, store it in log files or other types of files associated with your account, and link it to other information we collect about you. This information may include, for example, your IP address, time, date, browser used, and actions you have taken within the application. This type of information helps us to improve our Services for both you and for all of our users.

(e) Cookies and tracking: We and our partners use cookies or similar technologies to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole. Users can control the use of cookies at the individual browser level. We partner with a third party to either display advertising on our website or to manage our advertising on other sites. Our third party partner may use cookies or similar technologies in order to provide you advertising or other content based upon your browsing activities and interests. If you wish to opt out of interest-based advertising click <http://preferences-mgr.truste.com/> (or if located in the European Union click <http://www.youronlinechoices.eu/>). Please note you might continue to receive generic ads. For more information about our use of cookies and other tracking technologies, as well as how to opt out, please refer to our Cookie Statement [here](#).

(f) Web beacons: We use web beacons on our Websites and in our emails. When we send emails to Members, we may track behavior such as who opened the emails and who clicked the links. This allows us to measure the performance of our email

campaigns and to improve our features for specific segments of Members. To do this, we include single pixel gifs, also called web beacons, in emails we send. Web beacons allow us to collect information about when you open the email, your IP address, your browser or email client type, and other similar details. We also include Web Beacons in the emails we deliver for you. We use the data from those Web Beacons to create reports about how your email campaign performed and what actions your Subscribers took. Reports are also available to us when we send email to you, so we may collect and review that information.

(g) **Information from other sources:** We may receive more information about you or your Subscribers, such as name, email address, demographic information, IP addresses, location, and use of social media websites, by searching the Internet or querying third parties (we refer to that information as “Supplemental Information”). We use Supplemental Information to develop features including Social Profiles, a tool that helps you learn about your Subscribers and allows you to send them more relevant content.

(h) **Information from the use of our Mobile Apps:** When you use our mobile apps, we may collect certain information in addition to information described elsewhere in this Policy. For example, we may collect information about the type of device and operating system you use. We may ask you if you want to receive push notifications about activity in your account. If you have opted in to these notifications and no longer want to receive them, you may turn them off through your operating system. We do not ask for, access or track any location-based information from your mobile device at any time while downloading or using our Mobile Apps or Services. We may use mobile analytics software (such as [Fabric.io](#)) to better understand how people use our application. We may collect information about how often you use the application and other performance data.

6. Use and Disclosure of Personal Information

We may use and disclose Personal Information only for the following purposes:

(a) **To promote use of our services to you.** For example, if you leave your Personal Information when you visit our Website and do not sign up for any of the Services, we may send you an email inviting you to sign up. If you use any of our Services and we think you might benefit from using another Service we offer, we may send you an email about that. You can stop receiving our promotional emails by following the unsubscribe instructions included in every email we send. In addition, we may use information we collect in order to advertise our Services to you or suggest additional features of our Services that you might consider using. For more information on how we use cookies or other tracking technologies for this purpose, as well as how to opt out of the use of cookies, please see our Cookie Statement [here](#).

(b) **To send you informational and promotional content that you may choose (or “opt in”) to receive.** You can stop receiving our promotional emails by following the unsubscribe instructions included in every email.

(c) **To bill and collect money owed to us by our Members.** This includes sending you emails, invoices, receipts, notices of delinquency, and alerting you if we need a different credit card number. We use third parties for secure credit card transaction processing, and we send billing information to those third parties to process your orders and credit card payments. To learn more about the steps we take to safeguard that data, see Section 14 below.

(d) **To send you System Alert messages.** For example, we may inform you of temporary or permanent changes to our Services, such as planned outages, new features, version updates, releases, abuse warnings, and changes to our Privacy Policy.

(e) **To communicate with our Members about their account and provide customer support.**

(f) **To enforce compliance with our Terms of Use and applicable law.** This may include developing tools and algorithms that help us prevent violations.

(g) **To protect the rights and safety of our Members and third parties, as well as our own.**

(h) **To meet legal requirements,** including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.

(i) **To provide information to representatives and advisors,** including attorneys and accountants, to help us comply with legal, accounting, or security requirements.

(j) **To prosecute and defend a court, arbitration, or similar legal proceeding.**

(k) **To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements.**

(l) **To provide, support, and improve the Services we offer.** This includes our use of the data that our Members provide us in order to enable our Members to use the Services to communicate with their Subscribers. This also includes, for example, aggregating information from your use of the Services or visit to our Websites and sharing this information with third parties to improve our Services. This might also include sharing your information or the information you provide us about your Subscribers with third parties in order to provide and support our Services or to make certain features of the Services available to you. When we do have to share Personal Information with third parties, we take steps to protect your information by requiring these third parties to enter into a contract with us that requires them to use the Personal Information we transfer to them in a manner that is consistent with this policy.

(m) **To provide suggestions to you.** This includes adding features that compare Members' email campaigns, using data to suggest other publishers your Subscribers may be interested in, or using data to suggest products or services that you may be interested in or that may be relevant to you or your Subscribers. Some of these

suggestions are generated by use of our Data Science Projects. For more information about our use of cookies for this purpose, and instructions about how to opt out of having data collected through the use of cookies, please see our Cookie Statement [here](#).

(n) **To transfer your information** in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition. In that event, any acquirer will be subject to our obligations under this Privacy Policy, including your rights to access and choice. We will notify you of the change either by sending you an email or posting a notice on our Website.

7. Data Collected for and by our Users

As you use our Services, you may import into our system Personal Information you have collected from your Subscribers or other individuals. We have no direct relationship with your Subscribers or any person other than you, and for that reason, you are responsible for making sure you have the appropriate permission for us to collect and process information about those individuals. Consistent with the uses of Personal Information covered in Section 6, we may transfer Personal Information of you or your Subscribers to companies that help us promote, provide, or support our Services or the services of our Members (“Service Providers”). All Service Providers enter into a contract with us that protects Personal Information and restricts their use of any Personal Information consistent with this policy. As part of our Services, we may use and incorporate into features information you have provided, we have collected from you, or we have collected about Subscribers. We may share this information, including Subscriber email addresses, with third parties in line with the approved uses in Section 6.

If you are a Subscriber and no longer want to be contacted by one of our Members, please unsubscribe directly from that Member’s newsletter or contact the Member directly to update or delete your data. If you contact us, we may remove or update your information within a reasonable time and after providing notice to the Member of your request.

We will retain Personal Information we process on behalf of our Members for as long as needed to provide our Services or to comply with our legal obligations, resolve disputes, prevent abuse, and enforce our agreements.

8. Public Information and Third Party Websites

(a) Blog. We have public blogs on our Websites. Any information you include in a comment on our blog may be read, collected, and used by anyone. If your Personal Information appears on our blogs and you want it removed, contact us [here](#). If we are unable to remove your information, we will tell you why.

(b) Social media platforms and widgets. Our Websites include social media features, such as the Facebook Like button. These features may collect information about your IP address and which page you are visiting on our Website, and they may set a cookie to make sure the feature functions properly. Social media features and widgets are either hosted by a third party or hosted directly on our Website. We also maintain presences on social media platforms including Facebook, Twitter, and Instagram. Any information, communications, or materials you submit to us via a social media platform is done at your own risk without any expectation of privacy. We cannot control the actions of other users of these platforms or the actions of the platforms themselves. Your interactions with those features and platforms are governed by the privacy policies of the companies that provide them.

(c) Links to third-party websites. Our Websites include links to other websites, whose privacy practices may be different from adVision's. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any Website you visit.

9. Third Parties

We may disclose Personal Information to the following types of third parties for the purposes described in this policy:

(a) Service providers. Sometimes, we need to use third party Service Providers in order to provide and support the features of our Services. For example, if it is necessary to provide you something you have requested (like send you a T-shirt or enable a feature such as Social Profiles), then we may share your Personal Information with a Service Provider for that purpose. We will tell you we are working with a Service Provider whenever reasonably possible, and you may request at any time the names of our Service Providers. Just like with the other third parties we work with, these third party Service Providers enter into a contract that requires them to use your Personal Information in a manner that is consistent with this policy.

(b) Advertising partners. We may partner with third parties to display advertising on our Websites or to manage our advertising on other sites and may share Personal Information with them for this purpose. All third parties with which we share this information enter into a contract with us that requires them to use your Personal Information in a manner that is consistent with this policy. We or our third party partners may use technologies, such as cookies, to gather information about your activities on our Websites and other sites in order to provide you with advertising based on your browsing activities and interests. For more information about cookies, please see our Cookie Statement [here](#).

10. Contest and Sweepstakes

We may, from time to time, offer surveys, contests, sweepstakes, or other promotions on our Websites or through social media (collectively "Our Promotions"). Participation in

our Promotions is completely voluntary. Information requested for entry may include personal contact information such as your name, address, date of birth, phone number, email address, username, and similar details. We use the information you provide to administer Our Promotions. We may also, unless prohibited by the Promotion's rules or law, use the information provided to communicate with you, or other people you select, about our Services. We may share this information with our affiliates and other organizations or Service Providers in line with this policy and the rules posted for the Promotion.

11. Content of Email Campaigns

When you send an email marketing campaign, it bounces from server to server as it crosses the Internet. Along the way, server administrators can read what you send. Email was not built for confidential information. Please do not use adVision to send confidential information.

Sometimes we review the content of our Members' email campaigns to make sure they comply with our Terms of Use. To improve that process, we have software that helps us find email campaigns that may violate our Terms. Our employees or independent contractors may review those particular email campaigns. This benefits all Members who comply with our Terms of Use because it reduces the amount of spam being sent through our servers and helps us maintain high deliverability.

YOUR LISTS

12. Your Distribution Lists

A Distribution List can be created in a number of ways, including by importing contacts, such as through csv or directly from your email client. Your Distribution Lists are stored on a secure adVision server. We do not, under any circumstances, sell your Distribution Lists. If someone on your Distribution List complains or contacts us, we might then contact that person. Only authorized employees have access to view Distribution Lists. You may export (download) your Distribution Lists from adVision at any time.

We will use and disclose the information in your Distribution Lists only for the reasons discussed in Sections 6-9. We will not use and disclose the information in your Distribution Lists to:

- bill or collect money owed to us;
- send you system alert messages;
- communicate with you about your account; or
- send you informational and promotional content.

If we detect abusive or illegal behavior related to your Distribution List, we may share your Distribution List or portions of it with affected ISPs or anti-spam organizations.

SECURITY

13. Notice of Breach of Security

If a security breach causes an unauthorized intrusion into our system that materially affects you or people on your Distribution Lists, then adVision will notify you as soon as possible and later report the action we took in response.

14. Safeguarding Your Information

We take reasonable and appropriate measures to protect Personal Information from loss, misuse and unauthorized access, disclosure, alteration and destruction, taking into account the risks involved in the processing and the nature of the Personal Information.

Our credit card processing vendor uses security measures to protect your information both during the transaction and after it is complete. Our vendor is certified as compliant with card association security initiatives, including the Visa Cardholder Information Security and Compliance (CISP), MasterCard® (SDP), and Discovery Information Security and Compliance (DISC). We also perform annual SOC II audits. If you have any questions about the security of your Personal Information, you may contact us at privacy@mailchimp.com.

adVision accounts require a username and password to log in. You must keep your username and password secure, and never disclose it to a third party. Because the information in your Distribution Lists is so sensitive, account passwords are encrypted, which means we cannot see your passwords. We cannot resend forgotten passwords either. We will only reset them.

COMPLIANCE

15. We Operate in the United States

Our servers and offices are located in the United States, so your information may be transferred to, stored, or processed in the United States. While the data protection, privacy, and other laws of the United States might not be as comprehensive as those in your country, we take many steps to protect your privacy, including offering a [data processing agreement](#). By using our Websites, you understand and consent to the collection, storage, processing, and transfer of your information to our facilities in the United States and those third parties with whom we share it as described in this policy.

16. Data Transfers from the EU to the United States

adVision participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework. We are committed to subjecting all Personal Information received from European Union (EU) member countries, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's Privacy Shield website: <https://www.privacyshield.gov/welcome>. A list of Privacy Shield participants is maintained by the Department of Commerce and is available at: <https://www.privacyshield.gov/list>.

adVision is responsible for the processing of Personal Information it receives under the Privacy Shield Framework and subsequently transfers to a third party acting as an agent on its behalf. We comply with the Privacy Shield Principles for all onward transfers of personal data from the EU, including the onward transfer liability provisions.

With respect to personal data received **or** transferred pursuant to the Privacy Shield Framework, we are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider TRUSTe (free of charge to you) at <https://feedback-form.truste.com/watchdog/request>.

Under certain conditions, more fully described on the Privacy Shield website, <https://www.privacyshield.gov/article?id=How-to-Submit-a-Complaint>, you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

adVision maintains an affirmative commitment to the U.S.-Swiss Safe Harbor Framework and its principles with respect to Personal Data transferred from Switzerland to the United States, which will not be affected by adVision's participation in the Privacy Shield. Members located in Switzerland and the EU are also free to request our updated data processing agreement which incorporates the Standard Contractual Clauses here in addition or instead of relying on adVision's Privacy Shield or U.S.-Swiss Safe Harbor certification, as applicable.

17. Members located in Australia

If you are a Member who lives in Australia, this Section applies to you. We are subject to the operation of the *Privacy Act 1988* ("**Australian Privacy Act**"). Here are the specific points you should be aware of:

Where we say we assume an obligation about Personal Information, we are also requiring our subcontractors to undertake a similar obligation, where relevant.

We will not use or disclose Personal Information for the purpose of our direct marketing to you unless: you have consented to receive direct marketing; you would reasonably expect us to use your personal details for the marketing; or we believe you may be interested in the material but it is impractical for us to obtain your consent. You may opt out of any marketing materials we send to you through an unsubscribe mechanism or by contacting us directly. If you have requested not to receive further direct marketing messages, we may continue to provide you with messages that are not regarded as “direct marketing” under the Australian Privacy Act, including changes to our terms, system alerts, and other information related to your account.

Our servers are primarily located in the United States. In addition, we or our subcontractors, may use cloud technology to store or process Personal Information, which may result in storage of data outside Australia. It is not practicable for us to specify in advance which country will have jurisdiction over this type of off-shore activity. All of our subcontractors, however, are required to comply with the Australian Privacy Act in relation to the transfer or storage of Personal Information overseas.

If you think the information we hold about you is inaccurate, out of date, incomplete, irrelevant or misleading, we will take reasonable steps, consistent with our obligations under the Australian Privacy Act, to correct that information upon your request.

If you are unsatisfied with our response to a privacy matter then you may consult either an independent advisor or contact the Office of the Australian Information Commissioner for additional help. We will provide our full cooperation if you pursue this course of action.

18. Accuracy of Data, Transparency, and Choice

We do our best to keep your data accurate and up to date, to the extent that you provide us with the information we need to do so. If your data changes (for example, if you have a new email address), then you are responsible for notifying us of those changes. Upon request, we will provide you with information about whether we hold, or process on behalf of a third party, any of your Personal Information.

We will retain your information for as long as your account is active or as long as needed to provide you with our Services. We may also retain and use your information in order to comply with our legal obligations, resolve disputes, prevent abuse, and enforce our Agreements.

As explained in Sections 6 and 9 of this policy, adVision shares your Personal Information and the Personal Information you may have collected from your Subscribers with Service Providers in order to provide and support our Services. With respect to Personal Information we share with our advertising partners, you have a choice. You can opt-out of this sharing with our third party advertising partners by adjusting your

cookie settings as explained in more detail in Section 5 and in our Cookie Statement [here](#).

19. Access

We will give an individual, either you or a Subscriber, access to any Personal Information we hold about them within 30 days of any request for that information. Individuals may request to access, correct, amend or delete information we hold about them by [contacting us here](#). Unless it is prohibited by law, we will remove any Personal Information about an individual, either you or a Subscriber, from our servers at your or their request. There is no charge for an individual to access or update their Personal Information.

20. California Privacy

Under California Law, California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of Personal Information, such as name, email and mailing address and the type of services provided to the customer, that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties' direct marketing purposes and (b) the names and addresses of all such third parties. To request the above information, please contact us through our [contact form](#) or email at privacy@mailchimp.com.

21. Do Not Track Disclosure

"Do Not Track" is a standard that is currently under development. Because it is not yet finalized, adVision adheres to the standards in this policy and does not monitor or follow any Do Not Track browser requests. That said, some of our features may have the ability to monitor or follow Do Not Track browser requests.

Thanks for taking the time to learn about The Rocket Science Group's Privacy Policy, and thanks for trusting us to handle your email.

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