

## Connex LLC Privacy Policy

Effective date: August 10, 2020

Connex knows Customers care about how their personally identifiable information is used and shared, and Connex takes Customers' privacy seriously. Please read the following to learn more about Connex's Privacy Policy. **By using any of Connex's offered products or services (the "Service") or by accessing Connex's website in any manner, Customer acknowledges that Customer accepts the practices and policies outlined in this Privacy Policy, and Customer hereby consents that Connex will collect, use, store and share Customer's Personal Information in the following ways.**

Remember that Customer's use of the Service is at all times subject to Customer's service agreement, which incorporates this Privacy Policy by reference, and to Connex's Website Terms of Use (<https://www.connexbroadband.com>). Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in Customer's service agreement and Website Terms of Use. Connex Services are designed and targeted to U.S. audiences and are governed by the laws of the U.S.

**When Customer uses wireless Service, all information Customer sends and receives is transmitted over a wireless network and may be subject to interception by unauthorized third parties who seek to do you harm. While Connex takes reasonable measures to prevent unauthorized third parties from intercepting the information Customer sends and receives through the Service, Connex cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.**

**Connex recommends that you use caution when sending any Personal Information over the Internet and use encryption technology whenever possible, such as websites that have the "https" designation in the website's address bar and show a padlock icon in the browser's window.**

### **What types of information does this Privacy Policy cover?**

Connex collects and stores various types of information about Customers and Customers' use of the Service via the Connex website, Help Desk and call centers, postal mail, remote kiosks, the Connex Facebook Page or other social network platforms or by other means, generally classified as Personal Information and Non- Personal Information.

Generally, Connex gathers and uses Personal Information internally in connection with providing the Service to Customer, including to personalize, evaluate and improve the provision and functionality of the Service, to contact Customer, to respond to and fulfill Customer requests regarding the Service, and to analyze how Customer uses the Service.

### **What Information does Connex collect and how does Connex use this Information?**

#### ***Personal Information***

Personal Information is the information Customer provides to Connex voluntarily or passively through Customer's use of the Service and/or website, and which identifies, relates to, describes, is capable of being associated with, or

could be reasonably linked, directly or indirectly, with a particular consumer. For example, through the registration process, when the equipment to provide the Service is installed, maintained or upgraded at Customer's premises, when Customer contacts Connexx regarding the Service, and through Customer's account settings, Connexx collects and stores Personal Information such as Customer name, email address, phone number, billing address and billing information (such as credit card account number or other financial account information), service address, and the nature of any of Customer's devices or other property making use of the Service.

We may use Personal Information to improve Customer's Service or troubleshoot problems Customer is experiencing with the Service, Customer's computer or device, or otherwise to improve the quality of the Service. Connexx will also use this information to communicate with Customer. For example, if Customer has given Connexx Customer's email address or phone number, Connexx will email or call Customer about Customer's use of the Service or product improvements or upgrades, and other transactional information about Customer's Service.

Connexx may combine Customer Personal Information with additional Personal Information obtained from Connexx Facebook Pages or other social network platforms, its affiliates, its Operational Service Providers (third party owned companies that provide or perform services on Connexx's behalf), or other companies, such as credit bureaus, background check firms, and marketing research companies.

Some forms of Non-Personal Information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information.

### ***Non-Personal Information***

When you visit Connexx's website, Connexx will collect various types of Non-Personal Information. This may include information from Customer's browser or device such as Customer IP address, unique device identifier, "cookie" information, the type of browser and/or device you're using to access the Service, and the page or feature Customer requested. (IP Address and device identifiers are traditionally classified as Non-Personal Information and Connexx will treat them as such unless otherwise required by applicable law.)

Connexx uses Personal Information and Non-Personal Information to enhance the Connexx website and Connexx Service offerings. For example, such information can tell Connexx how often visitors use a particular feature of the Connexx website and which products and services are most interesting to current and potential customers, and Connexx may use that knowledge to make the website useful and interesting to as many users as possible and to enhance and refine Connexx's Service offerings.

Technology is improving every day and to improve Connexx's Services' operation and function Connexx may introduce new technologies and monitoring techniques without advance notice or consent from Customer. Connexx may also use third party providers to conduct such internal analyses.

### ***Use of Cookies and other Similar Tracking Technology***

"Cookies" and "web beacons" are text file identifiers Connexx transfers to Customer's browser or device that allow Connexx to recognize Customer's browser or device and tell Connexx how and when pages and features on the Connexx website are visited, by how many people, and other activity on the website.

Customer can change the preferences on Customer's browser or device to prevent or limit Customer's device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the Connex website, or accessing certain functions and conveniences. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer. This Privacy Policy does not cover the use of cookies or other such tracking technology used by any third parties, and Connex is not responsible for their privacy policies and practices.

### ***Network Information***

Connex collects and stores Network Information, information about Customer's access to, and use of, the Connex network, which may or may not be directly associated with or reasonably linked to a specific person, computer or device. For example, Connex may collect and store information about the performance of the Provider Equipment installed on Customer's property or at Customer's premises, when Customer is using the Service, the various devices Customer is using to access the Service, the amount of data Customer is transmitting and receiving, the content of the data Customer is transmitting and receiving, the websites Customer is visiting, and any other information that is transmitted over the Connex network.

Connex may also aggregate Network Information from multiple subscribers and will share such aggregated Non-Personal information about the overall performance of the Connex Service and network with our affiliates and other third parties. Aggregated information does not identify a specific individual, computer or device.

We use Network Information to monitor and enhance the performance of the Connex network. Connex will not monitor the content of the websites viewed or email communications as part of Connex's standard network management. Generally, Connex will only monitor and preserve the following Network Information:

- When Customer is using the Service;
- How Customer is using the Service, such as monitoring traffic patterns regarding websites visited, amount of data being sent or received, or other activity;
- The amount of data Customer is transmitting and receiving through the Service; and
- General information regarding the performance of the Provider Equipment installed on Customer's property or at Customer's premises, and its interaction with the rest of Connex's network.

However, Connex reserves the right to, and may, monitor, access, review and preserve any Network Information and/or content in the following situations:

- In response to an inquiry from Customer or another Authorized User on Customer's account regarding Customer or their use of the Service or problems Customer or the Authorized User is experiencing using the Service;
- If Connex has reason to believe Customer is using the Service in violation of Customer's service agreement or any applicable statutes, rules, ordinances or regulations;
- If Connex has reason to believe Customer's use of the Service is negatively affecting other Customers; or
- When Connex is required by law or legal process to do so, or when Connex has a good faith belief that Connex is required by law or legal process to do so.

## **How is Personal Information used for marketing and advertising purposes?**

Connex will use Personal Information to send Customer marketing and advertising messages related to Connex's Service and website using Customer's email address, postal address, or telephone number (for voice, texts, and pre-recorded calls). Connex may deliver a marketing or advertising message based on Customer visits to Connex website, which will be general advertising or "Contextual Advertising," which is advertising based on the subject matter or the content of the specific website page or subject matter. Connex may also send Customer "First Party Advertising," which is advertising that is customized or personalized based on a history of Customer's use of our Services (possibly combined with information from our Facebook fan page or other social network platforms). First Party Advertising is based solely on a combination of information Connex collects from Customer – not from Customer's visits to other websites across the Internet.

Most browsers allow you to disable or delete cookies through their settings preferences. You may also be able to opt out of some interest-based advertising by visiting the Network Advertising Initiative ("NAI") website (<https://www.networkadvertising.org/understanding-digital-advertising>) or the Digital Advertising Alliance ("DAA") website (<http://www.aboutads.info/>).

Connex does not provide third party "Network Advertising," which is advertising based on Customer's overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a "network" of advertising providers.

**Because Connex does not provide network ads, Connex does not recognize the "Do Not Track" settings on various Internet browsers. Connex does not engage or allow third parties to track you across the Internet and across time for advertising purposes.**

## **Links to other websites or online services**

The Connex website and/or Facebook Pages (or other social networking platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to Connex and our affiliates. The presence of a link does not constitute or imply Connex's endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Connex encourages Customers to be aware and informed when Customers leave Connex's website and Connex's Facebook Pages, or any other social networking platforms.

## **Will Connex share Customer Personal Information?**

Connex may disclose aggregated information about our Customers, Non-Personal Information collected from Customer, as well as information Customer makes public via Connex Services or website.

Connex will not rent, sell or disclose Personal Information to any third-party for marketing or promotional purposes. Connex will share Customer Personal Information with its affiliates and other third parties as described in this section for the following reasons:

- **To Our Affiliates.** Connex may share Personal Information and Non-Personal Information with any of its affiliates for business, operational, promotional and/or marketing and advertising purposes.

- **To Operational Service Providers:** Connex and its affiliates will share Personal Information with other companies and people to perform tasks or services on Connex's behalf. For example, Connex may use a payment processing company to receive and process Customer's ACH or credit card transactions for Connex, or Connex may contract with third parties to assist Connex in optimizing Connex's network.
- **For Business Transfers/Restructuring:** Connex will share Personal Information in the event another company acquires, or plans to acquire, Connex, any of our affiliates, our business, or our assets. We will also share Personal Information during the negotiation stage. Also, if Connex goes out of business, enters bankruptcy, or goes through some other change of control, including restructuring, re-organization or financing arrangements, we may share Personal Information with a third party.
- **For Protection of Connex, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety:** Connex reserves the right to access, read, preserve, and disclose any Personal Information Connex has access to if Connex believes doing so will implement and/or enforce the Customer's service agreement, Website Terms of Use Agreement, Privacy Policy or any legal document; protect our Network(s), website(s), and company assets; protect the interests, rights, property, and/or safety of Connex or Our affiliates, employees and officers/directors, Operational Service Providers, Users and Subscribers, agents, third party licensors or suppliers, or the general public.
- **When Required by Law or in Response to Legal Process:** Connex reserves the right to access, read, preserve, and disclose any Personal Information to which Connex has access if Connex is required to do so to comply with any court order, law, or legal process, including to respond to any governmental or regulatory request, or if Connex has a good faith belief that Connex is required by court order, law or legal process to do so.
- **With Customer's Consent:** Connex may disclose Customer's Personal Information to third parties for reasons not listed in this Privacy Policy with Customer's express consent.

### **Is Customer Personal Information secure?**

Connex endeavors to protect the privacy of Customer's account and other Personal Information Connex holds in its records using reasonable administrative, technical and physical security measures. However, no method of transmission is 100% secure and Connex cannot and does not guarantee complete security. Customer's account is protected by a password for Customer privacy and security. It is Customer's responsibility to prevent unauthorized access to Customer's account and Personal Information by selecting and protecting Customer's password and/or other sign-on mechanism appropriately and limiting access to Customer's computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer is required to notify us immediately if Customer's password or account has been disclosed to a person whose name does not appear on Customer's account, even if you have allowed such disclosure. Customer understands, acknowledges and agrees that Customer is solely responsible for any use of Connex Services via Customer's username and password.

If Customer contacts Connex, Connex will ask Customer for verification of Customer's identification and account. Connex may notify Customer by email, mail, or telephone, in the event of a data security incident, and where permitted by law. **Connex aims to avoid sending sensitive or confidential Personal Information through an email or text.** If Customer receives an email or text from Connex or someone that claims they are with Connex or our affiliates requesting any sensitive or confidential Personal Information, such as social security number, bank

account or credit card account number, or a driver's license number, please do not respond to such text or email and contact a Connex representative immediately at 801-686-2468 or [billing@connextllc.com](mailto:billing@connextllc.com).

### **What Personal Information can Customers access, modify and/or delete?**

Generally, Customer may access the following Personal Information in Customer's account:

- Full name
- Username and password
- Email address
- Telephone number
- Billing and Service address
- Account and billing information

By contacting Connex at [billing@connextllc.com](mailto:billing@connextllc.com), or through Connex's customer portal at <https://www.connex.freshbooks.com>, Customers are able to view and modify Customer account settings, Customer may access, and, in some cases, edit or delete the Personal Information listed above. We will not delete certain information such as historic email, billing and/or Service addresses that we use for security and verification purposes.

When Customer modifies, amends, or deletes Personal Information, Connex may maintain a copy of the unrevised information in Connex's records for internal security reasons and recordkeeping. Connex may use any aggregated data derived from or incorporating Customer's Personal Information after Customer updates or deletes it, but not in a manner that would identify Customer personally. Connex may also maintain Personal Information regarding Customer and Customer's use of the Service after Customer is no longer a Connex customer as required by Connex's business practices, by law, and/or tax reporting purposes.

If Customer has any questions about viewing or updating information Connex has on file about Customer, please contact Connex at [billing@connextllc.com](mailto:billing@connextllc.com).

### **What third party disclosure choices do Customers have?**

Customer can always choose not to disclose Personal Information to Connex; however, certain Personal Information is necessary for Connex to provide the Service to Customer. Customer may opt out of sharing Personal Information with Our affiliates only for marketing or advertising purposes, but not for business or operational purposes.

Customer may opt out of email marketing and advertising from Connex or its affiliates using the "Unsubscribe" mechanism in each email. Before Connex sends Customer a text for any reason, or sends Customer a pre-recorded call that contains advertising or marketing information, Connex will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Customer understands, acknowledges and agrees that such texts and pre-recorded telemarketing calls may be sent using an auto-dialer and are not conditioned on your purchase of the Service. Customer may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message. Customer may opt out of receiving pre-recorded calls by the opt-out instructions in the call. However, Customer will continue to receive calls

related to debt-collection and Customer's current Service.

### **Children Under the Age of 13**

Connexx does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If you are under age 13, please **do not** attempt to register for the Services or send any Personal Information about yourself to Connexx, including your name, address, telephone number, email address, or any screen name or username you may use. If Connexx learns that we have collected Personal Information from a child under the age of 13 without verification of parental consent, Connexx will delete that information to the extent technically feasible. If you believe that Connexx might have any information from or about a child under the age of 13, please contact Connexx at [billing@connextllc.com](mailto:billing@connextllc.com).

### **Will this Privacy Policy ever change?**

Connexx may update this Privacy Policy from time to time. Connexx will alert Customers to any such changes by placing a notice on <https://www.connexxbroadband.com/> with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided Connexx with Customer's email address or Customer has not updated Customer's contact information, those legal notices will still govern Customer's use of the Service, and Customer is still responsible for reading and understanding all notices posted on Connexx's website. Customer's continued use of the Service or website after notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by applicable law.

Use of Customer's Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the Connexx website. If Connexx elects to use or to disclose Personal Information that identifies Customer as an individual in a manner that is materially different than that stated in the Privacy Policy in effect at the time you subscribed to the Service or visited the Connexx website, Connexx will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

### **What if you have questions or comments about this Privacy Policy?**

If you have any questions or concerns regarding Connexx's privacy practices and policies, please contact Connexx at [billing@connextllc.com](mailto:billing@connextllc.com).

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