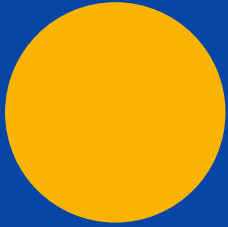


Nextiva



NextOS

PRIVACY POLICY

(800) 285-7995
Nextiva.com/Support

Nextiva NextOS Privacy Policy

This Privacy Policy identifies and describes the way Nextiva, Inc. ("Nextiva") uses and protects the information we collect about Customers and Users while using the Nextiva Platform, including, but not limited to, Nextiva NextOS, collaboration services, and any associated software, hardware or web-based platform, as described in the Documentation (collectively referred to as "NextOS"). This Policy applies to all Customers and Users while accessing the NextOS. The Customer who holds the account with Nextiva is responsible for making sure all family members or other Users under the same account understand and agree to this Policy. Information that you provide to non-Nextiva companies is not covered by this Policy and Nextiva shall have no responsibility for protecting any such information divulged by Customer/User to a non-Nextiva company.

As used in this Policy, the terms listed below have the following meanings:

Customer - A "Customer" is anyone who purchases Nextiva products or services. When a Customer purchases retail products or services for use by others, those individuals also may be considered Customers for purposes of this Policy.

Documentation- user manuals and other documentation relating to the Services, which are available to Customer by Nextiva accessible via the Internet or in the form of printed media.

User - A "User" is anyone who visits our websites.

Personal Information - "Personal Information" is information that directly identifies or reasonably can be used to identify an individual Customer or User. Examples include name, address, telephone number, e-mail address, Social Security number, and financial account number. Personal Information does not include Published Listing Information as discussed in more detail below or information that is readily available to the public through no fault of Nextiva.

Anonymous Information - "Anonymous Information" means information that does not directly identify and cannot reasonably be used to identify an individual Customer or User.

Aggregate Information - "Aggregate Information" means information about groups or categories of Customers or Users, which does not identify and cannot reasonably be used to identify an individual Customer or User. Aggregate Information is a kind of Anonymous Information.

Website - "Website" means any page or location on the Internet, no matter what device (cell phone, laptop, PC, etc.) or protocol (http, WAP, ftp or other) is used to access the page or location. In this Policy, we use the term website other similar terms such as "Internet site," "site," and "web page."

1. Information – We collect information about you directly from you and automatically through your use of the NextOS. We may combine information automatically collected with other information we have collected about you. We may collect different types of personal and other information based on your use of the NextOS, including contact information; billing information, equipment, performance, Nextiva's website usage, viewing and other technical information about your use of our network, services, products or websites. Information may be collected when you give it to us with the intent to purchase or interact with us about a product or service we offer or provide; when we collect it automatically when you visit our websites or use our products and services; or when we obtain it from other sources, such as credit agencies. Our goal of collecting your information is to provide you with the best customer experience possible by communicating with you regarding service updates, offers and promotions; delivering advertising that may be of interest to you; addressing network and security issues; investigating or taking action regarding illegal activities or violations of our Terms of Service or Acceptable Use Policies.

We collect some information on an anonymous basis and may anonymize the personal information we collect about you into data groups. When we employ non-Nextiva companies to anonymize or aggregate data on our behalf, the requirements for sharing Personal Information with non-companies apply. We may share aggregate or anonymous information in various formats with trusted non-Nextiva entities, with whom we have contracted with to aggregate such data and may work with those entities to do research and provide products and services. When Nextiva jointly provides a service with a non- Nextiva company, your Personal Information may be subject to both this Policy and the privacy policy of the non- Nextiva company. We encourage you



to review the privacy policies of any non- Nextiva company with which you do business to determine what information will be collected and how it will be used or disclosed to others.

- 2. Disclosure** - We do not sell your Personal Information to anyone for any purpose, and we maintain information about you in our business records while you are a customer, or until it is no longer needed for business, tax, or legal purposes. We have implemented encryption or other appropriate security controls to protect Personal Information when stored or transmitted by Nextiva.

Subject to applicable legal restrictions, such as those that exist for CPNI (as defined below), the Nextiva family of companies may share your Personal Information with each other to make sure your experience is as seamless as possible, and you have the full benefit of what Nextiva and its subsidiaries have to offer.

We share your Personal Information only with non-Nextiva companies that perform services on our behalf, and only as necessary for them to perform those services. We require those non-Nextiva companies to protect any Personal Information they may receive in a manner consistent with this policy, and we do not provide Personal Information to non-Nextiva companies for the marketing of their own products and services without your consent. We may provide Personal Information to non-Nextiva companies or other third parties for purposes such as emergencies, pursuant to court orders, compliance with the law or a lawful government, judicial, administrative, or law enforcement request (i.e. search warrant, subpoena, court order, discovery request), identity verification to prevent fraud and identity theft, enforcing of property rights, or obtaining payment for products and services that appear on your Nextiva billing statements.

- 3. Customer Proprietary Network Information.** Customer Proprietary Network Information (CPNI) is information that Nextiva obtains when providing your telecommunications services to you. CPNI includes the types of telecommunications services you purchased, how you use the services, and the billing information related to those services, including items such as the types of telecommunications services that you have purchased and your calling details. Your telephone number, name and address are not considered CPNI.

We use your CPNI to offer you additional services of the type you already purchase from Nextiva. We also may use your CPNI to offer you products and services, packages, discounts and promotions from Nextiva and its affiliates, such as fax service, analytic tools and other unified communication tools, which may be different from the types of services you already purchase. Nextiva has strict policy guidelines to safeguard the privacy of CPNI and protect it from unauthorized access or improper use. Nextiva does not sell, trade, or otherwise share your CPNI with anyone outside of Nextiva or its affiliated companies or with anyone who is not authorized to represent us to offer our services or to perform functions on our behalf, except as the law may require or you may authorize.

In order to opt-out and restrict access to your CPNI for our own marketing purposes, please contact us within 30 days of this notice by clicking the following link or going to the following website <http://go.nextiva.com/emailPreference/e/64132/100>. If you do not notify us within 30 days of this notification that you wish to restrict our use of your CPNI, we will assume that you approve of our use of CPNI for this purpose.

- 4. Privacy Controls** - You can review and correct your Personal Information collected by us. You can limit certain types of solicitation communications from Nextiva, including marketing contacts made via telephone, e-mail and text messaging by notifying Nextiva. We will provide you with notice of changes to this policy. We are happy to correct information found to be inaccurate. Customers may verify that appropriate corrections have been made.
- 5. Cookies** - Depending on how you're accessing the NextOS, we may use cookies or similar technologies to record log data. For example, we may use cookies to keep you logged in to the NextOS. Some of the cookies we use are associated with your NextOS account (including personal information about you, such as the email address you gave us), and other cookies are not.

Nextiva also uses cookies to store information that can be used to serve ads relevant to your interests, and to help our advertisers measure the effectiveness of a particular advertisement. This helps us tailor ads to your interests. These cookies can not only help us ensure that you do not repeatedly see the same ads, but (if you opt-out) they can also help us prevent you from seeing targeted ads at all. The information collected with these cookies is not personally-identifiable, and we do not associate it with



your Personal Information.

You may opt out of Nextiva's use of data for internet-based advertising. Please keep in mind that even after you opt-out, you may still continue to see ads, but they will no longer be tailored to your interests.

Opting-out also does not remove Nextiva cookies. They will remain on your computer, but we will not use the data connected to your cookie for our services. Please note that if you delete your cookies, you will need to opt-out again to avoid being served targeted ads in the future. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our site, but your ability to use some features or areas of our site may be limited.

To opt out of the benefits of our targeted ads, click here:

[Disable Nextiva Cookie](#)

We have relationships with other third party advertising companies to place advertisements on this website and other websites, and to perform tracking and reporting functions for this website and other websites. These third party advertising companies may place cookies on your computer when you visit our website or other websites so that they can display targeted advertisements to you. These third party advertising companies do not collect Personal Information in this process, and we do not give any Personal Information to them. However, this Privacy Statement does not cover the collection methods or use of the information collected by these entities. For more information about third party advertising, please visit the Network Advertising Initiative (NAI). Opt out of being targeted by many third party advertising companies by visiting NAI's Consumer Opt-Out or TRUSTe's Opt-Out.

- 6. Exclusions** - Information that you provide to non-Nextiva companies is not covered by this Policy. For example: When you download applications or make an online purchase from a non-Nextiva company while using Nextiva's services, the information collected by the non-Nextiva company is not subject to this Policy. If you use public forums – such as social networking services, Internet bulletin boards, chat rooms, or blogs on Nextiva or non-Nextiva websites – you should be aware that any Personal Information you disclose publicly can be read, collected, or used by others. Once you choose to reveal Personal Information on such a site, the information is publicly available, and Nextiva cannot prevent distribution and use of that information by other parties.

Nextiva may enter into written product or service agreements with business customers that contain specific provisions related to the confidentiality, security or other handling of information. When provisions of a written product or service agreement differ from or conflict with the provisions of this Policy, the terms of the written agreement will apply. In all other instances, the terms of this Policy apply.

- 7. Calendar Integration** - You can connect the NextOS with your calendar to make scheduling easier and more efficient. There are two types of calendars: online and offline. Online calendars like Google calendar are always available via their respective interfaces. With your permission, Nextiva can store certain calendar data temporarily to improve performance (caching), modify Calendar events, upload files on your behalf to the Google Drive, and share Calendar information with other registered users of the NextOS. In either case, calendar data on the NextOS can be deleted at any time. Please note also: the process of accessing your Google Calendar is configured through the OAuth to ensure that at no time does Nextiva have access to your Google password.
- 8. Security** - We have established electronic and administrative safeguards designed to secure the information we collect, to prevent unauthorized access to or disclosure of that information and to ensure it is used appropriately. Although we strive to keep your Personal Information secure, no security measures are absolute, and we cannot guarantee that your Personal Information will never be disclosed in a manner inconsistent with this Policy (for example, as the result of unauthorized acts by third parties that violate the law or this Policy). We will make reasonable attempts to notify you if we determine that Nextiva has experienced a security breach and there is a reasonably likely risk of identity theft, or where otherwise required by law.
- 9. Policies** - We have established policies and practices to meet the expectations of Customers and potential customers who have expressed a desire to limit certain types of solicitation communications from Nextiva, including marketing contacts made via



telephone, e-mail and text messaging. You also can request to be removed from these telemarketing lists when you receive a marketing or promotional call. Where required by state laws and/or regulations, we honor requests from businesses to be removed from our telemarketing lists.

The FTC maintains a National Do Not Call Registry at <https://www.donotcall.gov/>, and your state may maintain its own Do Not Call Registry. Putting your number on these Registries also may limit our telemarketing calls to that number.

Our practices as described above are designed to satisfy state and federal legal requirements limiting marketing contacts. You should know that those laws and regulations – such as the requirements governing the state and federal "Do Not Call" lists – generally permit companies to contact their own current and, in some cases, former customers, even when those customers are listed on the federal and state "Do Not Call" lists. Similarly, restricting our use of your CPNI will not eliminate all types of Nextiva marketing contacts.

- 10. Online Advertising** - Nextiva works hard to detect and prevent junk e-mails (also referred to as "spam" e-mails) from ever reaching your computer. However, if you are receiving unwanted spam from a Nextiva e-mail address, please contact us for assistance at marketing@nextiva.com.
- 11. Account Set-Up** - When selecting User names and passwords for Nextiva accounts, you should choose words or characters that are not obvious. Likewise, you should always keep Personal Information such as account numbers, Usernames, passwords or similar information in a secure place and not share the information with others.
- 12. Policy Changes** - Information about our Customers and Users, including Personal Information, may be transferred as part of any merger, acquisition, sale of company assets, or transition of service to another provider, as well as in the unlikely event of an insolvency, bankruptcy, or receivership in which Customer and User records would be transferred to another entity as a result of such a proceeding.

We reserve the right to update this Privacy Policy as necessary to reflect any changes we make and to satisfy legal requirements. If we make a material change to this Policy, we will post a prominent notice of the change on our websites, and provide you with other appropriate notice and choice regarding the use of your information, at least 30 days before the effective date.

Please check our websites periodically for changes to this Privacy Policy.

We are happy to address any questions or concerns you may have about our privacy practices and policies. You may e-mail us at marketing@nextiva.com or write to us at 8800

E. Chaparral Road, Suite 300; Scottsdale, Arizona, 85250. If you believe you have been aggrieved by any act of ours in violation of the law, we encourage you to contact us directly at either of these addresses to resolve your question or issue.

You also have the option of filing a complaint with the FTC Bureau of Consumer Protection, using an online form, or by calling toll-free 1-877-FTC-HELP (1-877-328-4357; TTY: 1-866- 653- 4261. Other rights and remedies also may be available to you under federal or other applicable laws.

