

## **1. INTRODUCTION**

ISM Connect, LLC (“**ISM**” or “**we**” or “**us**”) respects your privacy and is committed to taking reasonable steps towards protecting your privacy online and managing your information through our compliance with this policy. This policy describes the types of information we may collect from you or that you may provide when you use (i) ISM’s mobile application, and/or (ii) its associated website located at [www.ismconnect.io](http://www.ismconnect.io) (the “**Website**”) (collectively, the ISM mobile application and the Website shall be referred to as the “**App**”) and our practices for collecting, using, maintaining, protecting and disclosing that information.

The App is designed to help you connect with friends, play games, and receive information and promotions relating to certain live events and/or venues that partner with ISM (“**Events**”). In order to work, the App needs to know your location and other identifying information.

This policy applies to (i) the App; (ii) any e-mail, text and other electronic messages concerning ISM’s operations, products or services; and (iii) our marketing contacts with you, including your interactions with our advertising and applications on third-party websites (e.g., Facebook and Instagram).

This policy does not apply to other websites to which we may link, or to other companies or persons who might be listed as third-party contacts, vendors or suppliers on the App, or to whom we may refer you if you call or write us. We may post links on the App as a way of helping you locate related information and products, however, when linking to another website, you must review that website’s privacy policy because other websites may not protect or process your information in the same manner as ISM.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, do not use the App or provide ISM with any of your personal information. By accessing or using the App and/or by contacting ISM and providing any personal information, you consent to the collection and use of information by ISM in accordance with this privacy policy. We may change this policy from time to time without prior notice, except that we will notify you of any material changes to this policy. All changes to this policy will be posted at [www.ismconnect.io/privacy-policy](http://www.ismconnect.io/privacy-policy) and your continued use of the App after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## **2. CHILDREN UNDER THE AGE OF 13**

Our App is not intended for anyone under 13 years of age. No one under age 13 is authorized to use, or provide any information to, the App. Further, in accordance with the Children’s Online Privacy Protection Act (“**COPPA**”), we do not request, or knowingly collect, personal information from children under 13. If we learn of any mistaken or inadvertent collection or receipt of personal information from a child under 13 through their misuse of the App, we will delete that information

from our records. We ask all parents and guardians to assist us in our efforts to comply with COPPA by prohibiting children under the age of 13 from providing ISM with any personal information or using the App without parental oversight and assistance. If you believe we might have any information from or about a child under 13, please contact us at [legal@ismconnect.io](mailto:legal@ismconnect.io).

### **3. INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

We may collect several types of information from and about users of our App, including, but not limited to, information:

1. by which you may be personally identified, such as name, postal address, e-mail address, telephone number, time and dates of visits to the App, comments or postings on the App, your social media account information, or any other identifier by which you may be contacted online or offline ("**personal information**");
2. that is about you but individually does not specifically identify you, such as the websites from which you link to our App, and aggregated, non-identifying information that is derived from your personal information (such as the number of users accessing our App from a particular ZIP code or geographic area);
3. about your internet connection, the equipment you use to access our App and usage details;  
or
4. concerning your location. We automatically receive your location whenever the App is running on your device through a variety of means that may provide us with information on nearby Wi-Fi- access points and cell towers. We may also rely on GPS information collected by your mobile device or other information you provide us. In addition, ISM maintains digital billboards ("**Screens**") at certain Events which may interact with the App by notifying us of your proximity to the Screens. Please note that the App will share your location whenever it is running, including when running in the background. In order to cease the sharing of location information you must completely close out of the App.

We collect this information:

1. Directly from you when you provide it to us;
2. Automatically as you navigate through the App. Information collected automatically may include usage details, IP addresses, mobile carrier, browser and information collected through cookies, web beacons and other tracking technologies, and geolocation information;  
and
3. From third parties, for instance, if you receive an in-App promotion or other offer from a third party vendor, or if you choose to provide personal information to a third party vendor or advertiser, that third party may provide us with certain information about your interaction, including personal information.

#### **4. INFORMATION YOU PROVIDE TO US**

The information we collect on or through our App may include:

1. Information that you provide by filling in forms on our App. This includes information provided at the time of registering with our App, posting material or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our App.
2. Records and copies of your correspondence (including e-mail addresses), if you contact us.
3. Your responses to surveys that we might ask you to complete for research purposes.
4. Details of transactions you carry out through our App and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our App.
5. Your search queries on the App.

You also may provide information to be published or displayed (hereinafter, "**posted**") on public areas of the App, or transmitted to other users of the App or third parties (collectively, "**User Contributions**"). User Contributions may include your public profile and any reviews and/or ratings that you choose to post on the App. Your User Contributions may be available to the general public and are posted at your own risk. Please use discretion when posting User Contributions and avoid posting personal information. Additionally, we cannot control the actions of other users of the App or the general public with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons. Neither we, nor any of our third party service providers, is or shall be responsible for any use by any unauthorized person of any personal information you disclose through the App.

#### **5. INFORMATION WE COLLECT THROUGH AUTOMATIC DATA COLLECTION TECHNOLOGIES**

As you navigate through and interact with our App, we may collect certain information about you and your equipment, browsing actions and patterns, via automated technologies such as cookies and web beacons, and outside sources, such as email lists from third parties that may be used for marketing purposes. Such information may include details of your visits to our App, including, without limitation, traffic data, location, data, logs and other communications data and the resources that you access and use on the App as well as information about your computer or mobile device and Internet connection including IP address, operating system, browser type and wireless carrier.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). The information we collect

automatically is statistical data and may include personal information. It helps us to improve our App and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our App according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our App.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).**\* A cookie is a small file placed on the hard drive of your computer or mobile device. You may refuse to accept browser cookies by activating the appropriate setting on your browser or device. However, if you select this setting you may be unable to access certain parts of our App. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our App.
- **Flash Cookies.**\* Certain features of our App may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from and on our App. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Portions of the App may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags and single-pixel gifs) that permit ISM, for example, to count users who have visited those sections or opened an e-mail and for other related statistics (for example, recording the popularity of certain App content and verifying system and server integrity).
- **Server Logs.** A web “server log” is a record of activity created by a computer that delivers certain web pages to your browser. Certain activities that you perform on our App may record information in server logs, such as if you enter a search term into a search box located on the App. The server log may record, for example, the search terms or information about your browser, such as your IP address and the cookies set on your browser.
- **Widgets.** A “widget” is generally an application that can be embedded in a webpage. Widgets can provide real-time information to the App. Widgets are often provided by third-parties; we may provide widgets on our App. Widgets may enable the third parties that provide them to collect data about users visiting the App.

\*While the ISM mobile application does not employ the use of cookies or Flash cookies, our Website may use such technologies.

## **6. THIRD-PARTY USE OF COOKIES AND OTHER TRACKING TECHNOLOGIES.**

Some content on the App, including advertisements, is served by third-parties, including advertisers, ad networks and servers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our App. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see Section 9 below, ***Choices About How We Use and Disclose Your Information***.

## **7. HOW WE USE YOUR INFORMATION**

We, and our authorized third party service providers, may use information that we collect about you or that you provide to us, including any personal information: (i) to present our App and its contents to you; (ii) to provide you with information or services that you request from us; (iii) suggest products or services which may be of interest to you; (iv) analyze trends and conduct research about improving our products, services and App; (v) learn about our users' needs; (vi) contact users for research, informational or marketing purposes; (vii) provide our advertisers and marketing partners with anonymized information about users of the App; (viii) track traffic patterns and usage of the App, including customizing our recommendations and promotions to you based on your information; (ix) enable online registration; (x) correlate information with other commercially available information to identify demographics and preferences to assist us or our partners and affiliates in marketing efforts; (xi) provide you with relevant marketing, promotional, or other information; (xii) address information security and/or privacy practices control, network functioning, engineering, and troubleshooting issues; (xiii) investigate claims and/or legal actions, violations of law or agreements, and compliance with relevant applicable laws and legal process; (xiv) based on our good-faith belief that it is necessary to conform or comply with the law, or otherwise to disclose information to prevent fraud and reduce credit risks, to cooperate with police and other governmental authorities, or to protect the rights, property or safety of visitors to the App or the public; (xv) process or engage in a sale of all or part of our business, or if we go through a reorganization or merger; (xvi) to fulfill any other purpose for which you provide it; (xvii) to provide you with notices about your account; (xviii) to carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including providing you with information that you requested; (xix) to notify you about changes to our App or any products or services we offer or provide though it; (xx) to allow you to participate in interactive features on our App; (xxi) in any other

way we may describe when you provide the information; and (xxii) for any other purpose with your consent.

We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you and to display advertisements to our advertisers' target audiences.

In addition, the App is designed to help you navigate Events, connect with nearby contacts, learn about relevant products and services, and for third party providers of such products and services to provide information about themselves and promotions to you. The App makes use of geolocation technology to determine your location at Events including when you visit, or pass the vicinity of our Screens and/or certain locations such as those relating to third party advertisers providing products and/or services. The geolocation functionality utilized by the App includes geofencing, a technology that allows us to create virtual perimeters around particular locations, such as restaurants, shops and Screens. We may combine that geofencing technology with your location information to alert you to products, services, promotions and/or discounts from ISM or third party advertisers of products and/or services in your immediate vicinity. Additionally, we may provide aggregated or anonymized data about our users with such third parties, such as how many users have visited a particular area, in order for those third parties to better provide services and discounts to our users. For more information about steps you can take to control how your information is used, see Section 9 below, ***Choices About How We Use and Disclose Your Information***.

## **8. DISCLOSURE OF YOUR INFORMATION**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, service providers and other third parties we use to support our business.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of ISM's assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which personal information held by ISM about our App users is among the assets transferred.
- To third parties to market their products or services to you or provide you with special incentives or discounts.
- To fulfill the purpose for which you provide it (e.g., contacting you via email).
- For any other purpose disclosed by us when you provide the information.
- For other purposes with your consent.

We may also disclose your personal information:

- To comply with any court order, law or legal process, including responding to any government or regulatory request.
- To enforce or apply our terms of use (available at [www.ismconnect.io/terms](http://www.ismconnect.io/terms)) and other agreements, including for any applicable billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of ISM, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection.

## **9. CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

1. **Tracking and Advertising.** With respect to our Website, you can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of the Website may then be inaccessible or not function properly.
2. **Geolocation.** Because the App relies on your location to provide you with relevant information and promotions, disabling location services on your mobile device will render the App inoperable.
3. **Promotional Offers from ISM.** If you do not wish to have your e-mail address/contact information used by ISM to promote our own or third parties' products or services, you can opt-out by sending us an e-mail stating your request and your exact name and address to [unsubscribe@ism.io](mailto:unsubscribe@ism.io). If we have sent you a promotional e-mail, you may click the relevant unsubscribe links in those emails.
4. **Third Party Advertising.** We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way.

## **10. ACCESSING AND CORRECTING YOUR INFORMATION**

You can update and change certain personal information that you provided us by contacting us at [contact@ismconnect.io](mailto:contact@ismconnect.io).

## **11. YOUR CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section § 1798.83 permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for

their direct marketing purposes. To make such a request, please send an e-mail to [legal@ism.io](mailto:legal@ism.io). In response to your written request, we are allowed to provide you with a notice describing the cost-free means to opt out of our sharing your information with third parties with whom we do not share the same brand name, if the third party will use such information for its direct marketing purposes.

## **12. DATA SECURITY**

We have implemented commercially reasonable physical and electronic measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. However, no security measures are perfect or impenetrable and no data can be guaranteed to be totally secure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our App, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our App nor can we guarantee that such information will not become publicly available. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the App. You can reduce these risks by using common-sense security practices such as choosing a strong password, using different passwords for different services, and using up-to-date antivirus software on your electronic devices.

## **13. USERS OUTSIDE OF THE UNITED STATES**

The App is not meant for users outside of the United States. If you are visiting the Website, or otherwise using the App from a location outside of the United States, your connection will be through and to servers located in the United States. All information you receive from the App may be created on servers located in the United States, and all information you provide may be maintained on web servers and systems located within the United States. The data protection laws in the United States and other countries might not be the same as those in your country. By using the Sites or submitting information to us, you specifically consent to the transfer of your information to the United States and to the facilities and servers we use, and to those with whom we may share your information.

## **14. CHANGES TO OUR PRIVACY POLICY**

It is our policy to post any changes we make to our privacy policy on this page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have

an up-to-date active and deliverable e-mail address for you, and for periodically visiting our App and this privacy policy at [www.ismconnect.io/privacy-policy](http://www.ismconnect.io/privacy-policy) to check for any changes.

## **15. CONTACT INFORMATION**

To ask questions or comment about this privacy policy and our privacy practices, contact us at:  
ISM Connect, LLC

169 N. Main Street, Doylestown, PA 18901