



# LIVERAIL PRIVACY POLICY

EFFECTIVE DATE: MARCH 10, 2010

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LiveRail is committed to protecting your privacy. The following statement describes LiveRail's Privacy Policy as it relates to the collection, use and disclosure of personal information we receive from users of <http://www.liverail.com> (this "Site") and LiveRail's online video advertising services ("the Services"). The purpose of this Privacy Policy is to inform you of the following:

- What kind of information is collected from you
- Who collects the information
- How the information is used
- With whom the information may be shared
- What choices are available to you regarding collection, use and distribution of the data
- The security procedures in place to protect the information

## INFORMATION WE COLLECT

### *Non-Personally Identifiable Information*

Non-personally identifiable information is information that, by itself, cannot be tracked to a specific individual. LiveRail may collect non-personally identifiable information while you are visiting the Site or the web site of one of LiveRail's advertiser or publisher clients (collectively referred to as "Business Customers"). While providing the Services, LiveRail may collect web surfing data such as web surfers' IP addresses, web pages that have been visited, time and date, and whether or not a Web surfer clicked on various advertisements ("Web Surfing Data"). We use different types of technologies to collect this information, including cookies, action tags, web beacons and single pixel GIFs.

A cookie is a small data file that we transfer to your computer's hard disk for record-keeping purposes. We use cookies for two purposes. First, we utilize persistent cookies to save your login information for future logins to the Site. Second, we utilize session ID cookies to enable certain features of the Services, to better understand how you interact with the Services, and to monitor aggregate usage by LiveRail users and web traffic routing on the Services. Unlike persistent cookies, session cookies are deleted from your computer when you close your browser. You can instruct your browser, by editing its options, to stop accepting cookies or to prompt you before accepting a cookie from the Web sites you visit. If you do not accept cookies, however, you may not be able to use all portions of the Site or all functionality of the Services. LiveRail may place advertisements of third-party advertisers on Web sites that you are visiting. If you choose to click on an advertisement, LiveRail may provide non-personally identifiable information to the advertiser and Web publisher. Also, the Web publisher or advertiser may use cookies, action tags, GIFs, or Web beacons to collect information when you are visiting their Web sites. The information they collect is governed by their individual privacy policies, not LiveRail's. We encourage you to read the privacy policies or statements of the other Web sites that you visit.

### *Personally Identifiable Information*

When using services offered through LiveRail or its Business Customers, you may choose to enter your name, contact information, and other personal information. In such cases, you will have clear notification that we are collecting this information so that you can choose not to provide it.

## USE OF THE INFORMATION WE COLLECT

### *Use of Non-Personally Identifiable Information*

The non-personally identifiable data that LiveRail and/or its Business Customers collect are used for marketing and sales efforts to better target advertisements to people across the different websites they visit. LiveRail may also use the non-personally identifiable data to better target content to individuals in an effort to create a personally relevant experience for each person. The data are also used to predict responses to advertisements, and to help determine which ads perform best and which content is most appropriate for different individuals.

### *Use of Personally Identifiable Information*

We use your personally identifiable information mainly to provide the Service and administer your inquiries. LiveRail does not provide personally identifiable information to Business Customers or other third parties except under the following conditions. If you provide personally identifiable information as part of an inquiry about products or services provided by one of our Business Customers, we will provide that information only to that Business Customer so that they may attempt to provide you with information regarding the products or services you inquired about.

### *Other Sharing of Information*

#### **Service Providers**

We may employ third party companies and individuals to facilitate our Services, to provide the Services on our behalf, to perform Site-related services (e.g., without limitation, maintenance services, database management, web analytics and improvement of the Site's features) or to assist us in analyzing how our Site and Services are used. These third parties have access to your personal information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

#### **Compliance with Laws and Law Enforcement**

LiveRail may release information when necessary in cooperation with government and law enforcement officials or private parties to enforce and comply with the law. We will disclose any information about you to government or to law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process (including but not limited to subpoenas), or to protect LiveRail's rights, property, or other interests, including those of its customers or users, or to prevent illegal activities or violations of LiveRail Terms of Use Agreement.

#### **Business Transfers**

In addition to the above, there is also the possibility that LiveRail may one day be purchased by, or merged with, another company. If that's the case, the acquiring (or merging) company will have access to your information. LiveRail will notify you before transferring your information to a new entity as part of a merger, acquisition, reorganization or sale of some or all of its assets if the new entity's processing of your information will materially differ from that set forth in this Privacy Policy.

### *Security Precautions*

LiveRail makes significant efforts to maintain the security of its network and the data we collect. We use various technologies, including, in certain instances, encryption, to ensure high security standards. Any data that is stored on LiveRail's servers is treated as confidential and is not generally available to the public. LiveRail has an internal security policy with respect to the confidentiality of customer and other data, limiting access only to those employees who we reasonably believe need to know such information for the purpose of performing their jobs.

Please keep in mind, however, that the Internet is not a 100% secure medium. Therefore, although we use reasonable efforts to protect information, the possibility of somebody defeating our security measures does exist.

### *Use Opt-Out Procedure*

If you do not want to receive cookies from LiveRail, be sure to disable cookies in your browser. The URL to opt-out of LiveRail cookies is <http://ad4.liverail.com/privacy/?optout>. The opt-in URL is <http://ad4.liverail.com/privacy/?optin>.

## EUROPEAN UNION

European Union web surfers understand and consent to the processing of personal information in the United States.

## LINKS TO WEB PUBLISHERS, ADVERTISERS, AND OTHER WEB SITES

LiveRail's Services are combined with content from Business Customers and other third party advertisers. LiveRail's Services may contain links to other Web sites. If you choose to visit a Business Customer or other third party advertiser by clicking on a banner ad or other type of advertisement, or click on another third-party link, you will be directed to that third party's Web site. The fact that we link to a Web site or present a banner ad or other type of advertisement is not an endorsement, nor is it an endorsement of their privacy or information security policies or practices. LiveRail is not responsible for the privacy practices or the content of Web publishers, advertisers, or other Web sites that may be linked to LiveRail's Web sites. These other Web sites may place their own cookies or other files on your computer, collect data or solicit personal information from you. This Privacy Policy addresses the use and disclosure of information that we collect from you through our Services. Other sites follow different rules regarding the use or disclosure of the personal information you submit to them. We encourage you to read the privacy policies or statements of the other Web sites you visit.

## OUR POLICY TOWARD CHILDREN

This Site is not directed to children under 18. We do not knowingly collect personally identifiable information from children under 13. If a parent or guardian becomes aware that his or her child has provided us with personally identifiable information without their consent, he or she should contact us at "support at liverail dot com". If we become aware that a child under 13 has provided us with personally identifiable information, we will delete such information from our files.

## CONTACTING LIVERAIL

If you have questions or concerns regarding this policy, you should contact LiveRail by sending email to "support at liverail dot com" with "Privacy" in the subject line.

## ACCEPTANCE OF PRIVACY STATEMENT

Your use of our Web site is subject to this Privacy Policy and the Terms of Use Agreement.

BY USING OUR WEB SITE, YOU ARE ACCEPTING THE PRACTICES SET OUT IN THIS PRIVACY POLICY AND OUR TERMS OF USE AGREEMENT.

## CHANGES TO PRIVACY POLICY

We reserve the right to modify this Privacy Policy at any time by posting the changes on this page. Please check the effective date at the bottom of this page to determine if the Privacy Policy has been modified since you last reviewed it. In the event that any material changes are made to the company's privacy practices, we will notify you by posting the new Privacy Policy on the Site. You are advised to consult this policy regularly for any changes. Your continued use of the Site following posting of the updated Privacy Policy will constitute your acceptance of the changes.

## EFFECTIVE DATE

The Privacy Policy was last revised on March 10, 2010.