



## Privacy Policy

*Last updated: May 24, 2018*

### Scope of this Policy

RainFocus, Inc. (the “Company” or “We”) understands you care how information about you is collected and used. RainFocus is committed to protecting the privacy of individuals who interact with us. This RainFocus Privacy Policy (“Privacy Policy”) describes privacy practices for our websites, services, and apps that link to this policy. This policy also details our privacy practices related to RainFocus marketing, advertising, and company events.

RainFocus is an online event management platform with built-in predictive analytics and comparison data management capabilities. We provide the RainFocus platform and related support and other services to our customers. In this Privacy Policy, we will refer to the RainFocus platform, RainFocus website(s), mobile and desktop applications provided by the Company that you use at a physical event or that scan your badge onsite at a physical event, and related services collectively as our “Services.” We will refer to our emails, newsletters, and other marketing and advertising practices collectively as our “Communications.” For the purpose of this Privacy Policy, “Personal Information” means any information relating to an identified or identifiable natural person.

This policy does not apply to information collected by any third party, including through any application or content (including advertising) that may link to, or be accessible from or on our website or mobile and desktop applications.

We provide Services to our clients. As part of the Services, client data may be stored on our computer systems. As our client, when you use our Services to process data you have collected, you control the data you collect, what data is uploaded to the Services, and how that data is used. The collection, use, transfer, and retention of client data in our Services are governed by our clients’ privacy policy, not this Privacy Policy. As a data processor, we will cooperate with you in your efforts to control your data.

### Information We Collect About You and How We Collect It

#### **RainFocus Websites and Use of Cookies**

We receive and store certain information about how you use our websites and Services when you visit a RainFocus website or use our Services. For example, we receive information that your browser or device sends to our servers whenever you visit a RainFocus website. Your browser or device may tell us your internet protocol (IP) address used to connect your computer to the Internet, computer and connection information such as browser type, version, language and time zone settings, browser plug-in types, operating system, and type of device you are using. When you visit a RainFocus website, your browser may also tell us information



such as the actions you take on our website, the page that led you to our website and, if applicable, the search terms you typed into a search engine that led you to our website.

We may receive information about how you use our websites and Services through the use of first-party and third-party cookies, and also web beacons and other similar technologies such as CAPTCHA's to improve our Services performance and to enhance your browsing experience. Certain areas of our websites also use cookies to understand more about you, so we can offer you a more personalized browsing experience.

### ***What is a cookie?***

A "cookie" is technology that allows our websites to store tokens of information (an "identifier") in your browser used only by our websites while you are on those websites. Cookies are not used to determine the personal identity of anyone who is merely visiting our websites. Cookies have other uses as well. For example, they are used to provide entry for subscribers who have chosen the automatic log-on feature during registration. Cookies are also used to prevent online poll participants from voting more than once.

On certain pages of our websites, cookies are used to help us track your interests while you browse the internet, so we can tailor more relevant advertising to you, and to understand what is important to you.

### ***How do I disable cookies?***

If you do not want to receive a cookie from our websites, you have the option of setting your browser to notify you when you receive a cookie, so that you may determine whether to accept it or not. However, please be aware that if you do turn off "cookies" in your browser, you will not be able to fully experience some of our websites. For example, you will not be able to benefit from automatic log-on and other personalization features.

Further details on how to disable cookies for the most popular browsers are set out below:

#### **For Microsoft Internet Explorer:**

1. Choose the **Tools** menu, then **Internet Options**.
2. Click on the **Privacy** tab.
3. Select the appropriate setting.



#### For Google Chrome:

1. Click the **Chrome** menu in your browser toolbar.
2. Choose **Preferences**.
3. Choose the **Settings** menu and choose **Advanced**.
4. Under **Privacy and security**, click **Content settings**.
5. Choose **Cookies** and adjust your cookie settings.

#### For Safari:

1. Click the **Safari** menu in your browser toolbar.
2. Choose **Preferences**.
3. Choose the **Privacy** option.
4. Click on **Manage Website Data** and choose the cookies you want to remove.

#### For Mozilla Firefox:

1. Click the **Firefox** menu in your browser toolbar.
2. Choose **Preferences**.
3. Choose **Privacy & Security**.
4. In the **Cookies and Site Data** section, adjust your cookie settings.

#### For Opera 6.0 and further:

1. Click the **Opera** menu in your browser toolbar.
2. Choose **Preferences**, and choose **Privacy & security**.
3. In the **Cookies** section, adjust your cookie settings.



Where you have not set your permissions, we may also separately prompt you regarding our use of cookies on our Site. Except for essential cookies, all cookies used on our Site will expire after two years

### ***What cookies do we use?***

The cookies used by our websites perform four functions, as classified below:

1. *Essential/Strictly Necessary Cookies*  
Some cookies we use are essential to the functioning of our websites. For example, remembering your log-in details to certain parts of our websites.
2. *Performance Cookies*  
Some cookies help us with the performance and design of our websites. This allows us to measure how many times a page has been visited, whether a page has been visited on our websites through an advertisement or by other means.
3. *Functionality Cookies*  
Some cookies help us to remember your settings which you may have selected or assist with other functionality when you browse and use our websites. This helps us to remember what you have selected, so on your return visit we remember your preferences.
4. *Targeting and Tracking Cookies*  
On certain pages of our websites, we use cookies to help us understand your interests as you browse the internet, so we can tailor and deliver to you a more personalized service in the future. This assists us in delivering relevant advertising to you during various advertising campaigns we may run from time to time through participating third-party sites.

These cookies collect information relating to the origin of your visit, where you were exposed to RainFocus advertising, what advertising feature you saw, whether you arrived directly or indirectly to our websites, the device you used to visit our websites and which downloads you performed. This information is collected on an anonymous basis via third party suppliers.

In addition, we also utilize cookies on certain pages of our websites to communicate with third party data suppliers in order to extrapolate your digital behavior. This helps us to understand and target more relevant advertising in the future. The information we receive is all aggregate and anonymous, but will include statistics such as demographics, online behavior, product interests and lifestyle. Targeting and tracking cookies are provided via trusted third-party suppliers. Should you require more information regarding our suppliers and how these cookies operate please contact us at [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com).



### **What are Web Beacons?**

Pages of our websites (and our e-mails) may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or (opened an email) and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity). We do not use this technology to access your personal information and it is only used to compile aggregated statistics about visitors who come to our websites to gauge the effectiveness of our ads.

By navigating on our websites, you agree that we can place cookie and web beacons on your computer or device. 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 websites. If you prefer not to receive cookies or web beacons, then you should stop using our websites, or consult your browsing settings.

### **RainFocus Registration and Customer Support Services**

You may provide us with information about you when you complete a RainFocus web form, register to use a RainFocus website (such as [www.RainFocus.com](http://www.RainFocus.com)) or Service, request a Services demonstration, respond to an advertisement, contact RainFocus for support or other offerings, or attend an event or forum in which RainFocus is hosting or participating. This includes information provided at the time of registering to use our websites, checking in onsite at a physical event, or having your badge scanned at a physical event. During such processes, we collect Personal Information about you. For example, we may collect your name, company name, address, email, phone number, billing and payment information, position, or title. We may also collect other public and third-party information about you to supplement your profile, such as public information about the company where you work. We may also ask you for information when you report a problem with our websites and we may collect your search queries within our websites.

### **Buttons, Tools, and Content from Other Companies**

RainFocus websites and Services may include buttons, tools, or content that link to other companies' services (for example, a Facebook "Like" button). We may collect information about your use of these features. In addition, when you see or interact with these buttons, tools, or content, or view a RainFocus web page containing them, some information from your browser may automatically be sent to the other company. Please read that company's privacy policy for more information regarding its use of that information.

### **RainFocus Social Networking Pages**

We maintain pages on many social networking sites. We may collect information when you interact with our social networking pages.



### **RainFocus Online Advertising**

We advertise online, including displaying RainFocus ads across the Internet on websites and in apps. When we advertise online to you, we may collect information about which ads are displayed to you, which ads you click on, and the web page where the ad was displayed to you.

### **Public Chat, Message Boards and User Postings**

You might provide Personal Information through your public participation in chat sessions, message boards, user communities associated with our Services, blogs, email exchanges, or newsgroups on our websites (“**User Contributions**”). Your User Contributions are posted on and transmitted to others at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of our websites 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. This Privacy Policy does not apply to information that you make generally available through such websites.

### **Third-Party Use of Cookies and Other Tracking Technologies**

Some content or applications, including advertisements, on our websites are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. 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 websites. 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 [Choices About How We Use and Disclose Your Information \(Reviewing, Updating, or Deleting Your Personal Information\)](#).

### **[How We Use Your Information](#)**

We use information that we collect about you or that you provide to us, including any Personal Information:

- To present our websites, applications and their contents to you.
- To provide you with information, products, or services that you request from us.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account, including expiration and renewal notices.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.



- To notify you about changes to our websites or any products or services we offer or provide through those platforms.
- To allow you to participate in interactive features on our websites.
- For marketing and advertising purposes.
- To send you email, news and newsletters, promotions, and/or invitations to visit our websites.
- To combine information we collect about you with other public or private information sources in order to provide you with communications that may be relevant to you and to enhance the Services we provide to you.
- To contact you via telephone to discuss our Services and related offers with you.
- To better understand how users access and use our websites and our services, both on an aggregated and individualized basis, and for other research purposes.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

### **Newsletter Subscription Information**

From time to time, we may provide information to our clients and potential clients in the form of electronic or print newsletters. When you subscribe to our newsletter you may be added to our mailing list and will receive announcements and information about RainFocus. It will be emailed or mailed to the address that you provide when you subscribe.

### **RainFocus Text Messages**

Our Services may allow us and other Services users to periodically communicate with you through text messaging. We may contact you regarding the Services we provide to you, such as providing system alerts. You may manage your contact information and notification preferences in your Services account settings.

### **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:

- When you have consented to disclosing.
- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business.
- To enforce or apply our terms of use or terms of sale and other agreements, including for billing and collection purposes.
- 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 Rainfocus, Inc.'s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar



proceeding, in which Personal Information held by Rainfocus, Inc. about our websites users is among the assets transferred.

- When we are required or believe we are required to provide information in response to a subpoena, court order, applicable law, government statute, regulation, or other legal process.
- When we have a good faith belief that the disclosure is necessary to prevent or respond to fraud, defend our websites or Services against attacks, or protect the property and security of RainFocus, or the property and security of our clients and users.
- To the extent necessary to meet lawful requests by public authorities, including to meet national security or law enforcement requirements.
- When we aggregate and share de-identified information collected by our Services in order to provide statistical information or market research to third parties.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

### [Choices About How We Use and Disclose Your Information \(Reviewing, Updating, or Deleting Your Personal Information\)](#)

We strive to provide you with choices regarding the Personal Information you provide to us. Your principal rights are:

- (a) the right to access;
- (b) the right to rectification;
- (c) the right to erasure;
- (d) the right to restrict processing;
- (e) the right to object to processing;
- (f) the right to data portability;
- (g) the right to complain to a supervisory authority; and
- (h) the right to withdraw consent.

We have created mechanisms to provide you with the following control over your information:

- **By Contacting Us.** You may submit a request to us to review, edit, or delete your Personal Information by emailing your request to [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com), or if you prefer, you can contact us through physical mail at RainFocus, Inc., 357 South 670 West, Suite 150, Lindon, UT, 84042 or by telephone at 650-684-7363. Our business hours for telephone contact are 9:00 AM to 5:00 PM Mountain. Once we verify your identify, we will assist you with your request. We will retain your Personal Information for as long as necessary to



provide you with the websites and Services you use, as needed to comply with our legal obligations, or enforce our agreements. For example, we may retain certain records for legal or internal business reasons, such as fraud prevention. Some of your information may also remain on backup systems after your use of our websites and Services ends. If you delete your User Contributions from our websites, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users. You can choose not to provide us with your Personal Information, but if you do not provide us with your Personal Information when we request it, we may not be able to provide you with the websites and Services you use, or tailor them to you.

- **Tracking Technologies and Advertising.** 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 our websites may then be inaccessible or not function properly.
- **Contacting Third Party.** 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. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

### [Children Under the Age of 13](#)

Our websites and Services are not intended for children under 13 years of age. No one under age 13 may provide any information to or on this Website. We do not knowingly collect Personal Information from children under 13. If you are under 13, do not use or provide any information on our websites or on or through any of its features on our websites, make any purchases through our websites, use any of the interactive or public comment features of our websites or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received Personal Information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com).

### [Your California Privacy Rights](#)

California Civil Code Section § 1798.83 permits users of our websites 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 email to [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com).

### [Cross-Border Data Transfers and EU-U.S. Privacy Shield](#)

Your Personal Information may be stored in the United States, or transferred to other countries where the companies we hire to help us run our business are located, such as Australia, India,



Japan, South Africa, and the United Kingdom. Those countries may not have the same data protection laws as the country in which you initially provided the information. When we transfer your Personal Information, we will protect it as described in this privacy policy.

We are committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework's applicable principles. To learn more about the Privacy Shield Frameworks, visit the U.S. Department of Commerce's Privacy Shield List: <https://www.privacyshield.gov/list>.

We are responsible for the processing of personal data we receive, under the Privacy Shield Framework, and subsequently transfer to a third party acting as an agent on our behalf. We comply with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, 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 us at [dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com).

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

## **Data Security and Storage**

We understand that the security of your Personal Information is important. We implement reasonable administrative, technical, and physical security controls designed to protect your Personal Information from loss, misuse, unauthorized access, disclosure, alteration, or destruction. Your Personal Information and data files are stored on our servers and the servers of our affiliated companies and companies we hire to provide services to us.

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 this Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of this Website. The information you share in public areas may be viewed by any user of this Website.

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 this Website. 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 our websites, applications or platform.

### Complaints

If you are concerned about an alleged breach of privacy law or any other regulation by RainFocus, you can contact your usual local RainFocus representative or RainFocus' Privacy Officer, Mike Bushman at [mike@rainfocus.com](mailto:mike@rainfocus.com). We will investigate your complaint and give you information about how it will be handled.

If you are not satisfied with the way in which RainFocus has resolved your complaint, you have the right to complain to the data protection authority in your country. You may also refer the matter to a court of competent jurisdiction.

### Changes to Our Privacy Policy

It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' Personal Information, we will notify you by email to the primary email address specified in your account and/or through a notice on our websites' home 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 email address for you, and for periodically visiting this website and this privacy policy to check for any changes.

### Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:  
357 South 670 West  
Suite 150  
Lindon, UT, 84042  
[dataprivacy@rainfocus.com](mailto:dataprivacy@rainfocus.com)  
650-684-7363