

# Fyber's Privacy Policy

The Fyber Group (Fyber N.V., Fyber Monetization Ltd., Fyber GmbH, Fyber Media GmbH, Fyber RTB GmbH, Advertile Mobile GmbH, and Heyzap Ltd.), d/b/a "Fyber" and any future corporate affiliates (collectively, "**Fyber**") put great efforts in making sure that personal information is safe and used only in full compliance with applicable data protection laws and regulations.

This privacy policy ("**Policy**") explains Fyber's privacy practices for processing personal information on Fyber's website (the "**Site**") and via Fyber's Services. It applies whenever you access or use the Site or a mobile application or website that is connected and/or uses the Services (as applicable). Please take the time to read the full Policy. Capitalized terms used herein are defined in this Policy.

## I. The Fyber Site Privacy Policy

### 1. Intro to the Fyber Site

The Fyber Site is a marketing website aimed to provide information and content, created by Fyber, about Fyber and its Services. You may visit the Fyber Site without any registration.

When visiting the Site, Fyber may receive information that you voluntarily provide, such as when you fill out a "contact us" form request, when you apply to join one or more of the Fyber Services or when you subscribe to the Fyber newsletter and may collect certain 'traffic/session' information from your device. Such information may include personal information such as your name, email address, telephone number or any other information you provide to Fyber. Please note that you are not required by law to provide us personal information. Our Site is not directed to children under 16 years of age and we do not intentionally or knowingly collect personal information on such users.

### 2. The Personal Information that You Provide voluntarily via the Site

When you contact Fyber, by filling a form on the Site, contacting Fyber's customer support team for technical issues or contacting Fyber's legal team with any questions or inquiries or when Fyber contacts you regarding any of the above, Fyber may receive and process any personal information that you provide Fyber such as your name, your company's name and email address.

If you submit personal information in a comment on a blog post or on any applicable social media websites, the personal information that you submit can be read, collected or used by others and could be used to send you unsolicited messages or otherwise contact you.

Fyber is not responsible for the personal information that you choose to submit in these blogs.

Fyber may use the information you provide via the Site for its business' purposes, such as responding to your inquiries or support requests, for marketing, recruiting and hiring, and to contact you in the course of offering you with any of the Services and/or with the Fyber newsletter. Fyber retains the information collected via the Site for so long as you use the Services or until you choose to unsubscribe from the

Fyber mailing list (link to cancel subscription is included in every email sent to you), or until Fyber deletes your personal information pursuant to a written request from you.

### **3. The Personal Information that Fyber collects via the Site**

When you access the Site, Fyber's servers log certain 'traffic/session' information from your device, such as your user agent and the Internet Protocol (IP) address.

When you use the Site, Fyber may collect information about your activity, for example, your log-in and log-out time, the duration of sessions, viewed web-pages or specific content on web-pages, activity measures and geo-location of your device.

### **4. The Site may include Third Party's Services**

Third party's services, such as Marketo, are incorporated in the Site but are governed by their respective privacy policy. For example, Marketo's privacy policy can be found here: <https://www.marketo.com/> and a full overview of all Services used on the Site can be found here: <https://builtwith.com/fyber.com>. Fyber therefore encourage you to read these privacy policies before using the Site.

Fyber Site may include links to third-party social media websites, such as [Youtube®](#) [Facebook®](#), [Twitter®](#), [LinkedIn®](#), [Google+®](#) and [Vimeo®](#), as well as associated social media features and scripts, such as the Facebook® "like" button and widgets. These features and scripts may collect your IP address, which page you are visiting on the Site, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by the applicable third party social media website or hosted directly on the Site.

Your interactions with these social media features and widgets, as well as your interactions with the social media websites themselves, are governed by the privacy policies of the applicable social media websites.

### **5. What does Fyber do with Personal Information it receives via the Site?**

Fyber may use the information collected on the Site to evaluate Users' interests and behavior on a pseudonymous, no-name basis in order to being able to deliver tailored content.

As required under applicable law, Fyber will use identifiable information to enforce Fyber's terms, policies and legal agreements, to comply with court orders and warrants, and assist law enforcement agencies, to collect debts, prevent fraud, misappropriation, infringements, identity thefts and any other misuse of the Services, and to take any action in any legal dispute and proceeding.

Fyber commits to process personal information solely for the purposes described in this policy.

### **6. Sharing Personal Information with Others**

Fyber may share your personal information with service providers and other third parties, if necessary to fulfill the purposes for collecting the information, provided that any such third party will commit to protect your privacy as required under the applicable law and this policy.

**Share Personal Information with Fyber's corporate affiliates** in order to operate the Site.

**Share Personal Information with law enforcement and/or government agencies, courts, and/or other organizations:** (a) as required by law, such as to comply with a subpoena, or similar legal process; and/or (b) when Fyber believes in good faith that disclosure/sharing is necessary to protect Fyber's rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;

**Share or transfer Personal Information** if Fyber is involved in a merger, acquisition, or sale of all or a portion of its assets, as part of such transaction. You will be notified via a prominent notice on the Site of any change in ownership or uses of this information if applicable. In any event, your information will remain protected under this Policy;

Share it in any other circumstances where Fyber receives your written consent;

## **7. Aggregated and Analytical Information**

Fyber may also collect information that is non-identifiable to you through Google Analytics, such as the type of browser, browser language, type of operating system, domain name of Internet service provider, device IP address web pages visited, times and dates of visits and the content you access on and/or via the Site.

The privacy practices of these tools are subject to their own privacy policies. Fyber therefore encourages you to read Google's policy regarding its analytics services at: <http://www.google.com/analytics/learn/privacy.html>.

Fyber uses anonymous, statistical or aggregated information and may share them with Fyber's partners for legitimate business purposes. This has no effect on your privacy because there is no reasonable way to extract data from the aggregated information that can be associated with you.

## **8. Cookies**

Cookies are packets of information sent to your web browser and then sent back by the browser each time it accesses the server that sent the cookie.

Fyber uses Session Cookies for legitimate purposes, such as facilitation of the use of the Site and its features and tools.

## **9. User Choice**

At any time, you may unsubscribe from Fyber's newsletters list, by sending Fyber an opt-out request to: [marketing@fyber.com](mailto:marketing@fyber.com) or clicking the "unsubscribe" link available thereto.

You may manage your cookies preferences through the setting of your browser.

## 10. Your California Privacy Rights

If you are a California resident, California Civil Code Section 1798.83 permits you to request in writing a list of the categories of personal information relating to third parties to which Fyber has disclosed certain categories of personal information during the preceding year for the third parties' direct marketing purposes.

To make such a request, please contact Fyber at: [privacy@fyber.com](mailto:privacy@fyber.com)

## 11. Accessing Your Personal Information

At any time, you may contact Fyber at: [privacy@fyber.com](mailto:privacy@fyber.com) and request to access the personal information that Fyber keeps on you. Fyber may need to ask you to provide certain credentials to make sure that you are who you claim to be. If you find that the information on your account is not accurate, complete or updated, then please provide Fyber the necessary information to correct it.

At any time, you may contact Fyber at: [privacy@fyber.com](mailto:privacy@fyber.com) to receive a copy of the personal information that Fyber keeps about you, and to verify the accuracy of the data.

If you'd like Fyber to delete data that you have provided via the Site, please contact Fyber at [Marketing@fyber.com](mailto:Marketing@fyber.com) and Fyber will respond in a reasonable time.

Please be advised that Fyber may retain and use your personal information as necessary to comply with its legal obligations, resolve disputes and enforce Fyber's agreements.

In addition, after Fyber deletes your personal information, residual copies may take a period of time before they are deleted from Fyber's active servers and may remain in its backup systems.

This deletion will not change or delete personal information which may have already been shared with third parties, as permitted in this Policy or any other agreement between you and Fyber.

Fyber may redact from the data which it will make available to you, any personal information related to others.

## 12. Your EU Data Subject Rights

In operating the Site, Fyber processes data as a controller (as such terms are defined in the GDPR). As a controller, Fyber is committed to fulfill data subjects' ('Users') GDPR rights.

As an EU resident, you may:

- **Access** the data that Fyber keeps about you. Fyber may need to ask you to provide us certain credentials to make sure that you are who you claim you are. If you find that the data is not accurate, complete or updated, then you may provide us with the necessary information to rectify it.

- Contact us if you want to **withdraw** your consent to the processing of your personal information. Exercising this right will not affect the lawfulness of processing based on consent before its withdrawal.
- Request to **delete or restrict** access to your personal information. Fyber may postpone or deny your request if your personal information is in current use for providing the Services or due to other legitimate purposes, such as compliance with regulatory requirements associated with Fyber.

If you exercise one (or more) of the above-mentioned rights, in accordance with the provisions of applicable law, you may request to be informed that third parties that hold your personal information, in accordance with this Policy, will act accordingly.

- You may ask to **transfer** your personal information in accordance with your right to data portability.
- You may **object to the processing** of your personal information for direct marketing purposes.
- You have the **right not to be subject to a decision based solely on automated processing**, including profiling, which produces legal effects concerning you or similarly significantly affecting you.
- You have a right to **lodge a complaint** with a data protection supervisory authority.

Fyber does periodical assessments of its data processing and privacy practices, to make sure that Fyber complies with this policy, to update the policy when needed, and to verify that the policy is displayed properly and accessible.

If you have any concerns about the way Fyber process your personal information, you are welcome to contact Fyber's data protection officer at: [privacy@fyber.com](mailto:privacy@fyber.com), or write to Fyber to: Fyber GmbH, Johannisstraße 20, 10117 Berlin, Germany.

Fyber will look into your enquiry and make good-faith efforts to resolve any existing or potential dispute with you. If you remain unhappy with the response you received, you can also refer the matter to the [data protection authorities in Germany](#).

### 13. Data Retention

Fyber stores and retains your personal information for as long as you use the Site and/or remain subscribed to the Fyber newsletter or blog. Notwithstanding the foregoing, Fyber may store and retain your personal information for a reasonable time of up to 90 days after you stopped using the Site and/or unsubscribed to the Fyber newsletter or blog for internal reporting and analytics and improving the Site and/or any product or services provided thereto.

Fyber may retain various types of information for longer periods pursuant to legal requirements under the applicable law.

Fyber will make efforts to guarantee that personal information is kept for no longer than is necessary for the purposes for which the personal information is processed.

In any case, as long as Fyber uses your personal information to provide the Services, Fyber will retain the personal information about you, unless Fyber is required by law to delete it, or if Fyber accepts your request to delete the information, pursuant to applicable laws, or if Fyber decides to remove it at its discretion.

#### **14. Transfer of data outside your territory**

Fyber may store and process information in various sites throughout the globe, including in sites operated and maintained by cloud based service providers, as currently described in its list of sub-processors, available [HERE](#).

If you are a resident in a jurisdiction where transfer of your personal information to another jurisdiction requires your consent, then you hereby provide Fyber your express and unambiguous consent to such transfer or by using the Site you hereby provide your express consent to such transfer (as applicable).

If you are a resident of the European Economic Area (EEA), your personal information is processed and stored by Amazon Web Services (AWS) Cloud in the US on Fyber's behalf in accordance with the highest degree of security of AWS.

To the extent necessary under EU privacy laws and regulations, Fyber will implement data onward transfer instruments, such as the Controller to Processor EU-US Standard Contractual Clauses, the Privacy Shield Framework and a statement of compliance with the Privacy Shield Principles.

#### **15. Information Security**

Fyber is concerned about safeguarding the confidentiality of your personal information. Fyber and its hosting services implement systems, applications and procedures to secure your personal information, to minimize the risks of theft, damage, loss of information, or unauthorized access or use of information.

For example, Fyber limits access to this information to authorized personnel who need to know that information in order to operate, develop or improve the Site.

These measures provide sound industry standard security. However, although Fyber makes efforts to protect your privacy, Fyber cannot guarantee that the Services will be immune from any wrongdoings, malfunctions, unlawful interceptions or access, or other kinds of abuse and misuse.

#### **16. Changes to this Privacy Policy**

From time to time, Fyber may update this policy. If the updates have minor if any consequences, they will take effect 7 days after Fyber posts a notice on the Site. Substantial changes will be effective 30 days after Fyber's notice was initially posted.

Until the new policy takes effect, you can choose not to accept it and terminate your use of the Site. Continuing to use the Site after the new policy takes effect means that you agree to the new policy.

Note that if Fyber needs to adapt the policy to legal requirements, the new policy will become effective immediately or as required.

## 17. Contact Fyber

Please contact Fyber's Data Protection Officer at: [privacy@fyber.com](mailto:privacy@fyber.com) for further information.

**Last Updated: April 25, 2018**

## II. The Fyber Services Privacy Policy

Fyber develops and operates several services in the ad-tech environment, such as a programmatic ad exchange, mediation platform, programmatic mediation platform, incentivized offer walls, direct sales service and other online advertising-related services, all of which may include advertising management services, such as optimization, ad serving, campaign management and the compilation of relevant statistical data (collectively, the "**Services**").

This Policy explains Fyber's privacy practices for processing personal information via the Services and it applies whenever you access or use the Property of a Supply Partner that is connected to and/or uses the Services. Our Services are not directed to children under 16 years of age and we do not intentionally or knowingly collect personal information on such users.

### 1. The Services

Fyber provides advertisers, agencies, DSPs and/or ad networks (collectively, "**Demand Partners**") and website and/or mobile application/website developers and/or owners publishers (collectively, "**Supply Partners**"; Supply Partner and Demand Partners are also referred to hereinafter as "**Customers**") with the following Services:

- **Ad Exchange service**, that enables Supply Partners to make their ad inventory available for purchase by Demand Partners for their ad campaigns via a programmatic auction and for the winning ad of such auction to be served on Supply Partner;
- **Mediation service**, that enables Supply Partners to optimize placement of ads by third-party Demand Partners on their website or mobile application/website ("**Property**") and for Demand Partners to buy ad inventory and serve ads directly on such Property;
- **Programmatic Mediation service**, that enables Supply Partners and Demand Partners to use programmatic auction for the sale and purchase of advertising space inventory on the Property;
- **Offer Wall service**, that enables Supply Partners and Demand Partners to use an opt-in scrollable offers which includes individual Ads to integrate into Property.

- **Direct Sales service**, that enables Supply Partners and Demand Partners to run ad campaigns on certain Property.
- From time to time, Fyber may offer ancillary services to the services described above and additional services.
- Fyber has no direct interaction with the individuals that visit Customers' services ("**Users**"), except for the Fyber Offer Wall service where Fyber provides technical support only in behalf of Supply Partner to Users of the Offer Wall.
- Fyber's Customers are required to provide an adequate notice Users about this Privacy Policy and to provide a privacy policy of their own, as required by the applicable legislation.

## 2. The Personal Information that Fyber collects and receives

Fyber collects personal information in order to provide the Services and for other specific purposes, as described in this Privacy Policy. Please note that you are not required by law to provide Fyber with any personal information.

Fyber only collects information that the Supply Partner had instructed Fyber to collect, in writing, prior to such collection, and subject to your permissions inside the Property and/or your mobile device.

As an example, Fyber's Software Development Kit ("**SDK**") that may be installed on the Property you are using will not collect your location data unless you affirmatively allowed/enabled the Property to collect it. Other information may be received via an API integration between Fyber's server and trusted third-party's servers and additional information may be received by embedding tags on websites you visit.

From time to time, Fyber may use additional or alternative tools to collect information, in which case this Privacy Policy will be amended accordingly.

When interacting with the Property, Fyber may collect/receive the following information:

- **Information about your device**, such as device type and model, network provider, browser type, language.
- **Information about the Property**, such as package name, key words, version.
- **Information about your operation system**, such as Android, iOS.
- **Information about your mobile advertising identifiers**, such as your Advertising ID (Apple IDFA or Google AAID).



- **Information provided by your device**, such as device IP address, network connection type and device GPS location (only if you provide permission).
- **Information Fyber may receive from Supply Partners**, such as your age, gender, zip code, GPS location.
- **Information Fyber may receive from Third Parties** about you from sources other than the Property, such as non-precise device location based on IP address, device specifications and User's interests.

### **3. What does Fyber do with Personal Information?**

Fyber uses the personal information that it collects and receives –

- to provide the Services;
- to enable and optimize the Services' tools and features
- to study and analyze the functionality of the Services, Customers' and Users' activities,
- to provide support,
- to measure the Services' activity for pricing purposes,
- to maintain the Services,
- to improve the Services and to continue developing the Services.

Fyber may use the information collected to evaluate Users' interests and behavior on a pseudonymous, no-name basis in order to being able to deliver tailored content If necessary, Fyber may use identifiable information to enforce its terms, policies and legal agreements, to comply with court orders and warrants, and assist law enforcement agencies, to collect debts, prevent fraud, misappropriation, infringements, identity thefts and any other misuse of the Services, and to take any action in any legal dispute and proceeding.

- Fyber commits to process personal information solely for the purposes described in this policy. To the extent relevant and possible, Fyber will make efforts to maintain accurate information that is complete and up-to-date.

### **4. Sharing Personal information with others**

Fyber may share personal information for the following purposes:

#### **Share it with its trusted Demand Partners:**

- For the purpose of serving you with contextual and/or targeted ads that are relevant to you and may interest you.
- For ad reporting purposes and for Demand Partners to have information about the performance of their ad campaigns and improve their ads performance over time.

### **Share it with Supply Partners:**

- To help them understand how Users are engaging with ads, what kind of Users are most engaging with certain types of ads on their Property, and what kind of ads are published on their Property;

### **Share it with Third Parties:**

- To receive additional data on you from sources other than the Property in order to help analyze and enrich the information collected on you, as well as serve you with more relevant and targeted ads on the Property and elsewhere.
- To receive Third Party's services, such as fraud protection, bot detection, rating, analytics, viewability, geo location services, ad security and verification services.

**Share it with Fyber's corporate affiliates** in order to provide the Services.

### **Share it with law enforcement and/or government agencies, courts, and/or other organizations:**

(a) as required by law, such as to comply with a subpoena, or similar legal process; and/or (b) when Fyber believes in good faith that disclosure/sharing is necessary to protect its rights, protect your safety or the safety of others, investigate fraud, or respond to a government request;

**Share or transfer it** if Fyber is involved in a merger, acquisition, or sale of all or a portion of its assets, as part of such transaction. You will be notified via a prominent notice on Fyber's website of any change in ownership or uses of this information. In any event, your information will remain protected under this Policy;

Share it in any other circumstances where Fyber receives **your written consent**;

## **5. Aggregated and analytical information**

Fyber may use standard analytics tools. The privacy practices of these tools are subject to their own privacy policies, and they may use their own cookies to provide their service (for further information about cookies, please see the 'Cookies' section in this policy).

Fyber use the standard analytics tools of Google Analytics and Fyber may use additional or other analytics tools, from time to time. The privacy practices of these tools are subject to their own privacy policies. See Google Analytics Privacy Policy at: <http://www.google.com/analytics/learn/privacy.html>.

Fyber uses anonymous, statistical or aggregated information and may share it with its partners for legitimate business purposes. It has no effect on your privacy, because there is no reasonable way to extract data from the aggregated information that can be associated with you.

- Fyber will share your personal information only subject to the terms of this policy, or subject to your prior consent.

## **6. Cookies**

Cookies are packets of information sent to your web browser and then sent back by the browser each time it accesses the server that sent the cookie.

Fyber uses session cookies for legitimate purposes, such as facilitation of the use of the Property you use and its features and tools. To clarify, Fyber's cookies do not collect any personal information about you. When you visit a website, the cookie can recognize your device based on internal identifier of Fyber's systems and in the future, if you return to that website, it can read that cookie to remember you from your last visit. By keeping track of you over time, cookies may be used by Fyber and its Demand Partners Advertisers to deliver ads targeted to you and track your engagement with these ads.

If you wish to delete cookies or limit the kinds of cookies that can be placed on your device you need to check out the settings in your browser, use the 'Help' tab or look for settings like 'Options' or 'Privacy.' From there, you may be able to delete cookies, block them or control when they can be placed.

## **7. User Choice**

If you have an account in the Services, at any time, you may disable your account through your account page. Thereafter, Fyber will stop collecting any personal information from you.

However, Fyber may store and continue using or making available certain personal information that is related to you. For further information, please read the Data Retention section in this policy

If you wish to opt-out from collection and use of precise location data for advertising, you can turn location services off through your device settings. The latest versions of iOS and Android allow you to limit which particular applications can access your location information.

You also can limit the use of identifiers for ad targeting on your devices. If you turn on this setting, apps are not permitted to use the advertising identifier to serve consumers targeted ads.

As an example, for iOS, the controls are available through Settings > Privacy > Advertising > Limit Ad Tracking. For Android, Google Settings > Ads > Opt Out of Interest-Based Ads.

Although this tool will limit the use of tracking data for targeting ads, companies may still be able to monitor your app usage for other purposes, such as research, measurement, and fraud prevention.

You can reset the identifiers on your mobile device in the device settings. iOS users can do this by following Settings > Privacy > Advertising > Reset Advertising Identifier. For Android, the path is Google settings > Ads > Reset advertising ID.

Following such restart, the device is harder to associate with past activity, but tracking can start anew using the new advertising identifier.

If you'd like to opt-out from the use of the collected information to serve targeted advertising by Demand Partners on your mobile application, you can download the Digital Advertising Alliance's mobile application for each of your devices and set your preferences in the mobile application.

- Download AppChoices for iOS devices
- Download AppChoices for Android devices

If you reset the mobile advertising identifiers, you will also need to reset your preferences in the AppChoices applications.

If you delete all cookies, you'll also delete the cookies that indicate your preference to opt out of targeted ads. Please note that even if you opt out of targeted advertising, a company may still use cookies for other purposes, such as to limit the number of times you're shown a particular ad.

Some web browsers offer a "Do Not Track" ("DNT") signal. A DNT signal is a HTTP header field indicating your preference for tracking your activities on the Services or through cross-site user tracking. The Services do not respond to DNT signals.

## **8. Your California Privacy Rights**

If you are a California resident, California Civil Code Section 1798.83 permits you to request in writing a list of the categories of personal information relating third parties to which Fyber has disclosed certain categories of personal information during the preceding year for the third parties' direct marketing purposes.

To make such a request, please contact us at: [privacy@fyber.com](mailto:privacy@fyber.com).

## **9. Accessing Your Personal Information**

At any time, you may contact us at: [privacy@fyber.com](mailto:privacy@fyber.com) and request to access the personal information that Fyber keeps about you. Fyber may need to ask you to provide it with certain credentials to make sure that you are who you claim you are. If you find that the information on your account is not accurate, complete or updated, then please provide us the necessary information to correct it.

At any time, you may contact Fyber at: [privacy@fyber.com](mailto:privacy@fyber.com) and request to access the personal information that Fyber keeps about you, and to verify the accuracy of the data.

If you'd like us to delete data that you have provided via the Property, please contact Fyber at: [privacy@fyber.com](mailto:privacy@fyber.com) and Fyber will respond within a reasonable time after receiving your email.

Please be advised that Fyber may retain and use your personal information as necessary to comply with its legal obligations, resolve disputes and enforce Fyber's agreements.

In addition, after Fyber deletes your personal information, residual copies may take a period of time before they are deleted from Fyber's active servers and may remain in Fyber's backup systems.

This deletion will not change or delete personal information which may have already been shared with third parties, as permitted in this Privacy Policy or any other agreement between you and Fyber.

Fyber may redact from the data which it will make available to you, any personal information related to others.

## **10. Your EU Data Subject Rights**

Fyber is committed to assist its controllers as to data subjects' rights under the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR).

Please note that under the GDPR Fyber processes data provided into the Services as a processor and not as a controller (i.e. Supply Partners). As a processor, Fyber is committed to assist its controllers to fulfill data subjects' GDPR rights.

Therefore, if you wish to exercise your rights under the GDPR or have any questions in this matter, please contact the relevant Fyber's controller directly. When needed and upon request, Fyber will assist its controllers.

Fyber conducts periodical assessments of its data processing and privacy practices to ensure that it complies with this Policy, update the Policy when necessary, and ensure that the policy is properly displayed and accessible.

## **11. Data Retention**

As a general practice, Fyber stores your personal information for as long as you use the Property and for a 30 days thereafter., Fyber uses your personal information in these cases for internal reporting, analysis and to provide the Services. Fyber may save and use your personal information, , in certain required cases, for longer period of up to 90 days after you discontinue using the Property, if Fyber needs your personal information for invoicing, reporting, discrepancy investigation reasons.

Fyber also uses and store your personal information to prevent fraud. In certain cases, where Fyber suspects that the Property that you have used may be vulnerable to fraudulent activities, Fyber may store and use your personal information, if needed, up to a year after you discontinue using the Property for fraud detection purpose.

Please note that Fyber may be required to retain certain information by law. Aggregated data may be retained by Fyber for longer periods and via a third-party analytics platform.

Fyber will ensure that personal information processed for no longer than necessary for the purposes for which the personal information was provided.

In any case, as long as Fyber uses your personal information to provide the Service, Fyber will keep the information about you, unless Fyber is required by law to delete it, or if Fyber accepts your request to delete the information, pursuant to applicable laws, or if Fyber decides to remove it at its discretion.

As a Customer, as long as you use the Services, Fyber will keep information about you, unless it is required by law to delete it, or if Fyber decides to remove it at its discretion.

## **12. Transfer of data outside your territory**

Fyber may store and process information in various sites throughout the globe, including in sites operated and maintained by cloud-based service providers.

If you are a resident in a jurisdiction where transfer of your personal information to another jurisdiction requires your consent, then you provide Fyber your express and unambiguous consent to such transfer.

If you are a resident of the European Economic Area (EEA), your personal data is processed and stored by Amazon Web Services (AWS) Cloud in the US on Fyber's behalf in accordance with the highest degree of security of AWS.

To the extent necessary under EU privacy laws and regulations, Fyber will implement data onward transfer instruments, such as the Controller to Processor SCCs, the EU-U.S. and Swiss-U.S. Privacy Shield Framework and a statement of compliance with the Privacy Shield Principles.

Fyber may implement other or additional onward transfer mechanisms, as may be available from time to time.

## **13. Information Security**

Fyber is committed to safeguarding the confidentiality of your personal information. Fyber and its hosting services implement systems, applications and procedures to secure your personal information, to minimize the risks of theft, damage, loss of information, or unauthorized access or use of information.

As an example, Fyber limits access to information to authorized personnel on a need to know basis in order to operate, develop or improve the Services.

While all measures provided reflect the current industry standard of security, Fyber cannot guarantee that the Services will be immune from any wrongdoings, malfunctions, unlawful interceptions or access, or other kinds of abuse and misuse.

## **14. Changes to this Privacy Policy**

From time to time, Fyber may update this Policy. If the updates have minor if any consequences, they will take effect 7 days after Fyber posts a notice on the Services' website. Substantial changes will be effective 30 days after Fyber's notice was initially posted.

Until the new policy takes effect, you can choose not to accept it and terminate your use of the Services. Continuing using the Services after the new policy takes effect means that you agree to the new policy.

Note that if Fyber needs to adapt the policy to legal requirements, the new policy will become effective immediately or as required.

## **15. Contact Us**

Please contact Fyber's Data Protection Officer at: [privacy@fyber.com](mailto:privacy@fyber.com) for further information.

Last updated: **April 30, 2018**

