

# 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**", "**we**", "**us**" or "**our**") put great efforts in making sure that information related to an identified or identifiable individual ("**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 through 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.

## I. The Fyber Site Privacy Policy

### Intro to the Fyber Site

**Welcome to Fyber Site! This is a marketing site aimed to provide information and content about Fyber and Fyber's Service.**

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

When visiting the Site, Fyber will 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 will collect 'traffic/session' information from your device.

Such information will 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. Fyber's Site is not directed to children under 16 years of age and Fyber does not intentionally or knowingly collect Personal Information on such users.

### 1. The Personal Information that You Provide Voluntarily Through the Site

**We receive Personal Information that you provide and submit through our 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 will 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, others can read, collect and use the Personal Information that you submit including to send you unsolicited messages and contact you for other purposes.

Fyber is not responsible for the Personal Information that you choose to submit in these blogs.

## **2. The Personal Information that Fyber collects Through the Site**

**Fyber automatically logs 'traffic/session' data and collect additional activity information.**

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

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

## **3. The Site Includes Third Party's Services**

**The Site includes Third-party services that are governed by their own privacy policies.**

We incorporate to the Site third party's services, such as Marketo (a marketing automation platform), which are governed by their respective privacy policy. For example, Marketo's privacy policy can be found at: <https://www.marketo.com/>. You can find a full overview of all Services used on the Site at: <https://builtwith.com/fyber.com>. You should read the privacy policy of these services to understand their practices.

Fyber Site includes links to third-party social media websites, such as [Youtube®](#), [Facebook®](#), [Twitter®](#), [LinkedIn®](#), [Google+®](#) and [Vimeo®](#), and associated social media features and scripts, such as the Facebook® "like" button and widgets. These features and scripts collect details such as your IP address, which page you are visiting on the Site, and set a cookie to enable the feature to function properly. Please read the cookie section under this policy to learn more about cookies.

The third party social media website or our own Site host the Social media features and widgets. The social media websites have their own privacy policies. When you use their platforms, features, widgets and other services, you should read their privacy policies to understand their practices.

## **4. What does Fyber do with Personal Information it Receives Through the Site?**

**Fyber maintains the Site, improves and continues developing it, and protects the Site from misuse and law violations.**

Fyber uses Personal Information that you provide through 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 Fyber's services and the Fyber newsletter.

Fyber uses the information, including Personal Information that Fyber and its service providers collect through the Site to understand users' interests and behavior on a pseudonymous, no-name basis in order to be able to deliver content tailored to the users' preferences.

As applicable laws require, , Fyber will use Personal 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.

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

**We use service providers, for example, to send email messages. We share Personal Information with our affiliated companies. We transfer information as needed if we change our corporate structure, and we may share the information with our affiliate entities.**

Fyber shares Personal Information related to you with service providers and other third parties, if necessary, to fulfill the purposes for collecting the Personal Information, on condition that any such third party will commit to protect your privacy as applicable laws and this policy require.

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 the law requires, 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. Fyber will provide a prominent notice on the Site of any change in ownership or uses of this information if applicable.

The entity which will assume the ownership of the Site will continue to protect Personal Information related to you under this Policy;

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

## **6. Aggregated and Analytical Information**

**Aggregated data is not identifiable. We use it for legitimate business purposes and may use standard analytical tools.**

Fyber also collects non-identifiable information through Google Analytics. Analytics data include for example, 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 through 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 shares 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.

## **7. Cookies**

**Yes. We use cookies. Read more about it.**

Cookies are small 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. Your device removes session cookies when you close your browser session.

We also allow third parties, such as Google analytics and social media websites to place cookies on your device. These are persistent cookies. A persistent cookie has an expiry date. It remains on your device until it is expired or removed.

**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 can delete cookies, block them or control when they can be placed.**

## **8. User Choice**

**At any time, you may opt out from our mailing list and change your cookies preferences.**

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

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

## **9. 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 Personal Information during the preceding year for the third parties' direct marketing purposes.

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

## **10. Accessing Personal Information Related to you**

**You can request access to Personal Information related to you.**

At any time, you can contact Fyber at: GDPR [at] fyber [dot] com and request to access the Personal Information that Fyber keeps on you. Fyber will need to ask you to provide credentials to make sure that you are who you claim to be. If you find that the details on your account are not accurate, complete or updated, then please provide Fyber the necessary information to correct it.

At any time, you can contact Fyber at: GDPR [at] fyber [dot] 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 provided through the Site, please contact Fyber at GDPR [at] fyber [dot] com and Fyber will respond in a reasonable time.

Fyber retains and uses Personal Information related to you as necessary to comply with its legal obligations, resolve disputes and enforce Fyber's agreements.

In addition, after Fyber deletes Personal Information related to you, residual copies will take a period of time before they are deleted from Fyber's active servers and remain in its backup systems.

This deletion will not change or delete Personal Information which Fyber has already shared with third parties, as this Policy permits in this Policy or any other agreement between you and Fyber.

Fyber will make efforts to redact from the data which it will make available to you, any Personal Information related to others.

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

**Fyber is committed to fulfill data subjects' rights under the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR).**

In operating the Site, Fyber processes Personal Information as a data controller (as this term is defined in the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR)). As a data controller, Fyber is committed to fulfill data subjects' (i.e. users) GDPR rights. This section applies to GDPR-covered processing of Personal Information.

We base our processing of Personal Information as a data controller on the following lawful grounds:

- All processing of Personal Information related to you which are not based on the lawful grounds indicated below, are based on your consent.
- We process your account and payment details to perform the contract with you.

- We will process Personal Information related to you to comply with a legal obligation and to protect your and others' vital interests.
- We will rely on our legitimate interests, which we believe are not overridden by your fundamental rights and freedoms, for the following purposes:
  - Communications with you, including direct marketing where you are our client or a user of our client, or where you make contact with us through our Site and other digital assets;
  - Cyber security;
  - Support, customer relations, service operations;
  - Enhancements and improvements to yours and other users' experience with our services
  - Fraud detection and misuse of the Service.

You can:

- **Access** the data that Fyber keeps about you. Fyber will need to ask you to provide us 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 can provide us with the necessary information to rectify it.
- CONTACT US IF YOU WANT TO **WITHDRAW** YOUR CONSENT TO THE PROCESSING OF PERSONAL INFORMATION RELATED TO YOU. EXERCISING THIS RIGHT WILL NOT AFFECT THE LAWFULNESS OF PROCESSING BASED ON CONSENT BEFORE ITS WITHDRAWAL.
- Request to **delete or restrict** access to Personal Information related to you. Fyber will postpone or deny your request if Personal Information related to you 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 can request to be informed that third parties that hold Personal Information related to you, in accordance with this Policy, will act accordingly.

- You can ask to **transfer** Personal Information related to you in accordance with your right to data portability.
- You can **object to the processing** of Personal Information related to you 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 of your habitual residence, place of work or of an alleged infringement of the GDPR.

A summary and further details about your rights under EU data protection laws, is available on the EU Commission's website at: [https://ec.europa.eu/info/law/law-topic/data-protection/reform/rights-citizens\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/reform/rights-citizens_en).

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 processes Personal Information related to you, you are welcome to contact Fyber's data protection officer at: GDPR [at] fyber [dot] 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](#).

## **12. Data Retention**

**We retain Personal Information as needed for legitimate and lawful purposes.**

Fyber stores and retains Personal Information related to you for as long as you use the Site and/or remain subscribed to the Fyber newsletter or blog. Notwithstanding the foregoing, Fyber stores and retains Personal Information related to you 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 retains the information collected through the Site for so long as you use the relevant Fyber service or until you choose to unsubscribe from the Fyber mailing list (we include a link to cancel your subscription in every email that we send you), or until Fyber deletes Personal Information related to you following your request.

Fyber retains various types of Personal 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 Personal Information related to you to provide the Services, Fyber will retain the Personal Information about you, unless a law requires Fyber to delete it, or if Fyber accepts your request to delete the Personal Information, pursuant to applicable laws, or if Fyber decides to remove it at its discretion.

### **13. Transfer of Data Outside your Territory**

**We store and process Personal Information in the US, in sites operated and maintained by cloud-based service providers.**

Fyber stores and processes Personal Information in various sites throughout the globe, including in sites operated and maintained by cloud-based service providers. Fyber lists its sub-processors [HERE](#).

If you are a resident in a jurisdiction where transfer of Personal Information related to you 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), Amazon Web Services (AWS) Cloud processes and stores Personal Information related to you 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.

### **14. Information Security**

**Fyber implements systems, applications and procedures to secure Personal Information, to minimize the risks of theft, damage, loss of information, or unauthorized access or use of information.**

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

For example, Fyber limits access to Personal 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.

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

**Fyber will update its Policy from time to time after giving proper notice.**

From time to time, Fyber will 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 has initially posted the notice.

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.

## **16. Contact Fyber**

Please contact Fyber's Data Protection Officer at: GDPR [at] fyper [dot] com for further information.

**Last Updated: June 8, 2018**

## **II.The Fyber Services Privacy Policy**

Fyber develops and operates several services in the ad-tech environment, such as a digital automated ("Programmatic") ad exchange, mediation platform, Programmatic mediation platform, incentivized offer walls, direct sales service and other online advertising-related services, all of which 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 through the Services and it applies whenever you access or use a Property of a Supply Partner that is connected to and/or uses the Services.

The Services are not directed to children under 16 years of age and Fyber does not intentionally or knowingly collect Personal Information on such users.

### **1. The Services**

**We provide automated web-based advertising services.**

Fyber provides advertisers, advertising agencies, Demand-Side Platforms and advertising networks (collectively, "**Demand Partners**") and website and/or mobile application/website developers and/or owners publishers (collectively, "**Supply Partners**"); Supply Partners and Demand Partners are also referred to 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 through 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, mobile application or mobile website (collectively, “**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 Properties.
- From time to time, Fyber will offer ancillary services to the services described above and additional services.
- Fyber has no direct engagement or interaction with the individuals that visit Customers’ services (users), except for the Fyber Offer Wall service where Fyber provides technical support to users of the Offer Wall on behalf of Supply Partner. When you contact Fyber’s customer support team for technical issues related to the Offer Wall, Fyber will process any Personal Information that you provide within the support request form, such as your name and email address to respond to your support request.
- Fyber requires Customers to provide a privacy policy of their own, as required by the applicable legislation and, if required by applicable legislation, to also provide an adequate notice to Users about this Policy.

## **2. The Personal Information that Fyber Collects and Receives**

### **We collect Personal Information from devices, Properties and partners.**

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 Personal 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, if you use a Property with a Fyber’s Software Development Kit (“**SDK**”) embedded in it, the SDK will only collect information that Supply Partner enabled Fyber to collect for the provision of the Services and in any case, the SDK will not collect your location data unless you affirmatively allowed/enabled the Property to collect it. Fyber also receives Personal Information through an

application programming interface ("**API**") integration between Fyber's server and trusted third-party's servers, and additional Personal Information by embedding tags on websites that you visit.

From time to time, Fyber may use additional or alternative tools to collect information. If Fyber's use of a new tool impacts Fyber's privacy practices, it will amend this Privacy Policy accordingly.

When interacting with the Property, Fyber may collect/receive the following information, which includes Personal 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 that your device provides**, such as device IP address, network connection type and device GPS location (only if you provide permission).
- **Information Fyber receives from Supply Partners**, such as your age, gender, zip code, GPS location.
- **Information Fyber receives 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?**

**We provide, maintain and improve our services and for other lawful purposes.**

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 uses the Personal Information to evaluate Users' interests and behavior on a pseudonymous, no-name basis in order to be able to deliver tailored content If necessary.

Fyber uses Personal 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 that this policy describes. To the extent relevant and within Fyber's technological and operational ability, Fyber will make efforts to maintain accurate information that is complete and up-to-date.

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

**We share Personal Information with Demand and Supply Partners, with data enrichment sources, with our affiliates, with law enforcement and on a merger or an acquisition.**

Fyber shares Personal Information for the following purposes:

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

- For the purpose of serving you with contextual ads, based on the content that you view or use on the Property, or targeted ads which are based on your preferences and online behavior, and that we believe can 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, the kind of Users are most engaging with 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 Personal Information that we collect about you, and serve you with more relevant ads on the Property and on additional online properties.
- 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. Fyber will provide a prominent notice on the Site of any change in ownership or uses of this Personal Information if applicable. In any event, the entity which will assume the ownership of the Site will continue to protect Personal Information related to you under this Policy;

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

## **5. Aggregated and Analytical Information**

**Aggregated data is not identifiable. We use it for legitimate business purposes and may use standard analytical tools.**

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

Fyber uses the standard analytics tools of Google Analytics and Fyber will 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 shares 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 Personal Information related to you only subject to the terms of this policy, or subject to your prior consent.

## **6. Cookies**

**Yes. We use 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. Fyber's cookies do not collect any Personal Information about you. Your device removes session cookies when you close your browser session.

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 will 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 can delete cookies, block them or control when they can be placed.

## **7. User Choice**

**You can disable your account, opt-out from location-based advertising, limit the use of tracking data for ad targeting, opt-out of our Demand Partners and delete cookies.**

If you have an account in the Services, at any time, you can disable your account through your account page. Thereafter, Fyber will stop collecting any Personal Information from you.

However, Fyber stores and continue using or making available Personal Information that relates 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 will 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 Demand Partners' use of Personal Information about you to serve targeted advertising to 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 will still use cookies for other purposes, such as to limit the number of times you're shown a particular ad.

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 Personal Information during the preceding year for the third parties' direct marketing purposes.

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

## **9. Accessing Personal Information Related to you**

**You can request access to Personal Information related to you.**

At any time, you can contact us at: [GDPR \[at\] fyber \[dot\] com](mailto:GDPR@fyber.com) and request to access the Personal Information that Fyber keeps about you. Fyber will need to ask you to provide it with credentials to make sure that you are who you claim you are.

If you find that the details on your account are not accurate, complete or updated, then please provide us the necessary information to correct it.

At any time, you can contact Fyber at: [GDPR \[at\] fyber \[dot\] com](mailto:GDPR@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 through the Property, please contact Fyber at: [GDPR \[at\] fyber \[dot\] com](mailto:GDPR@fyber.com) and Fyber will respond within a reasonable time after receiving your email.

Fyber will retain and use Personal Information related to you as necessary to comply with its legal obligations, resolve disputes and enforce Fyber's agreements.

In addition, after Fyber deletes Personal Information related to you, residual copies will take a period of time before they are deleted from Fyber's active servers and will remain in Fyber's backup systems.

This deletion will not change or delete Personal Information which Fyber has already shared with third parties, as permitted in this Privacy Policy or any other agreement between you and Fyber.

Fyber will make efforts to 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 fulfill data subjects' rights under the General Data Protection Regulation (Regulation (EU) 2016/679) (GDPR).**

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

Under the GDPR, Fyber processes personal data as part of its Services as a data processor and the Supply partners are the data controllers. As a data processor, Fyber is committed to assist its data 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.

## **11. Data Retention**

**We retain Personal Information as needed for legitimate and lawful purposes.**

As a general practice, Fyber stores Personal Information related to you for as long as you use the Property and for 30 days thereafter., Fyber uses Personal Information related to you in these cases for internal reporting, analysis and to provide the Services. Fyber saves and uses Personal Information related to you, for longer period of up to 90 days after you discontinue using the Property, and if Fyber needs Personal Information related to you for invoicing, reporting and discrepancy investigation reasons.

Fyber also uses and store Personal Information related to you to prevent fraud. Where Fyber suspects that the Property that you have used becomes vulnerable to fraudulent activities, Fyber will store and use Personal Information related to you, if needed, up to a year after you discontinue using the Property for fraud detection purpose.

Fyber is required to retain information, including Personal Information, by law. Aggregated data will be retained by Fyber for longer periods and through a third-party analytics platform.

Fyber will process Personal Information for no longer than necessary for the purposes for which the Personal Information was provided.

In any case, as long as Fyber uses Personal Information related to you to provide the Service, Fyber will keep the Personal Information about you, unless laws require Fyber to delete it, or if Fyber accepts your request to delete the Personal 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 Personal Information about you, unless the law requires to delete it, or if Fyber decides to remove it at its discretion.

## **12. Transfer of Data Outside your Territory**

**We store and process Personal Information in the US, in sites operated and maintained by cloud-based service providers.**

Fyber stores and processes Personal 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 Personal Information related to you 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), Fyber keeps your Personal Data on 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 implements other or additional onward transfer mechanisms, as available from time to time.

## **13. Information Security**

**Fyber implements systems, applications and procedures to secure Personal Information, to minimize the risks of theft, damage, loss of information, or unauthorized access or use of information.**

Fyber commits to safeguarding the confidentiality of Personal Information related to you. Fyber and its hosting services implement systems, applications and procedures to secure Personal Information related to you, to minimize the risks of theft, damage, loss of information, or unauthorized access or use of information.

As an example, Fyber limits access to Personal 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**

**Fyber will update its Policy from time to time after giving proper notice.**

From time to time, Fyber will 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: GDPR [at] fyber [dot] com for further information.

Last updated: **Dec 4, 2018**