

AccessAgility Privacy Policy

Effective as of March 18, 2014

The platform software ("software") licensed by AccessAgility, LLC ("AccessAgility") provides network and application performance management and consists of two elements: (1) the AccessAgility Console which allows communication and control functions with personal computers or mobile devices to be monitored and (2) a software agent or other method that facilitates communication with the AccessAgility Console licensed by our customers. The privacy considerations for customers who license the AccessAgility software to perform enterprise-wide network and application performance management ("Customers") and the privacy considerations for those on whose devices are being monitored ("Individuals") are both discussed in this Policy.

Whether you are a Customer or an Individual, the privacy and security of your personal information is a foremost consideration of AccessAgility, LLC ("AccessAgility"). We want to make sure you understand how the AccessAgility software works and how we use any personal information gathered through the software and on our site: manage.wifiscanner.com allowing you to feel secure that your privacy interests are being respected within the bounds of this Policy. This Privacy Policy applies to all of our software and services. The use of information collected through our service shall be limited to the purpose of providing the service for which the Customer has engaged AccessAgility.

Customer Considerations

Account Information

As a Customer of AccessAgility, we only collect private information that you voluntarily provide us. In cases where necessary, AccessAgility collects certain information that is necessary to fully service your AccessAgility account. As a Customer, you may be asked to provide information that is needed in order to create your AccessAgility account and fulfill our service commitment to you such as your name, address, phone number, and e-mail address. If you choose to register with us for a promotional event we will also collect your credit card information. We treat any personal information that you provide to us as highly confidential. AccessAgility may use this personal information for editorial and feedback purposes, marketing and promotional purposes, for statistical analysis and for product development. Your personal information, however, will never be sold to any company nor will it be shared with third parties, unless specifically stated otherwise in this policy or as required by law.

Use of Account Information

In addition to other specific instances described herein, AccessAgility may use information collected for the purposes that include the following:

- In instances where AccessAgility and a partner jointly promote the AccessAgility service, AccessAgility may provide that partner certain information, such as name and e-mail address, for the sole purpose of allowing AccessAgility and the partner to evaluate the promotion.
- AccessAgility may use your information to disclose summary information to strategic and business partners: the summary information is obtained by combining data from many individuals with the name and other identifiers removed.

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- AccessAgility also may create aggregate reports on user demographics and traffic patterns. This information may be used to negotiate with service providers who complement the AccessAgility service or assist us in our efforts to expand our customer base.
- AccessAgility uses the information in order to provide services and may perform auditing, research, and analysis in order to maintain, protect, and improve our services, ensure the technical functioning of our network, protect the rights or property of AccessAgility or our users, and develop new products or services.

Other than as provided above, AccessAgility will not divulge any of your personal information—contact, or geographic location—to any other organization unless: (1) you give AccessAgility explicit, and specific, prior permission; (2) we provide such information to our subsidiaries, affiliated companies or other trusted businesses or persons for the purpose of processing personal information on our behalf such as an employment partner to process job applications, a credit card processing company to bill you for events, and an email service provider to send out emails on our behalf. (These parties agree to process such information based on our instructions and in compliance with this Privacy Policy and any other appropriate confidentiality and security measures); (3) we have a good faith belief that access, use, preservation or disclosure of such information is reasonably necessary to (a) satisfy any applicable law, regulation, legal process or enforceable governmental request, (b) enforce applicable agreements, including investigation of potential violations thereof, (c) detect, prevent, or otherwise address fraud, security or technical issues, or (d) protect against harm to the rights, property or safety of AccessAgility, its users or the public as required or permitted by law; (4) you make an inquiry, request or complaint that requires follow-up and we share your information with others to satisfy your inquiry; and/or if AccessAgility is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on our Web site of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

Tracking and Location Information

AccessAgility may collect and/or track certain information that is derived from your usage of the AccessAgility Console such as usage patterns, travel patterns, and Web site page views, and traffic patterns. AccessAgility may use this tracking and location information for statistical purposes to improve our products and services and to manage our networks and systems more efficiently. When you access the AccessAgility Console, our servers automatically record information that your device sends and these server logs may include: the MAC (Media Access Controller) address from the network card in or used with your device; your web request, Internet Protocol address, browser type, browser language, the date and time of your request; and other information regarding Internet connection activity (such as packets sent and received). This information enables AccessAgility to accurately perform our billing functions, monitor and maintain our network, address issues that may arise concerning claims of abuse or inappropriate activity. Some of the information AccessAgility collects allows us to differentiate users on our network, and in some cases, we act as a pass-through for certain pieces of personal information in order to obtain authentication to allow for Internet access. Some of the information AccessAgility collects allows us to perform our support obligations.

Individual Considerations

Monitoring Information

The levels of communication and monitoring functionality between your personal computer, mobile device or smartphone and the AccessAgility Console is selected by our Customer who is typically your employer or the company for whom you work as an independent contractor or consultant. In some instances, our Customer asks us to host the AccessAgility Console and in other instances our Customer hosts the AccessAgility Console. When AccessAgility hosts the AccessAgility Console, we may collect and/or track certain information that is derived from your usage of the device and may perform

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other functions. From this console, the administrator can perform partial or complete erasure of data on your device, including restoring the device to its factory default. The information collected and tracked by the AccessAgility Console depends upon the system configurations chosen by our Customer. While the following are not required, such information may include, where enabled by the Customer:

- Device identifier and device username
- Device MAC addresses
- Wireless signal strength, cell tower, carrier, IMEI#, and other WWAN attributes
- Data usage through wired, WiFi and WWAN interface (excluding content)
- Real-time GPS or aGPS location tracking and mapping, including analysis of location data and history

The portions of the AccessAgility software that allow personal computers, smartphones and mobile devices to be monitored by the AccessAgility Console run in the background of the devices. Individuals are notified that these functions may occur, but may not be aware when these functions are occurring in real time. This information is all made available to our Customer via the AccessAgility Console for our Customer's use in accordance with its own business uses. Some of the information AccessAgility collects allows us to perform our support obligations.

Use of Information

Other than as provided above, AccessAgility will not divulge any of your personal information—contact, financial, bill history, or geographic location—to any other organization unless: (1) you give AccessAgility explicit, and specific, prior permission; (2) we provide such information to our subsidiaries, affiliated companies or other trusted businesses or persons for the purpose of processing personal information on our behalf (these parties agree to process such information based on our instructions and in compliance with this Privacy Policy and any other appropriate confidentiality and security measures); (3) we have a good faith belief that access, use, preservation or disclosure of such information is reasonably necessary to (a) satisfy any applicable law, regulation, legal process or enforceable governmental request, (b) enforce applicable license terms, including investigation of potential violations thereof, (c) detect, prevent, or otherwise address fraud, security or technical issues, or (d) protect against harm to the rights, property or safety of AccessAgility, its users or the public as required or permitted by law; (4) you make an inquiry, request or complaint that requires follow-up and we share your information with others to satisfy your inquiry; and/or (5) if AccessAgility is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on our Web site of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

AccessAgility has no direct relationship with the individuals whose personal data it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to the AccessAgility Customer (the data controller). If the Customer requests AccessAgility to remove the data, we will respond to their request within 30 business days.

Data Retention

AccessAgility will retain personal data we process on behalf of our Clients for as long as needed to provide services to our Client. AccessAgility will retain and use this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

General Considerations Applicable to Customers and Individuals

Data Usage

When a device communicates with the AccessAgility Console, it results in the transmission of data to and from the device and such transmission of data could result in additional carrier or service provider charges to the Individual.

ACCESSAGILITY DISCLAIMS ANY LIABILITY FOR AND IS NOT RESPONSIBLE FOR ANY CARRIER OR INTERNET SERVICE PROVIDER DATA COSTS OR CHARGES INCURRED BY ANY CUSTOMER OR INDIVIDUAL IN CONNECTION WITH USAGE OF THE ACCESSAGILITY PRODUCTS.

Email

When Customers or Individuals send email or other communications to AccessAgility, we may retain those communications in order to process your inquiries, respond to your requests and improve our services. To the extent that we have an email address for you, AccessAgility may contact you or Web site visitors regarding account status and changes to this Privacy Policy and any other policies or agreements relevant to Web site visitors. AccessAgility opposes the e-mailing of any junk mail, and does not sell customer information to e-mail lists or telemarketers. If any of our partner sites engage in such practices, for any reason, AccessAgility will immediately investigate, and if appropriate, discontinue services with such parties. If you receive junk e-mail that mentions AccessAgility or its services, please send details to us support@accessagility.com and we will investigate promptly.

Correcting and Updating Your Information

As an AccessAgility Customer, you are always fully in control of the information that we maintain to service you. AccessAgility Customers can change their personal information at any time and as often as necessary by logging into their account or contacting us at support@accessagility.com. AccessAgility Customers also can request to “opt out” and have the data deleted (requests for deletion of certain information may require closing the account). Information about a Customer may be withheld or exempted from deletion if this is required by law, is part of a fraud investigation or is required for accounting and audit purposes. Information regarding individuals is ultimately controlled by the Customer by whom the Individual is employed or for whom the Individual serves as a consultant or contractor. Accordingly, any opportunity to change information or “opt out” is between the Customer and the Individual.

We will respond to all requests for access within 30 days.

We will retain your information for as long as your account is active or as needed to provide you services. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Newsletters

If you are a Customer we will use your name and email address to send our newsletter to you. If you no longer wish to receive our newsletter you may follow the unsubscribe instructions contained in each of the emails you receive.

Tracking Technologies

A cookie is a small text file that is stored on a user’s computer for record-keeping purposes. We use cookies on this site. We do not link the information we store in cookies to any personally identifiable information you submit while on our site.

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We use both session ID cookies and persistent cookies. We use session cookies to make it easier for you to navigate our site. A session ID cookie expires when you close your browser. A persistent cookie remains on your hard drive for an extended period of time. You can remove persistent cookies by following directions provided in your Internet browser's "help" file. We do not support Do Not Track browser settings.

Our privacy statement does not cover the use of cookies by our partners, affiliates, tracking utility company, and service providers. We do not have access or control over these cookies. Our partners, affiliates, tracking utility company, and service providers use session ID cookies to securely identify and validate visitors to the website during your visit.

We employ or our third party advertising partner employs a software technology called clear gifs (a.k.a. Web Beacons/Web Bugs), that help us better manage content on our site by informing us what content is effective. Clear gifs are tiny graphics with a unique identifier, similar in function to cookies, and are used to track the online movements of Web users. In contrast to cookies, which are stored on a user's computer hard drive, clear gifs are embedded invisibly on Web pages and are about the size of the period at the end of this sentence. We do not tie the information gathered by clear gifs to our customers' personally identifiable information.

We use clear gifs in our HTML-based emails to let us know which emails have been opened by recipients. This allows us to gauge the effectiveness of certain communications and the effectiveness of our marketing campaigns.

As is true of most Web sites, our third party tracking-utility partner and we gather certain information automatically and store it in log files. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data.

We use this information, which does not identify individual users, to analyze trends, to administer the site, to track users' movements around the site and to gather demographic information about our user base as a whole.

Commitment to the Privacy of Your Family

Protecting the safety of minor children when they use the Internet is very important to us. It is our policy to comply with the Children's Online Privacy Protection Act of 1998 and other applicable laws. We recommend that children receive permission from a parent before gaining access to the AccessAgility service or sending personal information to AccessAgility or anyone else online.

Other Sites

AccessAgility does not control and will not be responsible for the collection of personal information by third party websites. We have no responsibility or liability for the practices and policies implemented by third parties on their websites; accordingly, this Privacy Policy does not cover them. You should contact the owners of third party websites directly to ask questions about their privacy practices and policies.

Advertising

We partner with a third party ad networks to manage our advertising on other sites. Our ad network partner uses cookies and Web beacons to collect non-personally identifiable information about your activities on this and other Web sites to provide you targeted advertising based upon your interests. If you wish to not have this information used for the purpose

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of serving you targeted ads, you may opt-out by clicking here. Please note this does not opt you out of being served advertising, only targeted advertising. You will continue to receive generic ads.

Testimonials

We post customer testimonials on our web site, which may contain personally identifiable information. We do obtain the customer's consent via email prior to posting the testimonial to post their name along with their testimonial. If you want your testimonial removed please contact us at support@accessagility.com.

Third Party Personal Information

When registering for promotional events we may ask you for the names and email addresses of individuals you wish to receive confirmation emails. We will automatically send them a one-time confirmation email. AccessAgility stores this information for the purpose of sending this one-time email, tracking the confirmation process, and future communications regarding the event for which you have registered. You may contact us at support@accessagility.com to request that we remove this information from our database.

Limitation of Liability

ACCESSAGILITY SHALL NOT BE LIABLE TO ANY CUSTOMER OR INDIVIDUAL FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, SPECIAL OR PUNITIVE DAMAGES, OR ANY LOST PROFITS, REVENUE, DATA, OR DATA USE. ACCESSAGILITY'S MAXIMUM LIABILITY FOR ANY DAMAGES ARISING OUT OF OR RELATED TO THIS POLICY, WHETHER IN CONTRACT OR TORT, OR OTHERWISE, SHALL BE LIMITED TO \$100.00.

Security Measures

Your account information is kept confidential and secure via a unique username and password that is selected by you. When you enter sensitive information (such as login credentials) we encrypt the transmission of that information using secure socket layer technology (SSL). Your username and password should be kept confidential because they are the key to accessing the information held by AccessAgility about you. You are responsible for keeping your username and password safe and confidential because they are the key to accessing the information held by AccessAgility about you. If your computer or other device is accessible to or by others, you should log out of the AccessAgility services whenever you leave your computer or other device. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security. If you have any questions about security on our Web site, you can contact us at support@accessagility.com. Please refer to our Security Notice for other information regarding security measures.

Language

In the event that AccessAgility has provided you with a translation of the English language version of this Privacy Policy, then you agree that the translation is provided for your convenience only; that the English language version of the Privacy Policy governs your relationship with AccessAgility; and, if there is any contradiction between what the English language version of the Privacy Policy and the translation says, the English language version shall take precedence.

Additional Information

We may update this privacy statement to reflect changes to our information practices. If we make any material changes we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this Site prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

Contact Us

If you have any questions regarding this Privacy Policy you can contact us via email at support@accessagility.com or via postal mail at 8601 Westwood Center Drive Suite 250, Vienna, VA 22182.