

TOWERIQ PRIVACY POLICY

Last revised and effective as of: April 22, 2019

This Privacy Policy relates to information collected online by TowerIQ, Inc. (“TowerIQ” “we” or “us”) through your use of the TowerIQ platform located at www.mytoweriq.com and any subdomains (the “Platform”) and the services, features, and information available on the Platform and/or any mobile applications we may offer (together with the Platform, along with associated and successor websites, applications, features, information, and services, or any part thereof, the “Service”). This Privacy Policy is incorporated into, a part of, and governed by the [Terms of Use](#). As used herein, “you” and “your” mean a user of the Service.

You should carefully read this Privacy Policy. By using the Service you are signifying your acceptance of this Privacy Policy. If you do not agree to this Privacy Policy, you may not use the Service.

As used in this Privacy Policy, the terms “using” and “processing” information include using cookies on a computer, subjecting the information to statistical or other analysis and using or handling information in any way, including, but not limited to collecting, storing, evaluating, modifying, deleting, using, combining, disclosing and transferring information within our organization or among our affiliates within the United States or internationally.

WHAT INFORMATION IS COLLECTED?

Depending on your use of the Service, we may collect two types of information: personally identifiable information and non-personally identifiable information.

Personally Identifiable Information.

Personally identifiable information is information that identifies you, or can be used to identify or contact you. Such information may include name, address, e-mail address, telephone number, social security number, and, as applicable, your licensure number.

Non-Personally Identifiable Information.

Non-personally identifiable information is information, any single item of which, by itself, cannot be used to identify or contact you, including demographic information (such as lines of business, revenue, payroll), browser types, unique device identifiers, device types, requested URL, referring URL, browser language, the pages you view, the date and time of your visit, domain names, and statistical data involving the use of the Service. Certain non-personally identifiable information may be considered a part of your personally identifiable information if it were combined with other identifiers (for example, combining your zip code with your street address) in a way that enables you to be identified. However, the same pieces of information are considered non-personally identifiable information when they are taken alone or combined only with other non-personally identifiable information (for example, your viewing preferences).

Historical Data

In addition to the foregoing, you hereby agree to furnish the Platform with any information necessary as may be requested as it pertains to your insurance contracts, surveys, loss history and all financial data it may need to obtain for its study of your present and future requirements in connection with your insurance program.

WHERE AND WHEN IS INFORMATION COLLECTED?

We will collect personally identifiable information that you submit to us. We may also receive personally identifiable information about you from third parties with whom you have a business relationship who also use the Platform.

Registering to Use the Service and in the Course of Using the Service.

You will be required to establish an account in order to use the Service. To do so, you will be required to provide us with information (including personally identifiable information and non-personally identifiable information) such as name, email address, and password. In addition, we may obtain your personally identifiable information from you if you identify yourself to us by sending us an e-mail with questions or comments.

Cookies

We may collect non-personally identifiable information passively using “cookies” and “action tags.”

“Cookies” are small text files that can be placed on your computer or mobile device in order to identify your Web browser and the activities of your computer on the Service. Cookies can be used to assist you in using the Service (such as saving time by not having to reenter your name each time you use the Service), and to allow us to statistically monitor how you are using the Service to help us improve our offerings.

For the avoidance of doubt, this Service uses third-party service platforms (including to help analyze how users use the Service). These third-party service platforms may place cookies on your computer or mobile device. If you would like to disable "third party" cookies, you may be able to turn them off by going to the third party's website.

Here is a link to the main third-party platform we use:

<https://www.google.com/policies/privacy/>

You do not have to accept cookies to use the Service. Although most browsers are initially set to accept cookies, you may reset your browser to notify you when you receive a cookie or to reject cookies generally. Most browsers offer instructions on how to do so in the "Help" section of the toolbar. However, if you reject cookies, certain features or resources of the Service may not work properly or at all and you may experience some loss of convenience.

Log Files.

We also collect non-personally identifiable information through our Internet log files, which record data such as user IP addresses, browser types, domain names, and other anonymous statistical data involving the use of the Service. This information may be used to analyze trends, to administer the Service, to monitor the use of the Service, and to gather general demographic information. We may link this information to personally identifiable information for these and other purposes such as personalizing your experience on the Service and evaluating the Service in general.

DOES TOWERIQ COLLECT INFORMATION FROM CHILDREN UNDER 13 YEARS OF AGE?

The Service is not designed for or directed to children under the age of 13. We do not collect personally identifiable information from any person we actually know is under the age of 13. By providing information to TowerIQ, you represent that you are 18 years of age or older.

WHAT DOES TOWERIQ DO WITH THE INFORMATION IT COLLECTS?

In general, we use the information collected to provide the Service to you and to your broker(s) using the Service, to help us understand who uses the Service, for internal operations such as operating and improving the Service, to contact you for customer service and billing purposes, and, unless you “opt out”, so that we and third parties can contact you about products and services that may be of interest to you.

We may use your information to send you an e-mail that may confirm your user name and password. Unless you opt out, we and third parties may send you electronic newsletters, contact you about the Service, products, services, information and news that may be of interest to you, and provide you with targeted feedback. If you no longer desire to receive these communications, we will provide you with the option to change your preferences. If you identify yourself to us by sending us an e-mail with questions or comments, we may use your information (including personally identifiable information) to respond to your questions or comments, and we may file your questions or comments (with your information) for future reference. We may also use the information collected to send announcements and updates regarding the Service or, if applicable, about your billing account status. You will not be able to unsubscribe from these Service announcements and updates as they contain important information relevant to your use of the Service.

We may also use the information gathered to perform statistical analysis of user behavior or to evaluate and improve the Service. We may link some of this information to personally identifiable information for internal purposes or to improve your experience with the Service.

WHEN DOES TOWERIQ DISCLOSE INFORMATION TO THIRD PARTIES?

We generally disclose information we gather from you through the Service to the following types of third parties and as otherwise set forth in this Privacy Policy or our Subscription Terms or as specifically authorized by you.

Laws and Legal Rights.

We may disclose your information (including personally identifiable information) if we believe in good faith that we are required to do so in order to comply with an applicable statute, regulation, rule or law, a subpoena, a search warrant, a court or regulatory order, or other valid legal process. We may disclose personally identifiable information in special circumstances when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be violating the [Subscription Terms](#), to detect fraud, for assistance with a delinquent account, or to protect the safety and/or security of our users, the Service or the general public.

Third Parties Generally.

We may provide to third parties non-personally identifiable information, including where such information is combined with similar information of other users of the Service. For example, we might inform third parties regarding the number of unique users who use the Service, the demographic breakdown of our users of the Service, or the products and/or services purchased using the Service and the vendors of such products and services. Unless you opt out, we may also provide to third parties personally identifiable information. For example, we might share our users’ responses to questionnaires and e-mail addresses with third parties in order for third parties to contact users about products and services that may be of interest. The third parties to which we may provide personally identifiable and non-personally identifiable information may include merchants, affiliates and other actual or potential commercial partners, licensees, researchers and other similar parties.

We also may provide anonymous, aggregated reports to insurance industry participants, resulting from the information you provide or is provided by your broker to the Service.

Outside Contractors.

We may employ independent contractors, vendors and suppliers (collectively, "Outside Contractors") to provide specific services and products related to the Service, such as hosting and maintaining the Service, email marketing, and developing applications for the Service. In the course of providing products or services to us, these Outside Contractors may have access to information collected through the Service, including your personally identifiable information. We use reasonable efforts to ensure that these Outside Contractors are capable of (1) protecting the privacy of your personally identifiable information consistent with this Privacy Policy, and (2) not using or disclosing your personally identifiable information for any purpose other than providing us with the products or services for which we contracted or as required by law.

Sale of Business.

We reserve the right to disclose or sell your information to a third party, provided that the third party agrees to adhere to the terms of this Privacy Policy, in the event we (i) become insolvent or are unable to pay our debts when due; (ii) file a petition or have filed against us a petition in bankruptcy, reorganization or similar proceeding; or (iii) sell all or substantially all of the assets of our business.

Affiliates.

We may disclose information (including personally identifiable information) about you to our Corporate Affiliates. For purposes of this Privacy Policy: "Corporate Affiliate" means any person or entity which directly or indirectly controls, is controlled by or is under common control with TowerIQ, whether by ownership or otherwise; and "control" means possessing, directly or indirectly, the power to direct or cause the direction of the management, policies or operations of an entity, whether through ownership of fifty percent (50%) or more of the voting securities, by contract or otherwise. Any information relating to you that we provide to our Corporate Affiliates will be treated by those Corporate Affiliates in accordance with the terms of this Privacy Policy.

DOES THIS PRIVACY POLICY APPLY WHEN I LINK TO OTHER WEBSITES OR SERVICES?

The Service may provide you with access to other websites and services. Please be aware that we are not responsible for the privacy practices of any websites or services other than the Service. We encourage you to read the privacy policies or statements of each such website and service. This Privacy Policy applies solely to information collected by us through the Service.

IS THE INFORMATION COLLECTED THROUGH THE SERVICE SECURE?

We want your information (including personally identifiable information) to remain secure. We strive to provide transmission of your information from your computer or mobile device to our servers through techniques that are consistent with industry standards and to employ administrative, physical, and electronic measures designed to protect your information from unauthorized access.

Notwithstanding the above, you should be aware that there is always some risk involved in transmitting information over the internet. There is also some risk that others could find a way to thwart our security systems. As a result, while we strive to protect your information, we cannot ensure or warrant the security or privacy of any information you transmit to us, and you do so at your own risk.

COULD MY INFORMATION BE TRANSFERRED TO OTHER COUNTRIES?

Personally identifiable information collected on the Service may be transferred from time to time to our offices or personnel, or to third parties, located throughout the world, and the Service may be viewed and hosted anywhere in the world, including countries that may not have laws of general applicability regulating the use and transfer of such data. By using the Service and submitting such information on it, you voluntarily consent to the trans-border transfer and hosting of such information. If you are a user accessing the Service from a jurisdiction with laws or regulations governing personal data collection, use, and disclosure that differ from those of the United States, please be advised that all aspects of the Service are governed by the internal laws of the United States and the Commonwealth of Massachusetts, USA, regardless of your location.

WHAT CHOICES DO I HAVE REGARDING THE COLLECTION, DISCLOSURE AND DISTRIBUTION OF PERSONALLY IDENTIFIABLE INFORMATION?

You may change your preferences and "opt out" of receiving certain marketing communications from us by following the directions provided in association with the communication or such other directions we may provide or by contacting support@mytoweriq.com.

DO NOT TRACK

The term "Do Not Track" refers to a HTTP header offered by certain web browsers to request that websites refrain from tracking the user. We take no action in response to Do Not Track requests.

CAN I UPDATE OR CORRECT MY PERSONALLY IDENTIFIABLE INFORMATION?

You have the right to request the restriction of certain uses and disclosures of personally identifiable information as follows. You can contact us in order to (1) update or correct your personally identifiable information, (2) change your preferences with respect to communications and other information you receive from us, or (3) delete the personally identifiable information maintained about you on our systems (subject to the following paragraph), by contacting support@mytoweriq.com or following other directions we may provide. Such updates, corrections, changes and deletions will have no effect on other information that we maintain, or information that we have provided to third parties in accordance with this Privacy Policy prior to such update, correction, change or deletion. To protect your privacy and security, we may take reasonable steps (such as requesting a unique password) to verify your identity before granting you profile access or making corrections. You are responsible for maintaining the secrecy of your unique password and account information at all times.

You should be aware that it is not technologically possible to remove every record of the information you have provided to us from our system. The need to back up our systems to protect information from inadvertent loss means that a copy of your personally identifiable information may exist in a non-erasable form that will be difficult or impossible for us to locate. After receiving your request, we will use commercially reasonable efforts to update, correct, change, or delete, as appropriate, all personally identifiable information stored in databases we actively use and other readily searchable media as appropriate, as soon as and to the extent reasonably practicable.

HOW WILL I KNOW IF THERE ARE ANY CHANGES TO THIS PRIVACY POLICY?

We may revise this Privacy Policy from time to time. We will not make changes that result in significant additional uses or disclosures of your personally identifiable information without allowing you to opt out of such changes. We may also make non-significant changes to this Privacy Policy that generally will not significantly affect our use of your personally identifiable information, for which your opt out is not required. We encourage you to check this page

periodically for any changes. If any non-significant changes to this Privacy Policy are unacceptable to you, you must immediately contact us and, until the issue is resolved, stop using the Service. Your continued use of the Service following the posting of non-significant changes to this Privacy Policy constitutes your acceptance of those changes.

WHO DO I CONTACT IF I HAVE ANY PRIVACY QUESTIONS?

If you have any questions or comments about this Privacy Policy or feel that we are not abiding by the terms of this Privacy Policy, please contact our privacy agent at support@mytoweriq.com.

BY USING THE SERVICE, YOU SIGNIFY YOUR ACCEPTANCE OF THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, YOU SHOULD NOT USE THE SERVICE. CONTINUED USE OF THE SERVICE, FOLLOWING THE POSTING OF CHANGES TO THIS PRIVACY POLICY THAT DO NOT SIGNIFICANTLY AFFECT THE USE OR DISCLOSURE OF YOUR PERSONALLY IDENTIFIABLE INFORMATION, MEANS THAT YOU ACCEPT THOSE CHANGES.