

## Privacy Policy

Ballyhoo Mobile Marketing, Inc. is committed to respecting and protecting your privacy and security online. In order to aid in this commitment, Ballyhoo Mobile Marketing, Inc. adheres to the Mobile Marketing Association's Code of Conduct for Mobile Marketing <http://mmaglobal.com/modules/content/index.php?id=5>

Whether you're browsing our site, using our applications, or seeking to acquire our professional services, we want to make you comfortable with our privacy practices and the security measures we take to protect your personal information. While we've structured our Websites so that, in general, you can visit us on the Web without identifying yourself or revealing any personal information, you may be required to provide personal information to access certain secured and detailed information, download certain software, enter certain transactions, and/or to request our services.

This Privacy Policy outlines our personal information handling practices. Once you choose to provide us personally identifiable information (any information by which you can be identified), you can be assured that it will only be used as set forth in this Privacy Policy. Ballyhoo Mobile provides this Privacy Policy to make you aware of our privacy practices and of the choices you can make about the way your information is collected and used. To make this notice easy to find, we make it available on our homepage at [www.Ballyhoo Mobile.com](http://www.Ballyhoo Mobile.com) and at the bottom footer of every Web page.

Finally, by using our Website, you consent to the collection and use of your personal information by Ballyhoo Mobile as set forth in the Privacy Policy currently in effect (the present Privacy Policy was last updated on December 1, 2008. Ballyhoo Mobile reserves the right to change the policy from time to time in accordance with the legal requirements. If Ballyhoo Mobile does decide to change its policy on privacy, such changes will be posted on this Website. Thus, we recommend checking back periodically to ensure that you have the most current policy.

### What Personal Information Do We Collect?

On some Ballyhoo Mobile Websites, Web pages, and in some Ballyhoo Mobile applications, you can provide personal demographics, an email address, a company name, an address, a cellular telephone number and/or a standard telephone number, which Ballyhoo Mobile collects and stores. Registration for access to secured services and applications may require or allow you to input other personal information such as credit card numbers, bank account numbers, other account numbers, passwords, flight numbers, driver's license numbers, birth date, and other secure information. For example, Ballyhoo Mobile applications may accept such information when you are using the Ballyhoo Mobile applications to securely store the information, and where you choose to submit such information to the Ballyhoo Mobile applications. Information that you submit for your sole personal use through Ballyhoo

Mobile's services and applications is encrypted and password-protected to prevent unauthorized access, and Ballyhoo Mobile does not access the unencrypted information without your permission, for example, where you ask Ballyhoo Mobile for help in accessing your information. Ballyhoo Mobile further uses its best efforts to prevent unauthorized access to the information by third parties. When you request a quote or place an order for a Ballyhoo Mobile application or service, Ballyhoo Mobile may also collect and store personally identifiable information, including name, title, company, address, e-mail address, phone numbers, driver's license numbers, date of birth, transaction, credit card and other necessary information. We do not require this information to obtain access to the home page of our public site, but do require it if you wish to participate in such specialized applications, services, or features.

In order to tailor our subsequent communications to you and continuously improve our services and products, we may also ask you to provide us with information regarding your personal or professional interests, demographics, experience with our programs, and more detailed contact preferences. There may be some electronic newsletters or Web logs that record anonymous data about articles you have expressed interest in. Some Ballyhoo Mobile.com Web pages use cookies, which is a common data analysis technique.

In addition, our Web server storage logs can collect the domain names, internet protocol addresses, the types of web browsers, and certain click stream data of visitors to our Websites. This information is used only internally. For example, this information may be aggregated to measure number of visits, average time spent on the Ballyhoo Mobile.com Website, pages viewed, etc. In addition, this information may assist Ballyhoo Mobile Marketing, Inc. in diagnosing problems with and administering the Website. We may use this information to measure the use of our sites and to improve the content of our sites, such as through customization for a particular user.

Periodically, Ballyhoo Mobile may conduct surveys, contests, promotions and the like on our Website and/or applications, and Ballyhoo Mobile may give you the opportunity to participate in these. Participation may require that you submit certain personally identifiable information to Ballyhoo Mobile, and Ballyhoo Mobile will collect and store this information; however, any participation is strictly voluntary and not required to continue use of the Ballyhoo Mobile Website, applications, and services, so you have a choice whether or not to submit this information.

Please be aware that the personal information we collect and other information you submit is stored and processed on computers in the United States. The laws on collection, holding and/or processing of personal data in the United States may be different (e.g., more stringent/less stringent) than the laws of your country. Ballyhoo Mobile will hold, process, and transmit your personal information in a confidential and secure environment. If you do not accept this term or other terms of the Privacy Policy, please do not use the Ballyhoo Mobile Websites, applications, and other services.

## Who is Collecting the Personal Information?

When you are on a Ballyhoo Mobile Website and are asked for personal information, you are sharing that information with Ballyhoo Mobile Marketing, Inc. . Additionally, if you purchase items or receive materials from Ballyhoo Mobile, your personal information may be collected by a third party company working with Ballyhoo Mobile. Ballyhoo Mobile may also contract with third party companies to perform services for Ballyhoo Mobile on its Website that require these companies to collect personal information (e.g. hosting a Website promotion or survey). The Ballyhoo Mobile Marketing, Inc. Website may contain various links to third-party Websites. These sites may provide additional information, goods, services and/or promotions. It should be understood that these sites are owned and operated independently of Ballyhoo Mobile, and have their own separate privacy and data collection practices. Please be aware that these third-party Websites are not covered under this Privacy Policy. Instead, any information you provide to these Websites will be governed under the terms of their privacy policy, if any. As a result, Ballyhoo Mobile has no responsibility or liability whatsoever for the independent actions or policies of these independent sites, and is not responsible for the content or privacy practices of such sites.

## How Do We Use the Information We Get?

Ballyhoo Mobile uses your information to better understand your needs to provide you with personalized and customized services and products. With respect to transactions, Ballyhoo Mobile's goal in collecting personal information is to facilitate order processing and to enable us to contact you if a problem arises with your order. Providing such information when making a purchase is required. Specifically, we use your information to help you complete a transaction, to communicate back to you, to update you on service and benefits, and to personalize our Websites for you, which includes interactive communications, and other services.

The Ballyhoo Mobile site may also contain optional surveys and questionnaires asking for information, as well as several opportunities for visitors to ask questions. We use the information you provide to help us develop and provide better products, to customize your experience, and to provide advice and other recommendations. We may also use your information to contact you for market research or to provide you with marketing information we think would be of particular interest. Taking part in any of these segments is always optional. At a minimum, we will always give you the opportunity to opt out of receiving such direct marketing or market research contact. For example, if you want to be removed from a mailing list, please contact us at [service@ballyhoomobile.com](mailto:service@ballyhoomobile.com). We will also follow local requirements, such as allowing you to opt in before receiving unsolicited contact, where applicable. For example, Ballyhoo Mobile will never subscribe you to a mobile messaging program unless you opt in to such a program. Further information regarding marketing or market research contacts is available in our Anti-Spam Policy.

Finally, Ballyhoo Mobile can conduct research on our users' demographics, interests, and behavior based on the information provided to us when you are requesting information, making a purchase, participating in a promotion, and/or from surveys and our server log files. We do this to better understand and serve our users. This research is compiled and analyzed on an aggregated basis so as to prevent identification of personal information relating to any one individual.

#### Who Can We Share the Personal Information With?

Except as outlined in this Privacy Policy or on our Website, Ballyhoo Mobile will not sell, rent, lease, or share your personally identifiable information to others without your consent. Thus, unless we have your permission or are required by law, we will only share the personal data you provide online with other Ballyhoo Mobile entities and/or business partners who are acting on our behalf for the uses described in "How Do We Use the Information We Get". For example, when processing payment for a transaction, Ballyhoo Mobile may provide your personal information to a third-party payment processor depending on your chosen method of payment. If you check the applicable box when registering or updating your account, or when purchasing Ballyhoo Mobile applications or services, Ballyhoo Mobile may share aggregated user statistics and information with certain third-parties. Such information may include our users' demographics, interests, personal information (not including credit card, bank account, and other financial information, unless as otherwise provided herein with respect to payment processing) and behavior based on the information provided to us when you are making a purchase, requesting information, or simply browsing. However, Ballyhoo Mobile will only disclose your personally identifiable information to third-parties with your permission. Ballyhoo Mobile takes great pride in utilizing only reputable third-parties. Such third-parties, including those in the United States and/or any other countries, are governed by our privacy policies or those similar in nature, with respect to the use of this data and are bound by the appropriate confidentiality agreements.

Ballyhoo Mobile may also disclose personal information in special cases 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 this site's Terms of Use or may be violating Ballyhoo Mobile or other's rights or causing injury to or interference with Ballyhoo Mobile's or other's property. Ballyhoo Mobile may also disclose or access personal information when we believe in good faith that the law requires it. Further, Ballyhoo Mobile may also disclose aggregated user statistics for other lawful purposes.

As with any business, it is possible that Ballyhoo Mobile could acquire, merge with, or be bought by another company. If such an action occurs, the resulting entity would have access to the information collected and stored by Ballyhoo Mobile, and the resulting entity would be bound by this Privacy Policy with respect to that information.

## What are Cookies?

A cookie is a piece of text asking permission to be placed on your computer's hard drive. If you agree, then your browser adds the text in a small file. The purpose of a cookie is to help us analyze Web traffic or let us know when you visit a particular site. Cookies allow a Web application to respond to you as an individual. By gathering and remembering information about your preferences, the Web application can tailor its operation to your needs, likes and dislikes. In addition, cookies can assist Ballyhoo Mobile in tracking what products you are planning to purchase, i.e., what products are in your shopping cart, as well as to track your progress and number of entries in some of our promotions and contests.

Ballyhoo Mobile can also use traffic log cookies to identify what pages are being used and which ones aren't. We use this information to understand how our users navigate our site, and to determine common traffic patterns. We may also use this information to better personalize the content, banner ads, and promotions that you and other users will see. This use allows us to make improvements to Ballyhoo Mobile Websites to better meet customer needs. Ballyhoo Mobile uses this information only for statistical analysis purposes and then the data is removed from the system.

You also have choices with respect to cookies. By modifying your browser preferences, you have the choice to accept all cookies, to be notified when a cookie is set, or to reject all cookies. If you choose to reject all cookies you will be unable to use those services or engage in activities that require the placement of cookies.

Ballyhoo Mobile wants to be sure you understand that accepting a cookie in no way gives us access to your computer or any personal information about you, other than the data you chose to share with us. This practice is strictly enforced. We value the relationships we have with our customers, so Ballyhoo Mobile works to continuously improve the Ballyhoo Mobile.com Web experience and personal data privacy policy and practices.

## What Choices Do I Have Regarding Collection, Use and Distribution of My Information?

Ballyhoo Mobile will not use or share the personally identifiable information provided to us online or through mobile messaging in ways unrelated to the ones described above without first letting you know and offering you a choice. Your permission is always secured first before we ever share your information with third parties that are not acting on our behalf but are governed by our privacy policy.

As previously stated in "Who Can We Share the Personal Information With?" , we will also provide you the opportunity to let us know if you do not wish to receive unsolicited direct marketing materials from

us and we will do everything we can to honor such requests. For example, Ballyhoo Mobile or the third parties it uses may, from time to time, send you e-mail or direct mail regarding our products and services. If you do not want to receive such information, simply tell us when you give us your personal information, or follow the directions contained on it to remove your name from our mailing list. Occasionally these promotion-related e-mail messages may include targeted advertisements. If you do not wish to receive such advertisements, you can choose not to participate in such promotions or contests. If you ever have questions regarding an e-mail you receive from Ballyhoo Mobile or one of our business partners, or want to be removed from a mailing list, please contact us at [service@ballyhoomobile.com](mailto:service@ballyhoomobile.com). Additionally, as stated above, Ballyhoo Mobile and its associated third-parties will never subscribe you to a mobile messaging program unless you choose to opt in to such a program.

#### What Security Measures are Used by Ballyhoo Mobile?

We protect the personal information you share with us. For example, if you make an online purchase with us through use of a credit card, we encrypt your credit card number. As a result, access to your personal information is limited to people who need it to do their job.

Where you use a Ballyhoo Mobile service or application to store your personally identifiable information, including financial information and passwords, for access only by you, and where the information is not submitted to Ballyhoo Mobile in order to obtain access to Ballyhoo Mobile's services or applications, such personally identifiable information is encrypted and password protected, and accessible only by you.

Ballyhoo Mobile will use reasonable efforts to ensure the protection of such information. For we utilize SSL (Secure Sockets Layer), the industry standard security protocol. All of your ordering information is encrypted using this secure server for maximum security. We also use Microsoft IIS technology for certain products and services, which safeguards your online order by requesting authentication for server access, encrypting private information, and protecting the integrity of your data. We also maintain a certificate with VeriSign that serves as an electronic substitute for your signature.

Authorized third party agents may also need access to some of your personal information. For example, if we need to ship something to you, we must share your name and address with a shipping company. We only provide third party agents with the minimum amount of information needed to complete the requested service or transaction. We do not otherwise share your personal information with third parties, unless you have granted us permission to do so. We may also share information with third-party credit card providers and payment processors in order to process payments for products or services.

The security of the information you provide to Ballyhoo Mobile depends at least in part on the password you choose for the Ballyhoo Mobile Website, applications, and services. Never disclose your password to anyone, and make sure you choose a password that is not obvious to or easily ascertainable by another person. Ballyhoo Mobile will never request that you send your password to Ballyhoo Mobile via email, but you will be required to enter your password on the Ballyhoo Mobile Website and/or related Web pages and applications and in order to access and use the Ballyhoo Mobile applications and services.

How do I Access, Determine the Accuracy of, and Correct My Information?

Ballyhoo Mobile strives to keep your personally identifiable information accurate. We will provide you with access to your information, including making reasonable efforts to provide you with online access to your registration data so that you may view, update or correct your information at the Ballyhoo Mobile.com site where it was submitted, or at the various third party sites. To protect your privacy and security, we will also take reasonable steps to verify your identity before granting you access or enabling you to make corrections.

However, we need your help in making sure your personal information is correct in our systems. Please notify us of changes to your name, address, title, phone number, cellular phone number and email address. If you would like to review, correct or change any personal information you have provided, or remove your name from our mailing lists or mobile messaging programs to which you have opted in, please e-mail us at [marcom@Ballyhoo Mobile.com](mailto:marcom@Ballyhoo Mobile.com).

What Steps Has Ballyhoo Mobile Take to Provide Children's Privacy Protection?

Ballyhoo Mobile takes special care to protect the privacy needs of children under the age of 13 and encourages parents to be an active participant in their child's online activities and interests. We abide by the Children's Online Privacy Protection Act (COPPA) requirements. In addition, Ballyhoo Mobile does not seek to collect information about children under the age of 13. No information should be submitted to or posted on this Website by users under 13 years of age. If a child under the age of 13 submits personal information to this Website, we delete the information as soon as we discover the source of the submission and do not use it for any other purpose. Ballyhoo Mobile Marketing, Inc. encourages parents to take an active role in their children's use of the Internet and cellular telephones, and to inform them of the potential dangers of providing information about themselves over the Internet. We also recommend to parents to help make a child's online experience safer to teach kids never to give personal information, unless supervised by a parent or responsible adult, to know the sites your kids are visiting and which sites are appropriate and to look for Website privacy policies to know how your child's information is treated.

## Your California Privacy Rights

California legislation requires that certain disclosures be made available to California residents who provide information over the Internet that is used for direct marketing purposes. Specifically, any business that discloses a customer's personally identifiable information to a third party for direct marketing purposes is required to provide a method for the customer to obtain the names, addresses, and certain other information for such third parties. If you are a California resident you may request this information from Ballyhoo Mobile by writing to Ballyhoo Mobile, PO Box 945, Rexburg, ID 83440, USA Attn: California Privacy Rights / Marketing or by sending an e-mail to [service@ballyhoomobile.com](mailto:service@ballyhoomobile.com).

Ballyhoo Mobile Marketing, Inc. is not obligated to respond to more than one such request per customer per calendar year.

## What If I Have Additional Questions or Comments?

Questions regarding this policy should be directed to [service@ballyhoomobile.com](mailto:service@ballyhoomobile.com). You may also contact us by U.S. mail at:

Ballyhoo Mobile Marketing, Inc.

P.O Box #371  
212 North Hogan  
Jacksonville, FL 32202  
Phone: 904-505-1468  
Fax: 801-504-1468

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