

Wisper ISP, Inc. Privacy Policy and Customer California Privacy Rights

Effective as of March 2015

Wisper knows Customers care about how their personally identifiable information (“Personal Information”) is used and shared, and Wisper takes Customers’ privacy seriously. Please read the following to learn more about Wisper’s Privacy Policy. **By using the Service (as defined in the Customer’s Service Agreement) or accessing Wisper’s website in any manner, Customer acknowledges that Customer accepts the practices and policies outlined in this Privacy Policy, and Customer hereby consents that Wisper will collect, use, and share Customer’s Personal Information in the following ways.** (Can be found at www.wisper.com)

Remember that Customer’s use of the Service is at all times subject to Customer’s Service Agreement, which incorporates this Privacy Policy by reference. Customer’s use of Wisper’s website is at all times subject to Wisper’s Website Terms of Use. Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in Customer’s Service Agreement and Website Terms of Use. (Can be found at www.wisper.com)

Wisper Services are designed and targeted to U.S. audiences and are governed by and operated in accordance with the laws of the U.S. If Customer is not a U.S. citizen or do not reside in the U.S., Customer voluntarily consents to the collection, transfer, use, disclosure and retention of Customer Personal Information in the U.S. Customer also agrees to waive any claims that may arise under Customer’s own national laws.

When Customer uses the Service, the Personal Information (as defined below) Customer sends and receives is transmitted over a wireless network, and may be subject to interception by unauthorized third parties who seek to do you harm. While it is Wisper’s objective to take reasonable measures to reduce the risk that unauthorized third parties will be able to intercept the information Customer sends and receives through the Service, Wisper cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.

Wisper recommends that Customers use caution when sending any Personal Information over the Internet and use encryption technology whenever possible, such as websites that have the “https” designation in the website’s address bar and show a padlock icon in the browser’s window.

Wisper does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If Customer is under age 13, please do not attempt to register for the Services or send any Personal Information about yourself to Wisper. If Wisper learns that Wisper has collected Personal Information from a child under age 13, Wisper will delete that information as quickly as possible to the extent technically feasible. If Customer believes that its child under age 13 may have provided Wisper Personal Information, please contact Wisper at privacy@WisperISP.com.

Your California Privacy Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to ask Wisper for a notice identifying the categories of Personal Information which Wisper shares with its Affiliates and/or other third parties for their marketing purposes, and providing contact information for such Affiliates and/or third parties unless Wisper meets certain exceptions in the law. This Privacy Policy qualifies for the exception to those requirements. If Customer resides in California and Customer has an established business relationship with Wisper, Customer may request information about Wisper’s opt-out and out-in policies of sharing Customer Personal Information with other companies (including Our Affiliates) for their marketing purposes. Please send Customer’s written request via email or postal mail following the instructions below.

Wisper will not accept requests via the telephone or facsimile. Wisper will not respond to requests that are not labeled or sent properly, or do not have complete information.

- For all requests, include Customer's full name, street address, city, state and zip code.
- In an email request, Customer must state "**Re: Your California Privacy Rights**" in the subject line and send Customer email to privacy@WisperISP.com.
- In a postal request, Customer must send a letter or post card to:

Wisper ISP, Inc.
3680 Lebanon Ave.
Suite 101
Belleville, IL 62221
Attention: Your California Privacy Rights

What types of information does this Privacy Policy cover?

Wisper collects various types of information about Customers and Customers' use of the Service via the Wisper website, Help Desk and call centers, postal mail, remote kiosks, the Wisper Facebook Page or other social network platforms or by other means, generally classified as Personal Information and Non-Personal Information.

Generally, Wisper gathers and uses Personal Information internally in connection with providing the Service to Customer, including to personalize, evaluate and improve the Service and Wisper's ability to provide the Service to Customer, to contact Customer, to respond to and fulfill Customer requests regarding the Service, and to analyze how Customer uses the Service.

Wisper may share Customer's Personal Information with its Affiliates and with other third parties as described below:

What Information does Wisper collect and how does Wisper use this Information?

Personal Information

Personal Information is the information Customer provides to Wisper voluntarily or passively through Customer use of the Service and/or website, and which is directly associated with or reasonably linked to a specific person, computer or device. For example, through the registration process, when the equipment to provide the Service is installed, maintained or upgraded at Customer's premises, when Customer contacts Wisper regarding the Service, and through Customer account settings, Wisper collects Personal Information such as Customer name, email address, phone number, billing address and billing information (such as credit card account number or other financial account information), service address, and the nature of any of Customer devices or other property making use of the Service. Customer may be required to provide certain Personal Information to Wisper in order to register with Wisper, to assist Wisper in improving Customer's Service or troubleshooting problems Customer is experiencing with the Service, Customer computer or device, or otherwise to improve the quality of the Service.

Wisper will communicate with Customer if Customer has provided Wisper the means to do so. For example, if Customer has given Wisper Customer's email address or phone number, Wisper will email or call Customer about Customer use of the Service or product improvements or upgrades, and other transactional information about Customer Service.

Wisper may also combine Customer Personal Information with additional Personal Information obtained from Wisper Facebook Pages or other social network platforms, its Affiliates, its Operational Service Providers (third party owned companies that provide or perform services on Wisper's behalf, to help serve

Customer better and to perform functions in order to support Wisper businesses and operations), or other companies, such as credit bureaus, background check firms, and marketing research companies.

Some forms of Non-Personal Information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information.

Non-Personal Information

Website Information, Use of Cookies and other Similar Tracking Technology

When you visits Wisper's website, Wisper will collect various types of Non-Personal Information, such as information on Wisper server logs from Customer's browser or device, which may include Customer IP address, unique device identifier, "cookie" information, the type of browser and/or device you're using to access the Service, and the page or feature Customer requested. (IP Address and device identifiers are traditionally classified as Non-Personal Information, unless Wisper is required to do so otherwise under applicable law.) Cookies" and "web beacons" are text file identifiers Wisper transfers to Customer's browser or device that allow Wisper to recognize Customer's browser or device and tell Wisper how and when pages and features on the Wisper website are visited, by how many people, and other activity on the website.

Customer can change the preferences on Customer's browser or device to prevent or limit Customer's device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the Wisper website, or accessing certain functions and conveniences. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer. Again, this Privacy Policy does not cover the use of cookies or other such tracking technology by any third parties, and Wisper is not responsible for their privacy policies and practices.

Wisper also uses Personal Information and Non-Personal Information to enhance the Wisper website and Wisper Service offerings. For example, such information can tell Wisper how often visitors use a particular feature of the Wisper website and which products and services are most interesting to current and potential customers, and Wisper can use that knowledge to make the website useful and interesting to as many users as possible and to enhance and refine Wisper's Service offerings. Wisper will continue to conduct analytics on Wisper website performance; Customer may not opt-out of this use of cookies or other Personal Information or Non-Personal Information.

Technology is improving every day and to improve Wisper's Services' operation and function Wisper may introduce new technologies and monitoring techniques without advance notice or consent from Customer. Wisper may also use third party providers to conduct such internal analyses.

Network Information

Wisper also collects Network Information, information about Customer access to, and use of, the Wisper network, which may or may not be directly associated with or reasonably linked to a specific person, computer or device. For example, Wisper may collect information about the performance of the Provider Equipment installed on Customer property or at Customer premises, when Customer is using the Service, the various devices Customer is using to access the Service, the amount of data Customer is transmitting and receiving, the content of the data Customer are transmitting and receiving, the websites Customer is visiting, and any other information that is transmitted over the Wisper network. Wisper may also aggregate Network Information from multiple subscribers and Wisper will share such aggregated Non-Personal information about the overall performance of the Wisper Service and network with Our Affiliates and other third parties. Aggregated information does not identify a specific individual, computer or device.

We use Network Information to monitor and enhance the performance of the Wisper network. Wisper will not monitor the content of the websites viewed or email communications as part of Wisper's standard network management. Generally, Wisper will only monitor and preserve the following Network Information:

- When Customer is using the Service;
- How Customer is using the Service, such as monitoring traffic patterns regarding websites visited, amount of data being sent or received, or other activity;
- The amount of data Customer is transmitting and receiving through the Service; and
- General information regarding the performance of the Provider Equipment installed on Customer's property or at Customer's premises, and its interaction with the rest of Wisper's network.

However, Wisper reserves the right to, and may, monitor, access, review and preserve any Network Information and/or content in the following situations:

- In response to an inquiry from Customer or an another Authorized User on Customer's account regarding Customer or their use of the Service or problems Customer or they are experiencing using the Service;
- If Wisper has reason to believe Customer is using the Service in violation of Customer's Service Agreement or any applicable statutes, rules, ordinances or regulations;
- If Wisper has reason to believe Customer use of the Service is negatively affecting other Customers; or
- When Wisper is required by law or legal process to do so, or when Wisper a good faith belief that Wisper is required by law or legal process to do so.

How is Personal Information used for marketing and advertising purposes?

Wisper will use Personal Information to send Customer marketing and advertising messages related to Wisper's Service and website using Customer's email address, postal address, or telephone number (for voice, texts, and pre-recorded calls). Wisper may deliver a marketing or advertising message based on Customer visits to Wisper website, which will be general advertising or "Contextual Advertising," which is advertising based on the subject matter or the content of the specific website page or subject matter. Wisper may also send Customer "First Party Advertising," which is advertising that is customized or personalized based on a history of Customer's use of our Services (possibly combined with information from our Facebook fan page or other social network platforms). First Party Advertising is based solely on a combination of information Wisper collects from Customer – not from Customer's visits to other websites across the Internet.

Customer may opt-out of First Party Advertising but not Contextual Advertising. No Personal Information is used to deliver Contextual Advertising; it automatically will appear based on the content or webpage Customer is viewing. And Customer may continue to receive general advertising if Customer opts-out of First Party Advertising, it will not be customized or personalized for Customer.

Wisper does not provide third party "Network Advertising," which is advertising based on Customer's overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a "network" of advertising providers.

Because Wisper does not provide network ads, Wisper does not recognize the "Do Not Track" settings on various Internet browsers. Wisper does not engage or allow third parties to track you across the Internet and across time for advertising purposes.

Links to other websites or online services

The Wisper website and/or Facebook Pages (or other social networking platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to Wisper and our Affiliates. The presence of a link does not constitute or imply Wisper's endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Wisper encourages Customers to be aware and informed when Customers leave Wisper's website and Wisper's Facebook Pages, or any other social networking platforms.

Will Wisper share Customer Personal Information?

Customer's Personal Information will only be disclosed to third parties (including Wisper's Affiliates) as listed in this Privacy Policy, if Wisper has received your consent at the time Wisper will collect your Personal Information or prior to the disclosure of any Personal Information. Wisper reserves the right to fully use, disclose and process any Non-Personal Information collected from Customer in any manner as well as any information Customer makes public via Wisper Services or website.

Wisper will not rent, sell or disclose Personal Information to anyone not related to Wisper for marketing or promotional purposes, unless in connection with a potential or actual sale, merger or a corporate restructuring by or of Wisper. (See "For Business Transfers" below for more information.) Wisper will share Customer Personal Information with its Affiliates and with other third parties as described in this section for the following reasons:

- **To Our Affiliates.** Wisper relies on various Affiliates in order to provide the Service to Customers. These are companies that are related to Wisper by common ownership or control. Wisper may share Personal Information and Non-Personal Information with any of its Affiliates for business, operational, promotional and/or marketing and advertising purposes.
- **To Operational Service Providers:** Wisper and its Affiliates contract with other companies and people to perform tasks or services on Wisper's behalf and need to share Customer Personal Information to provide products or services to Customers. For example, Wisper may use a payment processing company to receive and process Customer's ACH or credit card transactions for Wisper, or Wisper may contract with third parties to assist Wisper in optimizing Wisper's network. Unless Wisper tells Customer differently, Wisper does not grant its Operational Service Providers any right to use the Personal Information Wisper shares with them beyond what is necessary to assist Wisper.
- **For Business Transfers/Restructuring:** Wisper may choose to buy or sell assets, or Wisper may sell assets or be sold. In these types of transactions, customer Personal Information is typically one of the business assets that would be disclosed and transferred. Also, if Wisper (or Wisper's assets) are acquired, or Wisper goes out of business, enter bankruptcy, or go through some other change of control, including restructuring, re-organization or financing arrangements, Personal Information could be one of the assets disclosed, transferred to or acquired by a third party.
- **For Protection of Wisper, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety:** Wisper reserves the right to access, read, preserve, and disclose any Personal Information Wisper has access to if Wisper believes doing so will implement and/or enforce the Service Agreement, Website Terms of Use Agreement, Privacy Policy or any legal document; protect our Network(s), website(s), and company assets; protect the interests, rights, property, and/or safety of Wisper or Our Affiliates, employees and officers/directors, Operational Service Providers, Users and Subscribers, agents, third party licensors or suppliers, or the general public.
- **When Required by Law or in Response to Legal Process:** Wisper reserves the right to access, read, preserve, and disclose any Personal Information to which Wisper has access if

Wisper is required by law or legal process to do so, or if Wisper has a good faith belief that Wisper is required by law or legal process to do so.

Is Customer Personal Information secure?

Wisper endeavors to protect the privacy of Customer's account and other Personal Information Wisper holds in its records using reasonable administrative, technical and physical security measures. However, Wisper cannot and do not guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of Personal Information at any time.

Customer's account is protected by a password for Customer privacy and security. It is Customer's responsibility to prevent unauthorized access to Customer's account and Personal Information by selecting and protecting Customer password and/or other sign-on mechanism appropriately and limiting access to Customer computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer is required to notify us immediately if Customer's password or account has been disclosed to a person whose name does not appear on Customer's account, even if you have allowed such disclosure. Customer understands, acknowledges and agrees that Customer is solely responsible for any use of Wisper Services via Customer's username and password.

Additionally, if Customer contacts Wisper, Wisper will ask Customer for verification of Customer's identification and account. **Wisper will not send an email or text, nor should Customer respond to any email or text communications asking for any sensitive or confidential Personal Information, such as social security number, bank account or credit card account number, or a driver's license number.** If Customer receives an email or text requesting any such information from Wisper or someone that claims they are with Wisper or Our Affiliates please contact our [Privacy Administrator](mailto:privacy@WisperISP.com) immediately: privacy@WisperISP.com.

For Wisper's IT Support Services as detailed in our Service Agreement, the code that allows Wisper to access Customer's computer desktop to help your resolve technical problems is limited only for that specific session. Wisper is not able to access Customer's Computer without Customer's knowledge, affirmative consent and involvement.

What Personal Information can Customers access, modify and/or delete?

Generally, Customer may access the following Personal Information in Customer's account:

- Full name
- Username and password
- Email address
- Telephone number; and
- Billing and Service address
- Account and billing information

By contacting Wisper at privacy@WisperISP.com, or through any online access portal Wisper may create to enable Customers to view and modify Customer account settings, Customer may access, and, in some cases, edit or delete the Personal Information listed above. For example, Wisper may retain historic email, billing and/or Service addresses for security and verification purposes. Customer may not delete such information.

When Customer updates Personal Information, however, Wisper may maintain a copy of the unrevised information in Wisper's records for internal security reasons and recordkeeping. Some information may remain in Wisper's records after it is modified, amended or deleted by Customer or Wisper. Wisper may use any aggregated data derived from or incorporating Customer's Personal Information after Customer updates or deletes it, but not in a manner that would identify Customer personally. Wisper may also

maintain Personal Information regarding Customer and Customer's use of the Service after Customer are no longer a Wisper customer as required by Wisper's business practices, by law, and/or tax reporting purposes.

The information Customer can view, update, and delete may also change. If Customer has any questions about viewing or updating information Wisper has on file about Customer, please contact Wisper at privacy@WisperISP.com.

What third party disclosure choices do Customers have?

Customer can always choose not to disclose Personal Information to Wisper; however, certain Personal Information is necessary for Wisper to provide the Service to Customer. Customer may opt out of sharing Personal Information with Our Affiliates only for marketing or advertising purposes, but not for business or operational purposes.

Customer may opt out of email marketing and advertising from Wisper or its Affiliates using the "Unsubscribe" mechanism in each email. Before Wisper sends Customer a text for any reason, or sends Customer a pre-recorded call that contains advertising or marketing information, Wisper will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Non-telemarketing pre-recorded calls do not require Customer's prior express consent in writing, unless they are sent to a wireless device. Customer understands, acknowledges and agrees that such texts and pre-recorded telemarketing calls may be sent using an autodialer and are not conditioned on your purchase of the Service. Customer may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message. Customer may opt out of receiving pre-recorded calls by the opt-out instructions in the call. Customer can also request to be added to Wisper's company-specific Do Not Call list to opt-out of advertising and marketing calls of all types. However, Customer will continue to receive calls related to debt-collection and Customer's current Service. Customer may also opt-out of First Party Advertising, but not Contextual Advertising, as detailed in the "Use of Personal Information for Marketing or Advertising Purposes" section above.

Customer may not opt out of Wisper's use of cookies or other similar technology, or use of Customer's Personal Information and Non-Personal Information for Wisper's internal analytics used to monitor activity on Wisper's website, measure Wisper Service performance, or to operate and protect the Wisper network.

Will this Privacy Policy ever change?

Yes, Wisper is constantly working to improve the Service, so Wisper will need to update this Privacy Policy from time to time as Wisper's business practices change and service offerings increase, and/or there are changes in local, state or federal laws. Additionally, Wisper will also make stylistic, organizational and/or grammatical changes to present Wisper privacy practices in a user friendly easy to read manner. Wisper will alert Customers to any such changes by placing a notice on www.Wisperinternet.com with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided Wisper with Customer's email address or Customer has not updated Customer contact information, those legal notices will still govern Customer use of the Service, and Customer is still responsible for reading and understanding all notices posted on Wisper's website. Customer's continued use of the Service or website after notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by applicable law.

Use of Customer's Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the Wisper website. If Wisper elects to use or to disclose Personal Information that identifies Wisper as an individual in a manner that is materially different than that stated in the Privacy Policy in effect at the time you subscribed to the Service or visited the Wisper website,

Wisper will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

What if you have questions or comments about this Privacy Policy?

If you have any questions or concerns regarding Wisper's privacy practices and policies, please contact Wisper at privacy@WisperISP.com.

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