



## MegaPath Cloud Company, LLC Privacy Policy Statement

This is the website of MegaPath Cloud Company, LLC

### Contact us

#### By mail

6800 Koll Center Parkway, Suite 200  
Pleasanton, California 94566

#### By e-mail

[privacyofficer@megapath.com](mailto:privacyofficer@megapath.com)

#### By telephone

1-877-MEGAPATH

#### By facsimile

1-925-201-2550

Your privacy is very important to us. This privacy policy discloses how MegaPath Cloud Company, LLC (“MegaPath”) collects, protects, uses and shares personal information gathered about you. All Personal Information is collected in a fair and non-intrusive manner, with your voluntary consent. Personal Information is not accessible to anyone outside the specific function for which it is collected. MegaPath respects the privacy of our customers, our employees and other visitors to our websites who may choose to provide personal information. We recognize the need for appropriate protections and management of personal information that you provide to us. This Privacy Policy will help you to understand what types of information we may collect, how that information may be used, and with whom the information may be shared.

This Privacy Policy explains MegaPath’s practices regarding the information collected online from users of the MegaPath website located at [www.megapath.com](http://www.megapath.com).

In an effort to comply with the law, and our commitment to protect your personal information, we provide the following, which discloses our policies.

#### What type of information do we collect?

Personal Information is defined as any information concerning the personal or material circumstances of an identified or identifiable individual. An identifiable person is one who can be identified, directly or indirectly, by reference to a Social Security Number and/or Identification Number (hereinafter “SSN/I.N”) or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity.

Personal Information shall include but is not limited to: name, home address, home telephone number, email address, Social Security Number and/or Identification Number, financial information and employment related information such as may be found on resumes, applications, background verification information, or in employment references.

MegaPath does not collect SSN/I.N. information or date of birth information from our website or from our customers. MegaPath does collect SSN/I.N. and date of birth information from job applicants and employees. MegaPath takes measures to maintain the confidentiality of such information from unlawful disclosure, and to limit access to the information. MegaPath will not make your SSN/I.N or date of birth available to the general public, print it on any card, require you to provide your it to access any products or services, transmit this information over the Internet



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unless the connection is secure or your the information has been encrypted, or require the transmittal of this information to access our Website. MegaPath is PCI-DSS compliant and will use PCI standards in protecting the information described in this paragraph.

Non-personal information is information that is already a matter of public record or knowledge. Business contact information is considered non-personal information and no subjected to special protection and it can be routinely shared with anyone inside or outside of the business. Business contact information shall include but is not limited to: business name, business address, business telephone number, and is not considered personal information in certain jurisdictions.

### **Cookies – Internet Users**

In addition to Personal Information, we use data collection devices such as “cookies” on certain web pages to help analyze our web page flow and measure promotional effectiveness. Cookies are pieces of information a website sends to an individual’s hard drive while they are viewing the website. Cookies allow the website to remember important information that will make your visit to the site more useful. We use cookies to help improve your future visits. If you do not wish to receive a cookie or if you wish to set your browser to warn you each time a cookie is being sent, or if you wish to turn off all cookies, use the options on your browser to assist you. The “Help” option on your browser may assist you in changing your cookie preferences. Please note that by turning cookies off, you will not have access to many features available on our website.

### **Children and Data Collection**

MegaPath adheres to the federal privacy protection standards as stated in the Children’s Online Privacy Protection Act (“COPPA”). We care about the safety of children. We will not knowingly allow anyone under 13 to provide us any personally identifying information. Children under 13 years of age are required to obtain the express permission of a parent or guardian before submitting any Personal Information about themselves (such as their names, e-mail address, and phone number) over the Internet. If a child has provided us with personally-identifiable information without the consent of a parent or guardian, the parent or guardian of that child should contact the Privacy Officer immediately at [privacyofficer@megapath.com](mailto:privacyofficer@megapath.com). We will use reasonable efforts to promptly delete the child’s information from our servers.

### **A Special Note about Children who reside in the State of Maine, USA**

MegaPath complies with the Maine state law titled “An Act to Prevent Predatory Marketing Practices against Minors”. The law applies to the collection and use of personal information for marketing purposes of children who are under the age of 18. The [www.megapath.com](http://www.megapath.com) website which is developed and serviced by MegaPath Inc is not intended to solicit information of any kind from children under 18 years of age. It is possible that due to fraud or deception by others, we may unknowingly receive information pertaining to children under 18 years of age. If this is the case, the parent or guardian of the minor must notify the Privacy Officer immediately at [privacyofficer@megapath.com](mailto:privacyofficer@megapath.com).

### **Our Use of Your Personal Information**

We use your Personal Information to facilitate the services you request. We have tailored our Privacy Policy to adequately advise of the use of your Personal Information.

### **Collection and Use of Employee Personal Information**

MegaPath also collects Personal Information from its employees and applicants (human resource data) in connection with administration of its Human Resources programs and functions although not through MegaPath’s website. These programs and functions include, but are not limited to: job applications and hiring programs, compensation and benefit programs, performance appraisals, training, access to MegaPath facilities and computer networks, employee profiles, internal intranet employee directories, Human Resource recordkeeping and other employment related purposes.



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It is the policy of MegaPath to keep all past and present employee information private from disclosure to third parties. There are certain business related exceptions and they are:

1. To comply with county, state or federal agency requests;
2. Inquiries from third parties with a signed authorization from the employee to release the information, except in situations where limited verbal verifications are acceptable (see below);
3. Third parties with which MegaPath has contractual agreements to assist in administration of company sponsored benefits.

### Verifications of Employment

Prospective employers, financial institutions, and residential property managers routinely contact MegaPath requesting information on a former or current employee's work history and salary. All such requests of this type shall be referred to and completed on a confidential basis by the Human Resources Department or Payroll Department.

For written verification of employment requests, information will be provided on the form only when it is accompanied by an employee's signed authorization to release information. The form will be returned directly to the requesting party and filed as part of the Human Resources or Payroll Department's confidential records.

### Medical Information

MegaPath is compliant with federal HIPAA regulations and only utilizes information related to the company sponsored healthcare plan on a "need to know" basis for administration of the healthcare plan.

### Collection and Use of Customer Information

MegaPath will not collect customer Personal Information, unless the customer contacts MegaPath directly. Failure to provide necessary information may prevent MegaPath from fully addressing any customer concerns.

If you supply us with your postal address on-line you may receive periodic mailings from us with information on new products and services or upcoming events. If you do not wish to receive such mailings, please let us know by calling us at the number provided above. Please provide us with your exact name and address. We will be sure your name is removed from our mailing list.

Persons who supply us with their telephone numbers on-line may receive telephone contact from us with information regarding new products and services or upcoming events. If you do not wish to receive such telephone calls, please let us know by sending us an e-mail at the above address. Please provide us with your name and phone number and we will be sure your name is removed from our telemarketing list.

A customer requesting services from MegaPath through the [www.megapath.com](http://www.megapath.com) website will be asked to provide Personal Information. The Personal Information collected may include, but will not be limited to: name, e-mail address, telephone number, and credit card information.

MegaPath will not collect Personal Information, unless you contact MegaPath directly. In the future, MegaPath may use this information to contact you regarding products or promotions, as well as other products and services, which may be of interest to you. If you do provide us with Personal Information we may use the information to contact you, via e-mail, regular mail, telephone or other means, to provide you with information that you requested about specific products or services, provide additional future information about products or services that may be of interest to you, and to learn about and develop products and services. If you do not want this information disclosed you may "opt out" of future contacts at any time by un-subscribing from our



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database or contacting the Privacy Officer, in writing, as described below in the section titled "Contact Information".

Customers may prevent their information from being used for purposes other than those for which it was originally collected by calling us at the number provided above.

Upon request, we provide site visitors and customers with access to all information [including proprietary information] that we maintain about them. Requests for this information should be sent to the above e-mail address. Any corrections to this information should also be sent to the above e-mail address.

### **Sharing of Personal Information**

We may share Personal Information with our service providers, consultants and affiliates for our internal business purposes. Except as described in this Privacy Policy, MegaPath will not share Personal Information with a third party, unless a customer requests, consents to such disclosure, or disclosure is required or authorized by law. MegaPath reserves the right to disclose Personal Information to a third party if a law, regulation, search warrant, subpoena, or court order legally requires or authorizes us to do so. Please see our Subpoena Policy for additional information. MegaPath also reserves the right to disclose and/or transfer Personal Information to a third party in the event of a proposed or actual purchase, sale, lease, merger, amalgamation or any other type of acquisition, disposal, or financing of all or any portion of MegaPath or of any of the business or assets or shares of MegaPath or a division thereof in order for a customer to continue to receive the same products and services from the third party.

Personal Information may be provided to a courier or freight forwarder to fulfill an order, which may have been requested from us.

Service providers are prohibited from using Personal Information for any purpose other than to provide assistance to MegaPath. Service Providers are required to protect Personal Information disclosed by us and to comply with the general privacy principles described in this Privacy Policy.

### **Security**

We endeavor to protect your Personal Information using physical, electronic or procedural security measures appropriate to the sensitivity of the information in our control. These measures include safeguards to protect Personal Information against loss or theft, as well as unauthorized access, disclosure, copying, use and modification. MegaPath is PCI-DSS compliant and will use PCI standards in protecting the information described in this paragraph

We safeguard your Personal Information on the Internet by using industry-standard practices. Although "guaranteed security" does not exist either on or off the Internet, we make commercially reasonable efforts to make the collection and security of such information consistent with our Privacy Policy and all applicable laws and regulations. We maintain physical, electronic and procedural safeguards as appropriate to safeguard your Personal Information.

Currently, our website utilizes a variety of different security measures designed to protect Personal Information by users both inside and outside MegaPath, including the use of encryption mechanisms (e.g., Secure Socket Layers or SSLs), password protection, and other security measures to help prevent unauthorized access to your personally identifiable information. This helps maintain the confidentiality, privacy, and integrity of your transactions, and helps to protect your confidential information – such as credit card numbers, online forms and financial data, from loss, misuse, interception and hacking.

### **Storage, Retention and Accuracy of Personal Information**



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MegaPath insures that Personal Information is safeguarded against loss, access, use, modification, disclosure or other misuse. All reasonable steps are taken to prevent unauthorized use or disclosure of your Personal Information.

MegaPath will retain your Personal Information only for as long as necessary to fulfill the purpose(s) for which it was collected and to comply with applicable laws and your consent to such purpose remains valid after termination of our relationship with you.

We take all reasonable steps to insure that your Personal Information is accurate, up-to-date, complete, relevant and not misleading.

### Contact Information

You may contact the Privacy Officer to access, correct or delete your Personal Information. If necessary, the Privacy Officer will contact another individual to assist in completing your requested task.

If you have any questions or complaints, please contact the Privacy Officer. The Privacy Officer can be reached by telephone at: 1-877-MEGAPATH; by email at: [privacyofficer@megapath.com](mailto:privacyofficer@megapath.com); or by mail at MegaPath Cloud Company, LLC, 6800 Koll Center Parkway, Suite 200, Pleasanton, CA, 94566, USA. We will address your concern and attempt to resolve any problem.

### Links to Non-MegaPath Web Sites and Third Parties

Please note that [www.megapath.com](http://www.megapath.com) websites may contain links to other websites for your convenience and information. MegaPath does not control those sites or their privacy practices, which may differ from [www.megapath.com](http://www.megapath.com). MegaPath's privacy policy cannot and does not apply to external websites. We do not endorse or make any representations about third party websites. The personal data you choose to give to unrelated third parties is not covered by the MegaPath privacy policy. We encourage you to review the privacy policy of any company or website before submitting your Personal Information. Some third parties may choose to share their personal data with MegaPath; that sharing is governed by that third party company's privacy policy.

### Changes to our Privacy Policy

MegaPath will update this Privacy Policy occasionally. When MegaPath posts changes to this Privacy Policy, we will also revise the "Last Updated" date below on MegaPath's Privacy Policy. MegaPath encourages you to review this Privacy Policy periodically to be informed of how MegaPath is protecting your information and to be aware of any changes to the Privacy Policy. Your continued use of the site after the posting of any amended Privacy Policy shall constitute your agreement to be bound by any such changes. This Privacy Policy is incorporated into any Terms and Conditions governing the various web sites and any programs or services operated or managed by or on behalf of MegaPath. Any changes to this Privacy Policy are effective immediately after being posted by MegaPath.

If you feel that this site is not following its stated information policy, you may contact us at the above addresses or phone number, or The DMA's Committee on Ethical Business Practices at [mgoldberger@the-dma.org](mailto:mgoldberger@the-dma.org).

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