



## LOC-AID Privacy Policy

EFFECTIVE DATE: *MARCH 24, 2010*

### **Section 1.** Web Services Overview

LOC-AID enables location-based services (LBS) for mobile devices through wireless networks around the world by utilizing the geographical position of the device. LOC-AID services enable a variety of applications in business and consumer contexts including health, work, personal life, community and communications. LOC-AID helps companies identify the location of a person or object, such as finding the nearest ATM machine, verifying the location of a vehicle or confirming the whereabouts of a friend or employee. LOC-AID works with developers and companies to provide location data and analytics for a wide range of LBS applications, including location-based vehicle tracking, parcel tracking, mobile commerce, mobile advertising, social networking, “presence”-based messaging and location-contextual gaming. In this role, LOC-AID serves as an aggregator for location based services by which it brings together – or operates as a mediation gateway for – wireless carriers and the providers of wireless applications and content (“Providers”). LOC-AID’s customers are businesses, not consumers. LOC-AID transmits to Providers the location data of individuals who purchase and use mobile location services (“Mobile Location Users”).

This Privacy Policy (“Policy”) identifies and describes the way LOC-AID uses and protects the information we collect from those who visit our Web sites such as the site you are visiting now. Your visits to [www.loc-aid.com](http://www.loc-aid.com), are subject to this Privacy Policy.

## LOC-AID Privacy Policy for Location Aggregation & Web Services

LOC-AID Technologies is a licensee of the TRUSTe Privacy Program. TRUSTe is an independent, organization whose mission is to build user's trust and confidence in the Internet by promoting the use of fair information practices. This privacy statement covers the Web site [www.loc-aid.com](http://www.loc-aid.com). Because this Web site wants to demonstrate its commitment to your privacy, it has agreed to disclose its information practices and have its privacy practices reviewed for compliance by TRUSTe.

If you have questions or concerns regarding this statement, you should first contact Privacy Officer at [privacy@loc-aid.com](mailto:privacy@loc-aid.com). If you do not receive acknowledgement of your inquiry or your inquiry has not been satisfactorily addressed, you should contact TRUSTe at <http://watchdog.truste.com/pvr.php?page=complaint&url=>

TRUSTe will then serve as a liaison with us to resolve your concerns.

### 1. The Kinds of Information We Collect

When a User visits the LOC-AID Web site, we automatically collect non-personally identifiable information through the use of electronic tools, including the following:

- Cookies;
- Web beacons;
- Widgets;
- IP addresses; and,
- Server logs.

We do not link the information we store in cookies to any personally identifiable information you submit while on our site. Third party Cookies: Some of our business partners (e.g., advertisers) use cookies on our site. We have no access to or control over these cookies.

This privacy statement covers the use of cookies by this site only and does not cover the use of cookies by any advertisers.

Cookies are used to maintain your browser session state to reflect links previously visited or information previously entered within the same browser session.

### ***Website Users***

If you visit a LOC-AID Web site, you might be asked to provide one or more of the following types of information:

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- Name;
- Address;
- Telephone number;
- E-mail address;
- ID and password for the Web site

### 2. How We Use the Information We Collect

We may store and process the information we collect (including Personal Information which can identify an individual Web site visitor) for a number of reasons:

- to ensure that Web site visitors have the best experience possible;
- to provide the services purchased by our business customers;
- to respond to our customers' questions or answer Web site-related questions;
- to analyze, manage, and improve our Web sites;
- to address network integrity and security issues;
- to investigate, prevent, or take action regarding illegal activities and/or violations of our Terms of Service.

### Customer 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.

### 3. Sharing Information With Others

We may share Personal Information with others, but only in certain circumstances explained below.

#### *Service Providers*

We may share Personal Information with service providers who perform services on our behalf. In such cases:

- we require those non-LOC-AID companies to protect any Personal Information they may receive in a manner consistent with this Policy; and
- we do not provide Personal Information to non-LOC-AID companies for marketing of their own products and services without your consent.
- we do not share, sell, rent, or trade PII with third parties for their promotional purposes.

*Other Entities Such as Government Agencies, Courts, and Collections Agencies*

We may also share Personal Information for the following reasons:

- we may provide it to emergency, law enforcement authorities, government agencies, courts or other entities to comply with subpoenas, court orders, legal processes, or if we believe in good faith the law requires it;
- to a court or other competent legal authority to enforce our agreements and property rights; and
- to third parties (such as collection agencies) to obtain payment for our products and services, such as the transfer or sale of delinquent accounts.

We may share aggregate or anonymous information – that is, information that doesn't identify an individual -- with the following types of trusted partners for the following purposes:

- Retail, marketing, and advertising companies that offer products and services that may be of interest to our business customers;
- Universities, laboratories, and other entities that conduct scientific research; and,
- Media research companies that may use the data for purposes such as municipal planning and coordinating disaster responses.

Government entities that may use the data for purposes such as municipal planning and coordinating disaster responses.

#### 4. Online Privacy for Children

LOC-AID Web sites are not directed to children under the age of 13. We direct our efforts to Business Customers, and we do not knowingly collect Personal Information from anyone under the age of 13. Furthermore, we explicitly follow all guidelines of our wireless carrier partners with respect to parental controls.

#### 5. Safeguarding your Information – Data Protection and Security

LOC-AID takes the following steps to ensure that Personal Information is kept secure:

- We do not sell Personal Information for any purpose;
- We retain Personal Information only until it is no longer needed for business, tax or legal purposes;

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- We implement encryption or other appropriate security measures to protect Personal Information when stored or transmitted by LOC-AID;
- We have put in place many internal controls and administrative procedures; and
- In our contracts with other companies that perform services on our behalf, we require them to protect any Personal Information they may receive in a manner consistent with this policy and we do not allow them to use such information for any other purpose.

### 6. Privacy Controls and Choices

If we have collected your Personal Information directly from you or indirectly from other sources, we will provide you with control and choices over how it is used:

- You can review and correct Personal Information collected by us by contacting us a [privacy@loc-aid.com](mailto:privacy@loc-aid.com);
- You can also limit certain types of solicitations and communications from LOC-AID, including marketing or sales-related communications via telephone, e-mail, and text messaging by contacting us a [privacy@loc-aid.com](mailto:privacy@loc-aid.com);
- If you wish to subscribe to our newsletter(s), we will use your name and email address to send the newsletter to you. Out of respect for your privacy, we provide you a way to unsubscribe. E-mails that we send you will include an opt-out link;
- To opt out of targeting advertising from many ad networks, click [here](#) [embed URL <http://www.networkadvertising.org>] to access the Network Advertising Initiative.

## Section 2. Aggregation Services

### Overview

This Privacy Policy for Location Aggregation Services (“Policy”) found on our website at [www.loc-aid.com](http://www.loc-aid.com) are incorporated by reference into our Terms of Use.

LOC-AID operates as an aggregator for location based services by which it brings together – or operates as an information gateway for – wireless carriers (“Carriers”) and the providers of wireless applications and content (“Providers”). LOC-AID’s customers are businesses, not consumers.

## LOC-AID Privacy Policy for Location Aggregation & Web Services

LOC-AID provides location-based services through a network-based gateway with the world's largest and most respected Carriers. Our gateway, called the LOC-AID Xchange Gateway™, enables companies to locate mobile devices, but only with the corresponding permission-level approved for a particular application, campaign or query on the mobile device.

Our location aggregation services obtain location information from multiple sources, but primarily from direct connections to Carrier network infrastructures.

### Benefits of Our Services

Our services benefit location-based service (“LBS”) software developers and providers by providing access to location data from multiple operators and other sources with a single business arrangement and single network connection.

Our services benefit Carriers by: 1) ensuring compliance with all applicable privacy laws, standards and regulations; 2) enforcing Carrier policies regarding provision and use of location information (for example, enforcing consistent terms and conditions of use, robust subscriber notices, opt-in verifications) and 3) helping to ensure efficient billings and timely invoice payments associated with location-based services.

LOC-AID transmits to LBS application providers the location data of individuals who purchase and use mobile location services (“Mobile Location Users”). We also allow LBS application developers and content providers to access to location information for subscribers across multiple Carrier platforms.

Thus, LOC-AID facilitates the support of many more location-enabled applications than any individual Carrier could support on its own. Without this kind of service, application providers would have to negotiate with and connect to each and every Carrier, hindering rapid application deployment across a broad base of mobile users.

### Our Approach to Managing Privacy Protections

In addition to our own privacy and data protection policies, LOC-AID provides the services in full compliance with the legal and regulatory obligations that apply to our carrier partners, as well as generally accepted “best practices” developed by various industry organizations such as the Cellular Telecommunications and Internet Association (CTIA), an international nonprofit membership organization founded in 1984, representing all sectors of wireless communications – cellular, personal communication

services and enhanced specialized mobile radio. This Policy describes our understanding of applicable legal and industry standards in the U.S.

*Our Commitment to Mobile User Privacy*

LOC-AID's permission standards are rigorous and are created and maintained with the intent to surpass all industry standards. The privacy levels upon which we insist are driven by "3 Ps:"

- the person;
- the purpose; and
- the permission level.

There are two primary ways these permission standards work:

- a trust relationship is established with a Mobile Location User, whereby the User permission level, or opt-in provisioning, is acquired and managed directly by the software developer, mobile content provider or mobile application provider; or
- in other cases, the privacy levels are directly managed by the Mobile Location User, or that's User's designated representative, either the device or through a website.

In ALL cases, LOC-AID ensures the highest levels of privacy are achieved and protected.

LOC-AID is thoroughly familiar with applicable U.S. federal and state laws, as well as applicable foreign laws. In addition, LOC-AID is a member of leading associations that have developed industry best practices to protect mobile user privacy, including the Cellular Telecommunications and Internet Association (CTIA).

LOC-AID's privacy regime is comprised of three critical elements:

1. We have implemented a robust internal privacy and data security regime described in more detail below.
2. The strength of our privacy regime is based on our fundamental belief that protecting Mobile Location Users' privacy - and taking care to ensure that they are fully informed and aware of how information related to their use of LBS may be used *with their consent* - is critical.
3. Our privacy regime incorporates applicable U.S. and international legal requirements for protecting subscriber privacy with respect to location information. For example, LOC-AID is fully aware of, and complies to the extent applicable, with the Customer Proprietary Network Information ("CPNI") federal

statute and accompanying Federal Communications Commission (“FCC”) regulations.

4. LOC-AID contractually requires third-party LBS application providers to implement and enforce adequate privacy protections for subscriber location information and adhere to the requirements of LOC-AID’s privacy regime.

As explained above, when a Mobile Location User (an individual) purchases or subscribes to an LBS application, we provide location information to our LBS application partners through our mobile location gateway.

LOC-AID collects only the following data about Mobile Location Users:

- mobile number or alias code for mobile number;
- The x and y location coordinates related to a mobile number or code at a given time; and
- A date/time stamp related to the location of a particular mobile device.

#### Disclosures of Location Information

There are only two circumstances under which LOC-AID discloses Mobile Location Users’ location information:

- to an application provider for the specific LBS application the Mobile Location User purchased, subscribed to or authorized;
- to a public safety answering point, emergency or medical personnel or law enforcement personnel, as permitted or required by law.

#### Notice and Consent Regime

LOC-AID contractually requires application developers and providers to fully inform Mobile Location Users about the nature and degree of the location-based service which the Mobile Location User has purchased, subscribed to, or has otherwise agreed to as a result of their contractual relationship with the application provider or developer, and the circumstances under which call location information, mobile telephone number(s) and any other personal data may be disclosed to third parties.

## LOC-AID Privacy Policy for Location Aggregation & Web Services

Although LOC-AID is not itself a Carrier subject to specific Carrier legal requirements, as a matter of best practice, we verify that the notice and consent regimes of our partners:

- are comprehensible and not misleading;
- are clearly legible, in sufficiently large type, and in an area/manner readily apparent to the Mobile Location User;
- explain that the Mobile Location User has the right, and the Carrier has the duty, to protect the confidentiality of CPNI, the Customer Proprietary Network Information;
- list the types of personal information (including location information and CPNI data as defined under U.S. law), the specific entities that will receive such data (after consent has been obtained), the purposes for which such data will be used, and sufficient information to enable the Mobile Location User to make an informed decision whether to permit the use or disclosure of, or to grant access to, his or her location information;
- inform Mobile Location Users that they must affirmatively consent to allow for the requested usage, disclosure and/or access of his or her location information, after having been notified and informed of these rights;
- indicate the steps the Mobile Location User must take in order to grant or deny access to location information;
- indicate to the Mobile Location User that the denial of consent will not affect the provision of any services which he or she already receives.
- be close to the solicitation for consent, and the statement of privacy rights to which the Mobile Location User is entitled under applicable FCC CPNI rules (for U.S. subscribers) or EU Directives and Member State laws (for EU subscribers);
- state that any approval or denial of approval for the use of personal information in connection with the Location-Based Service (LBS) service will remain valid until the Mobile Location User affirmatively revokes or limits such approval or denial; and
- provide regular reminders to Mobile Location Users that their personal data is being accessed and that consent may be suspended or withdrawn at any time.

### Certification and Training

LOC-AID will comply with any applicable certification requirements as set forth in the FCC's CPNI rules.<sup>1</sup> In addition, LOC-AID will provide training to its personnel regarding the use and disclosure of personal data and CPNI and establish an "express disciplinary process" for the improper use and disclosure of personal data and/or CPNI.<sup>2</sup>

### Safeguarding Location Information – Data Protection and Security

LOC-AID ensures that data is protected and secure:

- We maintain location information data only so long as it is needed to provide services to the provider or until it is no longer needed to be retained for legal purposes;
- Except for the provision of location information to mobile application or content providers, we do not sell or share location information to anyone for any purpose;
- We implement encryption or other appropriate security controls to protect location information when stored or transmitted by LOC-AID; and
- We require non-LOC-AID companies, including service providers acting on our behalf, to protect all personal information they receive from us, in a manner consistent with this Policy.
- As a best practice and consistent with our adherence to FCC CPNI regulations for location information, we will notify subscribers if we become aware of a security breach resulting in unauthorized access to, use or disclosure of that subscriber's individually-identifiable CPNI (including subscriber mobile telephone numbers, email addresses and call location information).<sup>3</sup>
- We adhere to the Federal Trade Commission's ("FTC") baseline security requirements for the retention and handling of customer data.

In cases where U.S. state or federal laws or foreign laws require that individuals affected by data security breaches be notified, our LBS privacy and security regime will include the requisite notifications.

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<sup>1</sup> 47 C.F.R. § 64.2009(e).

<sup>2</sup> *Id.* § 64.2009(b)-(c).

<sup>3</sup> 47 C.F.R. § 64.2011.

### Abuse of Location Tracking

LOC-AID will contractually require its location application partners to use technologies which allow users to turn location tracking on and off easily and to implement “double opt-in” measures (i.e., solicit consent at the time of subscription to a LBS, as well as at the beginning of a particular session). We will also require automatic log-out from the LBS application when the application session expires.

### Preventing Harm to Mobile Location Users

We understand that there is always a possibility for misuse of location information by persons with malicious intent - such as stalkers, predators, and those who engage in domestic violence. We will continue to work with our partners to identify best practices and policies to minimize such risks.

Likewise, we will work with Carriers to identify and prevent minor children from subscribing to services in accordance with a Carrier’s policy. For example, a Carrier may have a policy that only the authorized account owner of record (for a family plan, for example) may opt-in or activate location services, thereby overriding any attempted “opt-in” by a minor child in possession of the mobile device.

## 7. Changes to this Privacy Policy

LOC-AID reserves the right to change this policy at any time. We will post a notice on this Web site if this policy changes in a non-material (that is, important) way.

If we change this Policy in a manner which is material and which affects the way we handle the Personal Information collected under the prior version of this policy, we will endeavor to notify affected individuals and provide choices as to how such Personal Information will be handled on a going-forward basis.

If we decide to change our privacy policy, we will post those changes to this privacy statement, the home page, and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it.

## LOC-AID Privacy Policy for Location Aggregation & Web Services

We reserve the right to modify this privacy statement at any time, so please review it frequently. If we make material changes to this policy, we will notify you here, by email, or by means of a notice on our home page.

You can also email us at [privacy@loc-aid.com](mailto:privacy@loc-aid.com), or write to us at LOC-AID Privacy Policy, 4 Embarcadero Center, Suite 1900, San Francisco, CA 94111.

For any questions about your service or account not related to privacy, please contact us at [cs@loc-aid.com](mailto:cs@loc-aid.com).