

# Privacy Policy

Last Modified on 02/10/2022 10:34 am EST

## Privacy Policy – Updated April 6, 2021

### 1. Introduction

This privacy policy (“**Privacy Policy**”) explains the data protection practices of Publisher First, Inc. dba Freestar (collectively, “**Freestar**”, “we” and “us”) when you visit or use freestar.com, any of the Freestar Publisher Websites, mobile-optimized version of such websites, and digital applications that integrate certain Freestar technology or onto which Freestar serves advertisements (collectively, “**Publisher Websites**”). For the purposes of data protection laws, Freestar is the data controller.

**If you do not agree to this Privacy Policy, you must discontinue using the Publisher Websites and all services and features therein. By using the Publisher Websites, you acknowledge you have read and understand this Privacy Policy.**

### 2. Applicability

(a) This Privacy Policy applies to Freestar’s and its third party ad service vendors’ and advertisers’ (collectively, “**Freestar Entities**”) delivery of advertisements on the Publisher Websites, and applies whenever and however you access or use the Publisher Websites, whether via personal computers, mobile devices or other devices (each a “**Device**”). “**Publisher Websites**” includes all subdomains of Publisher Websites.

(b) The Publisher Websites are subject to additional or different privacy policies, which are posted on the Publisher Website. Please visit each Publisher Website for additional privacy policies and terms and conditions related to your privacy.

### 3. Information We Collect

#### (a) Information Automatically Collected As You Access and Use the Publisher Websites.

To provide you with advertisements that are more customized to your interests, the Freestar Entities may use a variety of technologies (including cookies, Flash cookies, web beacons and embedded scripts) (“**Cookies**”) that automatically or passively collect information when you visit or interact with the Publisher Websites and the advertisements we serve on the Publisher Websites.

We, and our partners or vendors, may collect this information the first time you interact with a Publisher Website that uses our ad services, and we may combine and associate this information with information we (or our partners) may collect about your interactions with other ads we serve.

The information we collect includes:

- Browser and Device information such as the type of web browser, computer, platform, related software; device type and model, manufacturer, operating system type and version, inferred

from IP address, and identifiers assigned to a device, such as its iOS Identifier for Advertisers (IDFA), Android/Google Advertising ID (AAID or GAID), or other unique device identifier (typically an alphanumeric string allocated to a device by the device manufacturer, identifiers stored in a our cookie, ETag, or browser or web cache). Your IP address is usually associated with the place from which you enter the Internet, like your Internet Service Provider, your company or your library. We use your IP address and other identifiers for a variety of purposes, including to help diagnose problems with our servers, gather broad demographic information, and other purposes as allowed or required by law.

- Information about your interactions on the Publisher Websites such as information about the activities or actions on those Publisher Websites, the content viewed on the Publisher Websites, the URL that referred you to the Publisher Websites and all of the areas within the Publisher Websites that you visit, the web sites you visit after the Publisher Website;
- Freestar ad information, such as the content of the ad (what the ad is about, e.g. entertainment, news); the ad type (e.g. text, image, or video); where the ad is served (e.g. the website on which the ad appears); whether you clicked on the ad, the number of times you have seen the ad, and information about your interaction with the ad.

We may combine information gathered from your use of the Publisher Websites with information from third party sources to identify your location by state and region.

For more information, see “Cookies” below.

**Geolocation Information.** With your consent, Freestar may collect and use your geolocation to provide you with information about goods and services within your geographic location or implement other functionality such as to serve targeted advertising. **By using such service, you hereby consent to our collection, use and disclosure of your geolocation information as described.**

#### **(b) Information We Collect From Third Parties.**

We may acquire information from other trusted sources to update or supplement the information that you provided or we collected automatically, such as information to validate or update your demographic information and lifestyle information. We use this information to help us maintain the accuracy of the information we collect, to target our communications so that we can inform you of products, services and offers that may be of interest, and for internal business analysis or other business purposes. We may also acquire information from other sources about your visits over time and across other third party websites, in order to serve more targeted advertising to you on the Publisher Website(s). Those third parties have privacy policies that differ from this Privacy Policy.

#### **4. How We Use Your Information**

We use the information we collect for a variety of purposes. For example, we use the information we collect for the following purposes:

**(a) Serving and Customizing Advertising:** We use the information in connection with serving advertising on the Publisher Websites, including to provide ads that are targeted to your inferred interests based on your activities across Publisher Websites. This may include creating interest-based advertising segments or audiences, as well as to supplement the information we collect with additional information we receive from third parties to allow us to tailor the ads we display.

**(b) Ad Reporting, Conversions, Analytics, and Frequency Capping:** To create and provide information regarding ad activity, including whether ads are clicked on, tracking views of ads, as well as click-through rates, to prevent you from seeing the same ad too many times, and to measure and improve our ad serving services.

**(c) Fraud Detection and Prevention and Security:** To identify invalid ad impressions, clicks, installs, or ad queries, protect us and our Publisher Websites from fraud, and protect our services.

**(d) Service Support and Improvement:** To improve our ad services, to improve navigation and display, and to ensure that our services function properly.

**(e) Marketing:** Subject to applicable law, we may combine and use any and all information we collect on you either online or otherwise, including from third parties, for marketing purposes. Unless we expressly notify you otherwise at the time of collection, we also may disclose information that we receive from you and from third party sources to third parties whose practices are not covered by this privacy statement (e.g. other marketers, retailers, and participatory databases) that want to market products or services to you. This includes licensing information about your interests and activities and marketing segments created with such data to third parties for their marketing purposes.

**(f) Anonymous Information:** To create aggregated, anonymized information about you and other users of the Publisher Websites by excluding information (such as your name) that relate to an identifiable individual ("Anonymous Information"). We may use this Anonymous Information for any purpose permitted under the law and disclose Anonymous Information to third parties in our sole discretion.

**(g) Cross-Device Tracking:** We may use cookies in combination with the information we collect — for instance, IP addresses and unique mobile device identifiers — to locate or try to locate the same unique users across multiple browsers or devices (such as smartphones or tablets), or work with service providers that do this, in order to save your preferences across devices and analyze usage of the Publisher Websites.

## 5. How We Share Your Information

In addition to the other disclosures described in this Privacy Policy, Freestar may (and you authorize us to) share or disclose information collected from and about you on the Publisher Websites to other companies or individuals as set forth below. We may provide access to

information to vendors that are performing services on our behalf, in order to carry out such services (the “**Service Provider Use**”).

**(a) Administrative and Legal Reasons:** Notwithstanding anything herein to the contrary, we may at all times and in any manner access, use, preserve, transfer and disclose your information, including disclosure to third parties: (i) to satisfy any applicable law, regulation, subpoenas, governmental requests or legal process, or in connection with a legal investigation, if in our good faith opinion such is required or permitted by law; (iii) to protect the safety, rights, property or security of the Freestar Entities, their products or services; and/or (iv) to detect, prevent or otherwise address fraud, security or technical issues. Further, we may use identifiers and other information to identify users, and may do so in cooperation with third parties such as copyright owners, internet service providers, wireless service providers and/or law enforcement agencies, including disclosing such information to third parties, all in our discretion (the “**Legal Use**”). Such disclosures may be carried out without notice to you.

**(b) Sales or Transfer of Business or Assets:** In connection with a sale, merger, transfer, exchange, or other disposition (whether of assets, stock, or otherwise, including via bankruptcy) of all or a portion of the business conducted by Freestar, in which case the company will possess the information collected by us and will assume the rights and obligations regarding your information as described in this Privacy Policy (the “**Acquisition Use**”).

## 6. Legal Grounds for Using (Processing) Your Information

If you are a visitor from the European Economic Area, our legal basis for collecting and using the information described above will depend on the information concerned and the context in which we collect it.

We collect information from you:

- where we need it to perform our contract with you;
- where the processing is in our legitimate interests, provided that these aren't overridden by your interests or rights (such as personalizing our services and marketing for example); or
- if we otherwise have your consent.

If you have questions about or need further information concerning the legal basis on which we collect and use your information, please contact us using the contact details provided under the “Contact Us” section below.

## 7. Third Party Advertising Partners

In addition to ads that we serve you directly, Freestar may use third party advertising companies and to serve ads when you visit the Publisher Websites and elsewhere on the internet and in other media. We also use analytics services supported by third party companies to perform analytics and track trends. Those third party companies may use tracking technologies to collect and store usage information about you and may combine this information with information they collect from other sources.

To provide ads on the Publisher Websites, we use a variety of third party advertising service providers, including networks, data exchanges, ad servers, analytics providers and others. The list of third party providers is found in the Section below entitled “Third Party Cookies.” This list may be updated from time to time. These third parties may use technology to send, directly to your Device, the advertisements and links that appear on the Publisher Websites. They may automatically receive your IP address, web browser, operating system, and time and location information, geodevice type and device ID when this happens. Freestar, the third party service providers, as well as the advertisers themselves, may collect and use information about your visits over time and across the Publisher Websites and other third party web sites, as well as information received from other sources, in order to serve more targeted advertising to you on the Publisher Websites. Third parties may also use information gathered from your usage of the Publisher Websites to serve targeted advertisements to you on third party websites and applications. Google is one of the companies that we use to serve advertising and perform analytics on some of the Websites. We and third party vendors, including Google, use first-party cookies (such as the Google Analytics cookie) and third-party cookies (such as the DoubleClick cookie) together to help implement the above uses of your information.

We also use Google Analytics along with audience data (such as age, gender and interests of users) to help understand users’ visits to the Publisher Websites and to optimize the content that we serve to users.

## 8. Your Choices about Ads and Analytics

To learn more about how to manage your preferences regarding our cookie-based advertising, please see the “Cookie Management” section in our Cookie Notice.

Please note that you may still receive advertisements from third parties within the Publisher Websites even if you opt out of tailored advertising but they will not be based on your activity across unrelated web sites or apps.

**Do Not Track.** Freestar does not act on “do not track” requests from your browser because, this way, we are able to personalize your experiences on the Publisher Websites. For more information, go to <http://www.networkadvertising.org> or <http://www.aboutads.info>.

## 9. Data Subject Rights & Your Choices

Subject to certain local laws, you have certain rights with respect to your information as further described in this section.

**(a) International Users:** If you would like further information in relation to your legal rights under applicable law or would like to exercise any of them, please contact us using the information in the “Contact Us” section below at any time. Your local laws may permit you to request that we:

- provide access to and/or a copy of certain information we have about you;
- prevent the processing of your information for direct-marketing purposes;
- update information which is out of date or incorrect;

- delete certain information which we have about you;
- restrict the way that we process and disclose certain of your information;
- transfer your information to a third party provider of services; and/or
- revoke your consent for the processing of your information.

We will consider all requests and provide our response within the time period stated by applicable law. Certain information may be exempt from such requests in some circumstances, which may include if we need to keep processing your information for our legitimate interests or to comply with a legal obligation. We may request you provide us with information necessary to confirm your identity before responding to your request.

**(b) Privacy Information for California residents.** If you are a California resident, California law requires us to provide you with some additional information regarding your rights with respect to your “personal information” (as defined in the California Consumer Privacy Act (“CCPA”)). We describe the categories of personal information we collect, the sources and uses of such information and the entities to which we share such information in our California Privacy Notice, below.

- **California Data Access & Deletion Rights.** If you are a California resident, the CCPA allows you to make certain requests about your personal information. Specifically, the CCPA allows you to request us to:
  - Inform you about the categories of personal information we collect or disclose about you; the categories of sources of such information; the business or commercial purpose for collecting your personal information; and the categories of third parties with whom we share/disclose personal information.
  - Provide access to and/or a copy of certain personal information we hold about you.
  - Delete certain personal information we have about you.
  - Provide you with information about the financial incentives that we offer to you, if any.

Please note that certain information may be exempt from such requests under California law. For example, we need certain information in order to provide the Services to you.

- **Verification.** We will take reasonable steps to verify your identity before responding to a request, which may include, at a minimum, depending on the sensitivity of the information you are requesting and the type of request you are making, verifying your name and email address.
- **Authorized Agent.** You are also permitted to designate an authorized agent to submit certain requests on your behalf. In order for an authorized agent to be verified, you must provide the authorized agent with signed, written permission to make such requests or a power of attorney. We may also follow up with you to verify your identity before processing

the authorized agent's request.

- **Further Information.** If you would like further information regarding your legal rights under California law or would like to exercise any of them, please contact us at [privacy@freestar.com](mailto:privacy@freestar.com).
- **Notice of Right to Opt Out of Sale of Personal Information.** California residents may opt out of the “sale” of their personal information. We sell certain of your information to third parties to provide you with offers and promotions and opportunities that may be of interest to you.
  - Under the CCPA, sale is broadly defined such that it may include allowing third parties to receive certain information, such as cookies, IP address, and/or browsing behavior, to deliver targeted advertising on the Services or other services. Advertising, including targeted advertising, enables us to provide you certain content for free and allows us to provide you offers relevant to you.
  - Depending on what Services you use, we may provide the following categories of personal information to third parties for these purposes:
    - For online targeted advertising purposes: demographic and statistical information, user-generated content, device information and identifiers, connection and usage data, geolocation, and social media information.
    - For sharing with third parties to send you relevant offers and promotions and opportunities: contact and registration information; demographic and statistical information, employment and education data, user-generated content, and geolocation.
  - If you would like to opt out of Freestar's use of your information for such purposes that are considered a “sale” under California law, you may submit a sale opt-out request by emailing us at [privacy@freestar.com](mailto:privacy@freestar.com). You can also submit a sale opt-out request by emailing us at [privacy@freestar.com](mailto:privacy@freestar.com). Please note that we do not knowingly sell the personal information of minors under 16 years of age without legally-required affirmative authorization.
- **Non-Discrimination.** The CCPA further provides you with the right to not be discriminated against (as provided for in applicable law) for exercising your access, deletion or sale opt out rights.
- **California “Shine the Light” Disclosure**

We do not disclose personal information as identified under California Civil Code sections 1798.83-1798.84, with third parties for those third parties' direct marketing purposes.

**10. Retention of Your Information.** We keep your information for no longer than necessary for

the purposes for which it is processed. The length of time for which we retain information depends on the purposes for which we collected and use it and/or as required to comply with applicable laws.

**11. Cookies and Other Tracking Technologies.** We use and allow certain other companies to use certain tracking technologies, including cookies, web beacons, and other similar technologies (collectively, “Cookies”) on the Publisher Websites. This section (“Cookie Notice”) explains what these technologies are and why we use them, as well as your rights to control our use of them.

### What are Cookies?

Cookies are text files that contain a certain amount of information and are downloaded to your computer or mobile device when you visit a website. They are useful because they allow websites to recognize a user’s device. They are then returned to the original website on each subsequent visit or to any other website that recognizes them. For more information on cookies, go to [WWW.ALLABOUTCOOKIES.ORG](http://WWW.ALLABOUTCOOKIES.ORG).

The term “Cookie” is used in this Notice in the broad sense to include all similar techniques and technology, including web beacons and log files. For more information on these additional tools, see our glossary below.

### Types of Information We Collect

Cookies help us to understand Publisher Website usage and to improve the advertising content and offerings on the Publisher Websites. Examples of the types of information that we collect through Cookies include:

- The number of users visiting Publisher Websites, the number of times a Publisher Website was viewed, the pages or ads viewed, the clicks made on the Publisher Websites or ads and the total duration of navigation on the Publisher Websites;
- The name of the page that referred you to the Publisher Websites;
- Whether this is your first time visiting the Publisher Websites;
- Your viewing preferences (e.g. layout, sizing preferences, language etc.); and
- Your the type of browser used and your IP address, so that we can identify you during your next visits.

### How We Use Cookies

Examples of ways that we use Cookies include:

- To control the display of ads;
- To track usage patterns on the Publisher Websites; and
- To personalize information.



Freestar (or third party service providers on our behalf) may also use cookies to collect aggregate information about Website users on an anonymous basis (“**Anonymous Information**”). We may share aggregate demographic and usage information with our prospective and actual business partners, advertisers and other third parties for any business purpose.

## Types of Cookies We Use on Our Publisher Websites

We use Cookies for several reasons. Some Cookies also enable us to track and target the interests of our users and to enhance the experience on our Publisher Websites. Third parties also serve Cookies through the Publisher Websites for advertising, analytics and other purposes. The specific types of Cookies served through our Publisher Websites and the functions they perform are described in more detail below.

*Functional Cookies.* These cookies allow us to remember choices you make on our websites (such as your preferred language or the region you are in). To refuse these Cookies, please follow the instructions below under the section Cookie Management. Note that by disabling functional cookies, you may not be able to use some of our features or those features may not function properly.

*Embedded Scripts.* An embedded script is programming code that is designed to collect information about your interactions with the Publisher Websites, such as the links you click on. The code is temporarily downloaded onto your computer or other device, is active only while you are connected to the Publisher Websites, and is deactivated or deleted thereafter.

*Cross-Device Cookies.* Freestar may use cookies in combination with the information we collect — for instance, IP addresses and unique mobile device identifiers — to locate or try to locate the same unique users across multiple browsers or devices (such as smartphones or tablets), or work with service providers that do this, in order to save your preferences across devices and analyze usage of the Publisher Websites. To refuse these Cookies, you may install the Google Analytics Opt-out Browser Add-on by clicking [here](#).

We and our third party partners (including advertisers) may set and access Cookies on your computer as well. We do not have control over how third parties use such cookies and similar technologies or the information derived therefrom, and this Privacy Policy does not cover any use of information that such third parties may have collected from you or the methods used by the third-parties to collect that information. These types of cookies include:

*Advertising Cookies.* These Cookies, defined exclusively by third parties, collect several types of data about your browsing habits, as well as your preferences for products and services. This information allows Freestar to serve you relevant advertisements on our Publisher Websites. To refuse these cookies, please follow the instructions below under the section Cookie Management. Some advertisements may also contain an icon that you may click on to find out more about how to manage your advertising preferences.

As of the Effective Date above, the third party partners may include the following. These vendors and this list may be updated from time to time:

## Ad Servers

- Google Ad Manager (GAM)
- Springserve

## Tracking Vendors

- Nielsen
- Integral Ad Science (IAS)
- Double Verify
- Moat
- Sizmek / Peer39
- Google Analytics

## Other

- 152 Media
- 33Across
- AdColony
- Adyoulike
- Amazon
- AppLovin
- AppNexus
- Beachfront
- Connatix
- BounceXConnectAd
- BrightcomConsumable
- Content.ad
- Conversant
- Criteo
- DistrictM
- E-Planning
- EMX/bRealTime
- Facebook
- Fluct
- GoogleAdMob
- Gumgum
- Index Exchange

- InMobi/AerServ
- Just Premium
- Kargo
- Lockerdome
- Mantis
- MediaGrid
- Media.net
- MobFox
- MoPub
- Nativo
- Nexstar (LKQD)
- OpenX
- Primis
- Pubmatic
- PulsePoint
- Quantcast
- RhythmOne
- ROI Media
- Rubicon
- Sharethrough
- Smaato
- Smart AdServer
- Sonobi
- Sovrn
- SpotX
- Sublime Skinz
- Synacor
- Tapjoy
- Teads
- Telaria
- Triplelift
- Undertone
- Unity
- Unruly
- Verizon Media / Oath / AOL
- Vungle

- Yieldmo
- Yield Nexus / Answer Media
- Zergnet
- Powerinbox
- ID5
- Audigent
- Parable
- TTD
- PubCommon
- Merkle M1
- Nextroll

## Web Beacons

Small graphic images or other web programming code called web beacons (also known as “clear GIFs” or “pixel tags”) or similar technologies may be included in our web pages and messages. Web beacons or similar technologies may be used for a number of purposes, including, without limitation, to count visitors to the Publisher Websites, to monitor how users navigate the Publisher Websites, or to count how many particular articles or links were actually viewed. A clear gif may enable us to relate your viewing or receipt of a web page or message to other information about you, including your Personally Identifiable Information. To refuse Web Beacons, please follow the instructions below under the section Cookie Management.

## HTML

HTML, the language some websites are coded in, may be used to store information on your computer or device about your interaction with and use of the Publisher Websites. This information may be retrieved by us to help us manage our Websites, such as by giving us information about how our Publisher Websites are being used by our visitors, how they can be improved, and to customize them for our users.

## Duration of storage of cookies on your device

We use both “session cookies” (which expire once you close your web browser) and “persistent cookies” (which stay on your computer until you delete them).

## Cookie Management

### *Analytics*

To learn about Google Analytics’ currently available opt-outs for the Web, please visit [HTTPS://SUPPORT.GOOGLE.COM/ANALYTICS/ANSWER/181881?HL=EN](https://support.google.com/analytics/answer/181881?hl=en).

### *Disabling Advertising Cookies*

To opt-out of Freestar advertising cookies, please select your privacy preferences utilizing the consent management platform on the applicable Publisher Website.

Some of our advertising service providers may be members of the Network Advertising Initiative, which offers a single location to opt out of ad targeting from member companies. If you opt-out of receiving targeted ads in this manner, you will continue to receive advertising messages after you opt-out, but they will not be customized to you based on your use of the Publisher Websites. If you would like more information about advertisers' use of tracking technologies and about your option not to accept these cookies, you can go to <http://www.networkadvertising.org>. If you would like to learn more about how interest-based information is collected, whether the companies we use are part of an industry network regarding behavioral advertising and to know your choices about not having information used in this manner, you can go to <http://www.aboutads.info>. The collection of information via certain ads served to users in Canada may be managed by visiting [youradchoices.ca](http://youradchoices.ca).

Please note that the-opt out is cookie-based and will only affect the specific computer and browser on which the opt-out is applied.

When necessary pursuant to applicable law, we will use signals from an IAB-compliant consent management platform running on the Publisher Websites for enabling or disabling advertising cookies.

#### *Using Browser Settings*

You can disable and/or delete most types of cookies by using your browser settings. Please note that if you use your browser settings to block all cookies you may not be able to access parts of our or others' Publisher Websites. The following links provide information on how to modify the cookies settings on some popular browsers:

Apple Safari <http://support.apple.com/kb/PH5042>

Google Chrome [https://support.google.com/chrome/bin/answer.py?hl=en&answer=95647&p=cpn\\_cookies](https://support.google.com/chrome/bin/answer.py?hl=en&answer=95647&p=cpn_cookies)

Microsoft Internet Explorer <http://windows.microsoft.com/en-US/windows7/How-to-manage-cookies-in-Internet-Explorer-9>

Mozilla Firefox <http://support.mozilla.org/en-US/kb/Cookies>

#### *Do Not Track Signals*

Freestar does not act on "do not track" requests from your browser because, this way, we are able to personalize your experiences on our Publisher Websites. For more information, go to <http://www.networkadvertising.org> or <http://www.aboutads.info>.

If you have questions about the use of Cookies on our Publisher Websites, please contact us as described in Contact Us below.

## 12. Third Party Sites.

We are not responsible for the privacy practices of any third parties websites that you may access from the Publisher Website. You understand that this Privacy Policy does not apply to your use of such websites.

## 13. Security.

We implement appropriate administrative, technical and security safeguards to help prevent unauthorized access, use, or disclosure of the information we collect. However, no systems can be completely secure. Therefore, while Freestar uses reasonable efforts to protect your information, Freestar cannot guarantee its absolute security, and your use of the Publisher Websites indicates your agreement to assume this risk.

## 14. Transfer Information to the United States.

If you are located outside of the United States of America ("USA"), please note that the information you provide to us will be transferred to and processed in the USA, where laws regarding processing of personal data may be less stringent than the laws in your country.

## 15. Changes to This Privacy Policy.

We reserve the right to change this Privacy Policy at any time without prior notice. Any changes will be effective immediately upon the posting of the revised Privacy Policy.

## 16. Disputes.

PLEASE READ THIS CAREFULLY. IT AFFECTS YOUR RIGHTS.

Except for either party's claims of infringement or misappropriation of the other party's patent, copyright, trademark, or trade secret, any and all disputes between you and Freestar arising under or related in any way to this Privacy Policy, must be resolved through binding arbitration as described in this section. This agreement to arbitrate is intended to be interpreted broadly. It includes, but is not limited to, all claims and disputes relating to your use of any of the Publisher Websites. YOU AGREE THAT BY ENTERING INTO THIS AGREEMENT, YOU AND FREESTAR ARE EACH WAIVING THE RIGHT TO TRIAL BY JURY OR TO PARTICIPATE IN A CLASS ACTION. YOU AND FREESTAR AGREE THAT EACH MAY BRING CLAIMS AGAINST THE OTHER ONLY IN YOUR OR ITS INDIVIDUAL CAPACITY, AND NOT AS A PLAINTIFF OR CLASS MEMBER IN ANY PURPORTED CLASS OR REPRESENTATIVE PROCEEDING. ANY ARBITRATION WILL TAKE PLACE ON AN INDIVIDUAL BASIS; CLASS ARBITRATIONS AND CLASS ACTIONS ARE NOT PERMITTED. The arbitration will be conducted by JAMS in accordance with its then-current Streamlined Arbitration Rules and Procedures ("JAMS Rules") and will be held in New York, New York. The arbitration will be conducted by one neutral arbitrator chosen by the parties. If the parties cannot agree upon an arbitrator, they shall submit to the procedure used by JAMS to choose an arbitrator. The current rules may be found on the Internet at: [HTTP://WWW.JAMSADR.COM/RULES-STREAMLINED-ARBITRATION/](http://www.jamsadr.com/rules-streamlined-arbitration/). This arbitration agreement is made pursuant to a transaction involving interstate commerce, and shall be governed by the Federal Arbitration Act ("FAA"), 9 U.S.C. §§116. The arbitrator

shall apply New York law, as described in Section 24 (Applicable Laws), consistent with the FAA and applicable statutes of limitations, and shall honor claims of privilege recognized at law.

Notwithstanding anything herein or in the JAMS Rules to the contrary, the arbitrator shall not have the power to award punitive damages against you or Freestar. The arbitrator's ruling is binding and may be entered as a judgment in any court of competent jurisdiction. In the event this agreement to arbitrate is held unenforceable by a court, then the disputes that would otherwise have been arbitrated shall be exclusively brought in the state or federal courts located in the City and County of New York, New York. Claims of infringement or misappropriation of the other party's patent, copyright, trademark, or trade secret shall be exclusively brought in the state and federal courts located in the City and County of New York, New York.

## 17. Contact Us.

If you have any questions or concerns about any aspect of this Privacy Policy, please contact our Data Privacy Officer at the address set forth below.

Data Privacy Officer

Publisher First, Inc. dba Freestar

20715 N. Pima Rd., Suite 108

Scottsdale, AZ 85255

Or

legal@freestar.com

## California Privacy Notice

This Privacy Notice for California residents supplements the Freestar Privacy Policy. This Notice applies to website visitors, app users, and customers in California. This supplemental privacy notice gives California residents additional information about our information collection and use practices required by the California Consumer Privacy Act of 2018 ("CCPA"). The CCPA also provides California residents with specific privacy rights, which are outlined in our Privacy Policy here.

This notice provides information about the categories of personal information that we collect from California residents generally, the purposes for which we use the information, the sources of the information, and the categories of third parties to whom we disclose the information for business purposes. More detailed information is available in our Privacy Policy at How We Use Personal Information and How We Share Personal Information.

### Information we collect automatically from you and/or your device:

1. Device information and identifiers such as IP address; browser type and language; operating system; platform type; device type; software and hardware attributes; and unique device, advertising, and app identifiers.

- **Purposes of use:**
  - Serving and Customizing Advertising
  - Auditing Consumer Interactions (e.g., Ad Reporting, Conversions, Analytics, and Frequency Capping)
  - Service Support and Improvement
  - Our Marketing and Third-Party Marketing Purposes
  - Bug detection and error reporting
  - Security, Fraud, and Legal Compliance
- **Sources of personal information**
  - Serving and Customizing Advertising
  - Auditing Consumer Interactions (e.g., Ad Reporting, Conversions, Analytics, and Frequency Capping)
  - Service Support and Improvement
  - Our Marketing and Third-Party Marketing Purposes
  - Bug detection and error reporting
  - Security, Fraud, and Legal Compliance
- **Categories of third parties to whom we disclose the information:**
  - Service Providers
  - Our Affiliates Advertisers, Ad Servers, and Advertising Partners
  - Entities for Legal Purposes
  - Entities For Sales or Transfer of Business or Assets

2. Internet network and device activity data such as information about your interactions on our Publisher Websites such as information about the activities or actions on those Publisher Websites, the content viewed on the Publisher Websites, the URL that referred you to the Publisher Websites and all of the areas within the Publisher Websites that you visit, and the web sites you visit after the Publisher Websites. See “Cookies and Other Tracking Technologies” below for more information about how we collect and use this information.

- **Purposes of use:**
  - Serving and Customizing Advertising
  - Auditing Consumer Interactions (e.g., Ad Reporting, Conversions, Analytics, and Frequency Capping)
  - Service Support and Improvement
  - Our Marketing and Third-Party Marketing Purposes
  - Bug detection and error reporting
  - Security, Fraud, and Legal Compliance



- **Sources of personal information**
  - You (through your device)
  - Cookies and tracking technologies
- **Categories of third parties to whom we disclose the information:**
  - Service Providers
  - Our Affiliates Advertisers, Ad Servers, and Advertising Partners
  - Entities for Legal Purposes
  - Entities For Sales or Transfer of Business or Assets

3. Advertising information such as the content of the ad, the ad type, where the ad is served, whether you clicked on the ad, and the number of times you have seen the ad.

- **Purposes of use:**
  - Serving and Customizing Advertising
  - Auditing Consumer Interactions (e.g., Ad Reporting, Conversions, Analytics, and Frequency Capping)
  - Service Support and Improvement
  - Our Marketing and Third-Party Marketing Purposes
  - Bug detection and error reporting
  - Security, Fraud, and Legal Compliance
- **Sources of personal information**
  - You (through your device)
  - Cookies and tracking technologies
- **Categories of third parties to whom we disclose the information:**
  - Service Providers
  - Our Affiliates Advertisers, Ad Servers, and Advertising Partners
  - Entities for Legal Purposes
  - Entities For Sales or Transfer of Business or Assets

4. Geolocation information such as city, state and ZIP code associated with your IP address or derived through Wi-Fi triangulation; and precise geolocation information from GPS-based functionality on your devices, with your permission in accordance with your device settings.

- **Purposes of use:**
  - Serving and Customizing Advertising
  - Auditing Consumer Interactions (e.g., Ad Reporting, Conversions, Analytics, and Frequency Capping)
  - Service Support and Improvement

- Our Marketing and Third-Party Marketing Purposes
  - Bug detection and error reporting
  - Security, Fraud, and Legal Compliance
  - **Sources of personal information**
    - You (through your device)
    - Cookies and tracking technologies
    - Consumer data resellers
  - **Categories of third parties to whom we disclose the information:**
    - Service Providers
    - Our Affiliates Advertisers, Ad Servers, and Advertising Partners
    - Entities for Legal Purposes
    - Entities For Sales or Transfer of Business or Assets
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