

## **LATISYS SAFE HARBOR POLICY**

Latisys Corporation (“Latisys” or “Company”), a wholly-owned subsidiary of Zayo Group, LLC, is a global provider of bandwidth infrastructure services, including dark fiber, wavelengths, Ethernet, IP services, SONET, carrier-neutral colocation, and technical services.

Your privacy is very important to Latisys and we are dedicated to disclosing our information handling and collection practices when you visit our website or use our services.

Latisys complies with the U.S.-E.U. Safe Harbor Framework and the U.S.-Swiss Safe Harbor Framework developed by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from European Union member countries and Switzerland. Latisys has certified that it adheres to the safe harbor privacy principles of notice, choice, onward transfer, security, data integrity, access, and enforcement (the “Safe Harbor Principles”). To learn more about the Safe Harbor program, and to view Latisys’ certification, please visit <http://www.export.gov/safeharbor/>.

If you are unfamiliar with certain technical terms used in this Safe Harbor Policy, please refer to the Definitions section below.

### **SCOPE**

Latisys’ Safe Harbor Policy (the “Policy”) explains:

- What types of information we collect and store
- How and why we collect information
- Your choices, including how to access and update information

By using our website and services, and submitting Personal Information via the website to acquire services, you agree to the terms and conditions of this Policy. We may process your Personal Information according to the Safe Harbor Principles and/or the country where data is collected and processed.

This Policy applies to all Personal Information collected by Latisys in the United States and from territories in the European Union and Switzerland.

## **TYPES OF INFORMATION WE COLLECT**

When you request information, register online or create an account, Latisys will request Personal Information such as name, organization, email, phone number, address and billing information. If you fail to provide certain Personal Information, this may limit your ability to access information or establish service.

Latisys performs regularly scheduled backups that may contain Personal Information and other data used to process your request. Rest assured, Latisys does not view the contents of the backup data.

Latisys collects information such as cookies, browser type and version, Internet Protocol (IP) Addresses, Internet Service Provider (ISP), operating system, date/time stamp, referring/exiting pages, and clickstream data. Latisys uses this information, which does not identify specific individuals, to analyze trends, administer the website, and track movement.

## **HOW AND WHY WE COLLECT INFORMATION**

Latisys may use your Personal Information to contact you regarding your services, technical support, upgrade information, or other business-related information. Latisys will not give, sell or lease your Personal Information to any other company without your express written consent. If you do not want to receive information from Latisys, please send an email to [security-privacy@zayo.com](mailto:security-privacy@zayo.com) detailing your request.

When you set up an account with Latisys, the information you provide is shared internally to process requests, transactions and calls. Latisys may provide your information to our trusted business partners in order to fulfill your request.

## **PRIVACY PRINCIPLES**

Latisys adheres to the Safe Harbor Principles.

**NOTICE:** When Latisys collects Personal Information from individuals, including the EU and Switzerland, the Company will inform them about the purposes for which it collects and uses Personal Information about them. Notice will be provided in clear and conspicuous language when individuals are asked to provide Personal Information and prior to any event that Latisys uses or discloses

information for any purpose other than that for which it was originally collected or disclosed to a third party.

**CHOICE:** Latisys gives individuals the opportunity to choose (opt-in) whether their Sensitive Personal Information or Personal Information is (a) to be disclosed to a third party, or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

**ONWARD TRANSFER:** Latisys' third party business partners will safeguard Personal Information as set forth in this Policy. Examples of appropriate assurances that may be provided by agents include: a contract obligating the third party to provide at least the same level of protection as is required by the relevant Safe Harbor Principles, Safe Harbor certification by the third party, or being subject to another European Commission.

**ACCESS:** Latisys establishes reasonable steps for individuals to correct, amend, or delete information that is demonstrated to be inaccurate or incomplete. These requests can be sent to [security-privacy@zayo.com](mailto:security-privacy@zayo.com).

**SECURITY:** Latisys takes reasonable precautions to safeguard Personal Information transmitted online and stored offline from loss, misuse and unauthorized access, disclosure, alteration and destruction.

**DATA INTEGRITY:** Latisys uses Personal Information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. Latisys takes reasonable steps to ensure that Personal Information is relevant to its intended use, accurate, and complete.

**ENFORCEMENT:** Latisys conducts annual compliance audits of its privacy practices to verify adherence to this Policy. Any employee that violates this Policy will be subject to disciplinary action up to and including termination.

**DISPUTE RESOLUTION:** Any questions or concerns regarding the use or disclosure of personal information should be directed to the Company's Privacy Officer. Relevant contact details are below under "Contact Information." Latisys will investigate and attempt to resolve complaints and disputes regarding use and disclosure of Personal Information in accordance with the principles contained in

this Policy. For complaints that cannot be resolved, Latisys has agreed to participate in the dispute resolution procedures of the American Arbitration Association pursuant to the Safe Harbor Principles.

## **LIMITATIONS ON APPLICATIONS OF PRINCIPLES**

Adherence by Latisys to principles contained in this Policy may be limited (a) to the extent required or permitted by law or legal process, such as to respond to or investigate a legal or ethical obligation or request or pursuant to court orders, subpoenas, interrogatories or similar directive carrying the force of law; and (b) to the extent expressly by an applicable law, rule or regulation.

## **DEFINITIONS**

**BROWSER:** a program with a graphical user interface used to navigate the World Wide Web.

**CLICKSTREAM DATA:** an information trail in the form of a semi-structured log file a user leaves behind while visiting a website.

**COOKIES:** a packet of data exchanged between an Internet server and browser used to identify the user or track their access to the server.

**DOMAIN NAME:** the part of a network address that identifies it as belonging to a particular domain (e.g., Latisys.com).

**INTERNET PROTOCOL (IP) ADDRESS:** a numerical address assigned to each device participating in a telecommunications network.

**INTERNET SERVICE PROVIDER (ISP):** an organization that provides services for accessing, using, or participating in the Internet.

**PERSONAL INFORMATION:** data that uniquely identifies an individual, including without limitation name, home address, home phone number, etc.

**REFERRING/EXITING PAGES:** the webpage accessed prior to our website; and, the final page prior to exiting our website.

**SENSITIVE PERSONAL INFORMATION:** information that if lost, compromised, or disclosed could result in substantial harm, embarrassment, inconvenience, or unfairness to an individual, for example national personal identifier, social security number, bank account numbers, passport information,

healthcare information, medical information, student information, credit/debit information, and driver's license/state identification.

## **UPDATES**

This Policy may change from time to time, however all updates will be posted on this page.

## **CONTACT INFORMATION**

Please submit comments or concerns regarding this Policy or our privacy practices to:

Latisys Corporation

1805 29<sup>th</sup> Street Suite 2050

Boulder, Colorado 80301

Attention: Privacy Officer (Office of the General Counsel)

[security-privacy@zayo.com](mailto:security-privacy@zayo.com)

Dated: April 8, 2016