



## ZAYO ONLINE PRIVACY NOTICE

Your privacy is important to us. This Online Privacy Notice describes what information we collect, how we collect it, and how it is used, disclosed, transferred and stored. It also describes your choices regarding use, access and correction of your personal information. This Online Privacy Notice applies to the information we collect through our websites ("Site"). The use of information collected is limited to providing support to the service for which the Client has engaged Zayo. If you have any questions regarding this Online Privacy Notice you may contact us as indicated in the "How to Contact Us" section below.

### Scope

#### EU-U.S. Privacy Shield

Zayo participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework with respect to only Zayo.com and Cloudportal.Zayo.com. Zayo is committed to subjecting all personal data from these sources received from European Union (EU) member countries, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles. To learn more about the Privacy Shield Framework, visit the U.S. Department of Commerce's [Privacy Shield List](#).

Zayo is responsible for the processing of personal data it receives, under the Privacy Shield Framework, and subsequently transfers to a third party acting as an agent on its behalf. Zayo complies with the Privacy Shield Principles for all onward transfers of personal data from the EU, including the onward transfer liability provisions.

With respect to personal data received or transferred pursuant to the Privacy Shield Framework, Zayo.com, Cloudportal.Zayo.com are subject to the regulatory enforcement powers of the U.S. Federal Trade Commission. In certain situations, Zayo may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

If you have an unresolved privacy or data use concern that we have not addressed satisfactorily, please contact our U.S.-based third party dispute resolution provider (free of charge) at <https://feedback-form.truste.com/watchdog/request>.

Under certain conditions, more fully described on the Privacy Shield [website](#), you may invoke binding arbitration when other dispute resolution procedures have been exhausted.

## **U.S. - Swiss Safe Harbor Framework**

Zayo complies with the U.S. – Swiss Safe Harbor Framework as set forth by the U.S. Department of Commerce regarding the collection, use and retention of personal data from Switzerland. Zayo has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view Zayo’s certification (under the name of our wholly-owned subsidiary Latisys Corporation), please visit <https://safeharbor.export.gov/swisslist.aspx>.

## **Principles**

### **Information We Collect**

The types of personal information users of our Site may submit include:

- contact information (such as name, address, telephone number, email);
- other personal information found in content that users provide (for example, when using Tranzact, when signing up to receive emails or other communications from us, in responding to surveys or on line chat sessions, or in completing web-based forms or registering for products and services through our Site); and
- personal information submitted by job applicants, such as a résumé or C.V., employment and education history, salary information, citizenship information, and ethnicity, race and gender.

Our Site also collects certain information by automated means. This type of information may include device type, operating system type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone where your device is located. We may also record information such as the address of the web page that referred you to our Site and the IP address of the device you use to connect to our Site. We collect this information to analyze trends in the aggregate and administer the site.

In addition, Zayo and its partners may use cookies or similar technologies, which are files that websites send to your computer or other Internet-connected device to uniquely identify your browser or to store information or settings on your device. We use these technologies to analyze trends, administer the website, track users’ movements around the website, and to gather demographic information about our user base as a whole. You can control the use of cookies at the individual browser level, but if you choose to disable cookies, it may limit your use of certain features or functions on our website or service.

Zayo Cloud handles information under the direction of its Clients through negotiated contracts, and it has no direct relationship with the individuals whose personal data it processes. If you are a customer of one of our Clients and would no longer like to be contacted by one of our Clients that use our service, please contact the Client that you interact with directly.

## **How We Use the Information We Collect**

We may use the information described above to:

- offer and provide products and services;
- send promotional materials or other marketing communications;
- deliver targeted online advertising;
- communicate about programs, offers, and surveys;
- communicate with returning users of our Site and auto-fill web-based forms that returning users have previously completed;
- respond to inquiries;
- operate, evaluate, and improve our business (for example, to develop new products and services, to enhance or improve products and services, and to manage communications);
- comply with applicable legal requirements, relevant industry standards, and our policies.

We may also use the information in other ways for which we provide specific notice at the time of collection.

In addition, we use information collected through automated means for the purposes set forth above, including by (i) customizing users' visits to our Site, (ii) analyzing how users interact with our Site and online advertisements; (iii) delivering targeted advertising and content tailored to our users' interests; and (iv) managing our Site and other aspects of our business.

Zayo Cloud has no direct relationship with the individuals whose personal data it processes on behalf of Clients. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to our Client (the data controller). If requested to remove data we will respond within a reasonable timeframe.

We will retain personal data we process for as long as needed to provide services to our Client. Zayo will retain this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **Do Not Track**

Our services and Site do not respond to your browser's "do-not-track" signals or comparable mechanisms.

## **Information We Share**

We may share personal information with service providers who perform services on our behalf based on our instructions. These companies are authorized to use your personal information only as

necessary to provide these services to us. We may share certain personal information with our affiliates for the purposes described in this Online Privacy Notice.

We partner with a third party to either display advertising on our Site or to manage our advertising on other sites. Our third party partner may use technologies such as cookies to gather information about your activities on this Site and other sites in order to provide you advertising based on your browsing activities and interests. You have the ability to restrict or disable these technologies. More information can be found by clicking [here](#) (or if located in the European Union click [here](#)). Please note this does not opt you out of being served ads. You will continue to receive generic ads.

We may also use third-party web analytics services on our Site to help us analyze Site performance and how users use the Site. The information collected for this purpose (including your IP address and other information collected by automated means) will be disclosed to or collected directly by the service provider.

In addition, we may disclose information about you (i) if we are required to do so by law or legal process, (ii) to law enforcement authorities or other government entities, and (iii) when we believe disclosure is necessary or appropriate to prevent harm or financial loss, or in connection with an investigation of alleged fraudulent or illegal activity. We also reserve the right to transfer personal information we have about you in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, spin-off, dissolution or liquidation), in which case you will be notified via email and/or a prominent notice on our website, of any change in ownership, uses of your personal information, and choices you may have regarding your personal information. We may also disclose your personal information to any other third party with your prior consent.

### **Social Media**

Our website includes social media features and widgets, such as the Facebook Like button, Share This button, or interactive mini-programs that run on our website. These features and widgets may collect your IP address, which webpage you are visiting on our website, and may set cookies to enable the feature and widget to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our website. Your interactions with these features are governed by the privacy policy of the company providing it.

### **Data Transfers**

We collect and maintain personal information within the United States. As needed, we may transfer the personal information we collect about you through the Site to countries other than the country in which the information originally was collected. Those countries may not have the same data protection

laws as the country in which you initially provided the information. When we transfer your information to other countries, we will protect that information as described in this Online Privacy Notice.

### **How We Protect Personal Information**

The security of your personal information is important to us. We follow generally accepted standards to protect the personal information submitted to us, both during transmission and once it is received. We maintain administrative, technical, and physical safeguards designed to protect the personal information you provide on the Site against accidental, unlawful, or unauthorized destruction, loss, alteration, access, disclosure, or use.

Despite these precautions, no system can be completely secure and there remains a risk that unauthorized access or use, hardware or software failure, human error, or a number of other factors may compromise the security of your information. If you have any questions about the security of your personal information, you can contact us at [privacy.office@zayo.com](mailto:privacy.office@zayo.com).

We may retain your information for as long as your account is active or as needed to provide you services, comply with our legal obligations, resolve disputes and enforce our agreements.

### **Your Rights and Choices**

We offer you certain choices in connection with the personal information we collect from you. To update your preferences, ask us to remove your information from our mailing lists, or submit a request, please address your request to [sales@zayo.com](mailto:sales@zayo.com). For any requests related to cloud or colocation services, please address your request to [cloudsupport@zayo.com](mailto:cloudsupport@zayo.com). To the extent provided by the law of the jurisdiction where you live, you may request access to personal information we maintain about you or request that we correct, amend, or delete the information by contacting us as indicated above.

We will respond to these requests within a reasonable timeframe.

### **Email and Newsletter Preferences**

You may sign-up to receive emails, newsletters or other communications from us. If you would like to discontinue receiving this information, you may update your email preferences by using the "Unsubscribe" link found in emails we send to you or by contacting us at [sales@zayo.com](mailto:sales@zayo.com).

### **Updates To Our Online Privacy Notice**

We may update this Privacy Policy to reflect changes to our information practices. If we make any material changes, we will notify you by means of a notice on this website prior to the change becoming

effective. We encourage you to periodically review this page for the latest information on our privacy practices.

### **Contact Information**

If you have any questions or comments about this Online Privacy Notice, or if you would like us to update information we have about you or your preferences, please contact us at the following:

Email address: [privacy.office@zayo.com](mailto:privacy.office@zayo.com)

Mailing address: 1805 29<sup>th</sup> St.  
Boulder, CO 80301  
Attention: Privacy Officer/General Counsel

### **Effective Date**

This Online Privacy Notice is effective as of: November 30, 2016.