

# PRIVACY POLICY

**Digilant** is an omnichannel digital media partner built to take advertisers from now to next. Part of ispDigital, Digilant is made up of 100+ data-driven media minds and advertising technologists. Our purpose-built services (hereafter, the “Services”) extend beyond our Boston headquarters with client support and media strategy professionals deeply rooted in New York, Chicago, Denver, Los Angeles, San Francisco, Kansas City, Washington D.C., Dallas, and Atlanta. By providing these Services, Digilant helps advertisers connect their digital advertising spend to growth.

## Quick Links

*We recommend that you read this privacy policy in full to ensure you are fully informed. However, to make it easier for you to review, we have divided up the document into the following sections:*

- [Contact Information](#)
- [Privacy Policy](#)
- [California Privacy Notice](#)

## Contact Information

For any questions about this privacy policy or Digilant’s activities, please contact us at [privacy@digilant.com](mailto:privacy@digilant.com) or 170 Milk Street, 4th Floor, Boston, MA 02109 USA.

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## Privacy Policy

Effective: 10/1/2023

## **Information Covered by this Privacy Policy?**

Digilant recognizes that when you choose to provide us with personal information about yourself, you trust us to treat it responsibly.

This Privacy Policy explains the types of personal information that Digilant collects about you, how we use, share, and protect this personal information, and the choices you can make about how we use and share this personal information. This Privacy Policy governs personal information collected by any means, including, but not limited to, websites, mobile applications, and other online services that refer or link to this Privacy Policy (the “Sites”), as well as information collected by other business functions of Digilant, such as when you speak with a customer service representative (collectively, the “Services”).

It is important that you read this Privacy Policy carefully, because anytime you use our Services you consent to the practices we describe in this Privacy Policy.

You can also download a copy of our Privacy Policy [here](#).

### **Personal Information Digilant collects**

What personal information we collect depends on what Services you choose to use and how you interact with us. Digilant may collect the following data:

- Internet Activity such as your Internet Protocol (“IP”) address, browsing history, your search history and information on your interaction with the Sites.
- The identifier of mobile advertising assigned by the operating systems (Apple and/or Android) to each device, and made available to advertising providers to measure this advertising in mobile apps (Apple’s IDFA or Google’s AAID).
- Information related to the interactions of users with advertising campaigns managed through the Services and/or Digilant technology.
- Communications with us including interactions with us and contacts through social media channels.

- You may provide us information directly.
- Diligent may collection additional information about you in accordance with applicable law.

Additional information collected is anonymous and does not allow us to identify specific individuals (for example, browser type, operating system, Internet access provider, browser language, or IP address provider).

### **Information you provide us directly**

We collect information directly from you when you choose to register for our services or otherwise provide information directly to us. The following are examples of information you may provide us directly:

- Name.
- E-mail address, physical address and/or zip code, and phone number.
- Other information about you, your company or others (such as media and marketing goals).

You can choose not to provide us with certain types of information, but doing so may affect your ability to use some of the Services.

### **Information we collect when you use our Services**

We collect information about your computer or device and your online activity, including through the use of standard Internet technologies, such as cookies, web beacons, and local stored objects. The following are examples of the types of information that we may collect:

- Your browser type and operating system.
- IP address and/or device ID.
- Your browsing behavior on our services, such as the amount of time spent viewing our online services, and the links you click within our online Services.
- Websites you visit before or after our websites.

- Diligent e-mails which you open and/or forward.

Depending on your device settings, location information, such as your mobile device's GPS signal or information about nearby WiFi access points and cell towers.

Information is collected through third-party providers, through the use of web pages and mobile applications. Additionally, the location data generated by the use of mobile devices that capture certain apps may be obtained. Information from publishers and/or mobile providers that provide data associating identifiers (cookies or mobile advertising ID) with information of interest to certain categories may also be obtained for advertising use.

## **Use of Information**

Diligent uses collected information to provide its Services, to measure and analyze the efficiency of advertising campaigns, and to optimize advertising campaigns executed on behalf of its clients.

This information is also used to measure and personalize the advertising for each browsing session. This allows users to access more appropriate content, more adapted to categories of interests that can make them more relevant. Among others, this type of treatment prevents users from seeing the same advertisement repeatedly.

Diligent can make use of this information in order to serve advertising based on the location of a device if we have the location data.

Diligent and our service providers may use information we collect from and about you as described in this Privacy Policy to deliver and measure relevant, more personalized ads to you when you use the Services or another service (on any of your devices). As noted above, advertising technology companies and advertisers may use cookies and similar technologies to collect and track information such as demographic information, inferred interests, aggregated information, and information about the different devices and/or browsers you use and your activity on such devices and browsers, to assist them in delivering advertising that is more relevant to your interests.

To find out more about advertising networks and similar entities that use these technologies, see [www.aboutads.info](http://www.aboutads.info). If you wish to opt out of tailored advertising in desktop and mobile browsers, please visit <http://optout.aboutads.info/#/> or <http://optout.networkadvertising.org/#> on each of your devices and browsers. To opt out in mobile apps, you may use your device's setting to opt out of ads personalization or similar settings or download and use the AppChoices app at <http://www.aboutads.info/appchoices>. To opt out on connected TVs, please use the setting "opt out of ads personalization," "Interest-based Ads," or equivalent settings on your device. Please note that opting-out does not mean that you will stop seeing all ads. We may also use the information we collect about you:

- To provide you with Services or other materials you request.
- To communicate with you about our Services.
- To protect the security and integrity of our Services.
- To enforce our legal rights.
- To comply with internal policies, including accounting, audit, and other internal functions.
- To maintain records, and conduct risk and security controls and monitoring.
- Otherwise with your consent.

## Sharing of Information

- Collected data may be shared within the ispDigital family of companies or with clients or partners. Our customers can access the Services and/or our platform to access the data we collect, for the same purposes as explained above.
- There may be instances when we disclose your information to other parties:
  - To respond to authorized information requests from government authorities, to respond to valid judicial requests, to address national security situations, to provide security and investigate potential fraud, or when otherwise required by applicable law. We may also disclose your personal information as required by law to any competent law

enforcement body, regulatory or government agency, court or other third party where we believe the disclosure is necessary or appropriate to comply with a regulatory requirement, judicial proceeding, court order, government request or legal process served on us, or to protect the safety, rights, or property of our customers, the public, Digilant or others, and to exercise, establish or defend Digilant's legal rights.

- To prevent fraud or verify and enforce compliance with the policies governing our services.
- Where permitted by law, to protect the rights, property, or safety of Digilant, or any of our respective affiliates, business partners, customers or employees.
- We may disclose your information to a third party in the event we sell or transfer all or a portion of a business or our assets to a third party, such as in connection with a merger or in the event of a bankruptcy reorganization or liquidation. In certain jurisdictions, consent is required for this sharing of information. We will collect your consent when required by applicable law.
- In addition to the disclosures described in this Privacy Policy, we may share information about you with third parties when you consent to or request such sharing.
- We also may share data in a manner that does not identify you (for example, information that has been aggregated with other records) for general business purposes. For example, we may disclose the number of visitors to our websites or other Services.

## **International Transfer of Data**

The Sites are controlled and operated by us from the United States and are not intended to subject us to the laws or jurisdiction of any state, country or territory other than that of the United States. Any information you provide to us through use of the Sites and Services may be stored and processed, transferred between and accessed from the United States and other countries which may not guarantee the same level of protection of personal information as the one in which you reside. We may need to send your personal information overseas as part of our normal business operations. Provided

the data protection laws of these other countries differ from those in the United States, please be assured that we take reasonable steps to ensure that your privacy is protected.

## **Collection of Information from Children**

Our Sites and Services are not directed to children under the age of 18. If you are under the age of 18, then please stop using our Sites or our Services and do not provide us with personal information of any kind whatsoever. If we learn that we have collected personal information from a child under the age of 18, we will endeavor to delete that information.

## **Information Security**

We have in place various procedures designed to safeguard your information, including technical, administrative and physical procedures intended to keep your information secure. However, please note that although we take reasonable steps to protect your information, no website, Internet transmission, computer system or wireless connection is completely secure. As a result, while we strive to protect your personal information, we cannot guarantee that personal information stored on our servers, or transmitted to or from a user, will be free from unauthorized access. By using our Services and corresponding with us, you acknowledge that you understand and agree to assume these risks.

Residents of any European Union Member State

The legal bases for our processing activities are as follows:

- For our legitimate business purposes, including:
  - to provide you with services, products, or other materials you request (for example, completing your registration for a loyalty program and sending you product samples) and to customize your experience with our Services;

- to manage and improve your shopping experiences and our products, Services and offerings, including analyzing the use of our products and services, and determining the effectiveness of our advertising; and
  - to protect the security and integrity of our Services.
- To perform our contract(s) with you, including processing your purchases and transactions,
- To meet our legal obligations, for example:
  - for audit and reporting purposes;
  - to perform accounting and administrative tasks;
  - to respond to requests for information by competent public bodies and judicial authorities; and
  - to enforce our legal rights and to enforce or manage legal claims.
- On the basis of your consent:
  - to send you direct marketing messages about our products, services, and promotions; and
  - to deliver targeted advertisements to you, both on and off the Services, including by using cookies and similar technologies, as explained below.

You can withdraw your consent at any time by contacting us. If you withdraw certain consents, we may no longer be able to offer related services.

- E-Mail: If you wish to unsubscribe or opt out of receiving direct marketing from Digilant via email, you may follow the instructions contained in any such message.
- Other: If you no longer wish to continue receiving other commercial communications from Digilant, you may follow the instructions or use the contact information contained in any such message, or by changing the privacy settings in your browser (for example, with respect to cookies).

You may lodge a complaint with a supervisory authority if you consider that our processing of your personal information infringes applicable law.



Our Services may use web analytics services, such as Google Analytics, which are provided by Google, Inc. and other third party providers. These services use “cookies” to help analyze how visitors use online services. The information generated by the cookies about your use of the online services (including your IP address) will be transmitted to and stored by these providers, including outside the EU in third countries such as the United States which might not have data protection and other laws that are as comprehensive as those in your country.

If your IP address is not truncated through IP-anonymization, then the full IP address may be transferred to third party providers’ non-EU servers. These providers may use this information for the purpose of evaluating your use of the website, compiling reports on website activity for website operators and providing other services relating to website activity and Internet usage. You may refuse the use of cookies as described elsewhere in this policy, and some providers offer you the ability to prevent the collection and processing of data generated by cookies and related to your use of the website (including your IP address) by downloading and installing a Browser-Plugin.

You can exercise your rights by directing a written communication to the postal addresses indicated above or to the email address [privacy@digilant.com](mailto:privacy@digilant.com) indicating in the subject “Data Protection Rights”.

In addition, you can revoke your consent at any time, for which the different ways that we have indicated, in addition to being able to use the alternative of sending us an email to [privacy@digilant.com](mailto:privacy@digilant.com).

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# California Consumer Privacy Act Notice

This California Consumer Privacy Act Notice (“**Notice**”) provides information for California residents in connection with the California Consumer Privacy Act (“**CCPA**”) (California Civil Code Section 1798.100, et seq.), as amended by the California Privacy Rights Act (“**CPRA**”) (California Civil Code Section 1798.100, et seq.) (collectively, “**California Law**”) and describes how Digilant processes Personal Information (“**PI**”) of California residents who interact with us as consumers (“**Consumers**”) or in the course of their work for another company (“**B2B Contacts**”). This Notice supplements our other privacy policies and notices, including this Privacy Policy. In the event of a conflict between any other Digilant policy, statement, or notice and this Notice, this Notice will prevail as to California Consumer and B2B Contacts PI. For purposes of this Notice, in some places we have abbreviated or summarized CCPA terms or language. Terms defined under California Law that are used in this Notice shall have the same meanings as under California Law.

California residents who are prospective, current, or former Digilant employees or contractors (“**Personnel**”) may view our workforce-related California privacy notice at [\_\_\_\_].

You can click on the following links to navigate to the different sections in this Notice.

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# 1. COLLECTION, USE & SHARING OF PERSONAL INFORMATION

We collect PI about Site users, including California Consumers and B2B Contacts as described in the table below. We may share PI with our affiliates, service providers, and contractors as described in the table below..

Category of PI	Examples of PI Collected	Sources of PI	Purpose for PI Collection	Disclosures to Service Providers and Contractors
<b>Identifiers</b>	Name, postal address, online identifier, Internet Protocol (IP) address, email address, driver’s license number	Directly from you, public information, Affiliates, service providers, third parties, automatically when you use our Services	We use this information for the Business Purposes of: auditing related to interactions and transactions; detecting security incidents and protecting against fraud; debugging or repair of systems; short-term transient use (for example, contextual advertising); providing services; internal tech research; and quality	Marketing service providers (such as ad networks, ISPs, analytics providers), service providers that otherwise help us to run our business, operating systems and platforms, social networks.

<b>Category of PI</b>	<b>Examples of PI Collected</b>	<b>Sources of PI</b>	<b>Purpose for PI Collection</b>	<b>Disclosures to Service Providers and Contractors</b>
<b>Customer Records</b>	Name, signature, address, telephone number	Directly from you, public information, affiliates, service providers, third parties	We use this information for the same purposes listed above for Identifiers.	Marketing service providers (such as ad networks, ISPs, analytics providers), service providers that otherwise help us to run our business, operating
<b>Internet or Other Electronic Network Activity Information</b>	Browsing history, search history, information regarding interactions with our websites or	Directly from you, public information, affiliates, service providers, third parties, automaticall	We use this information for the same purposes listed above for Identifiers.	Marketing service providers (such as ad networks, ISPs, analytics providers), service providers that otherwise help us to run our business.
<b>Geolocation Data</b>	Physical location, movements	Our Sites collect geolocation information when you authorize that collection. We may also infer your	We use this information for the Business Purposes of: short-term transient use (for example, contextual advertising); providing services; and internal tech research. We also use this information	Marketing service providers (such as ad networks, ISPs, analytics providers), service providers that otherwise help us to run our business.

Category of PI	Examples of PI Collected	Sources of PI	Purpose for PI Collection	Disclosures to Service Providers and Contractors
<b>Professional or Employment-Related Information</b>	Professional information such as your occupation and employer	Directly from you, public information, affiliates, other third parties	We use this information for the Business Purposes of providing services and internal tech research. We may also use this information for the Commercial Purposes listed under <a href="#">Use of</a>	Marketing service providers (such as analytics providers), service providers that otherwise help us to run our business.
<b>Inferences from PI Collected</b>	Purchasing tendencies	Directly from you, public information, affiliates, other third parties	We use this information for the Business Purposes of short-term transient use (for example, contextual advertising); providing services; and internal tech research. We also use this information	Marketing services providers (such as analytics providers).

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We do not collect or use sensitive PI, as defined by the CCPA, within the context of our interactions with Consumers.

## How Long We Keep Your Personal Information

We keep the categories of PI described above for as long as is necessary for the purposes described in this Privacy Policy or otherwise authorized by law. This generally means holding the information for as long as one of the following apply:

- Your PI is reasonably necessary to manage our operations, to manage your relationship with us, or to satisfy another purpose for which we collected the information;
- Your PI is reasonably necessary to carry out a disclosed purpose that is reasonably compatible with the context in which the PI was collected;
- The information is reasonably required to protect or defend our rights or property (which will generally relate to applicable laws that limit actions in a particular case); or
- We are otherwise required or permitted to keep your information by applicable laws or regulations.

Where PI is used for more than one purpose, we will retain it until the purpose with the latest period expires. For more information about our retention policies, please contact us using the contact details below.

## Selling and Sharing of Personal Information

The categories of Consumer and B2B PI that we disclose for a business or commercial purpose and the categories of recipients are listed in the chart at the beginning of this California Privacy Notice. The chart below summarizes the categories of PI we sell or share with third parties for cross-context behavioral advertising. Although we do not sell Personal Information in exchange for money, some of the ways in which we share PI for advertising or marketing may be considered “sales” or “sharing” under the CCPA. We do not have actual knowledge that we sell or share the PI of California residents under 16 years of age.

Category of Personal Information	Type of Disclosure	Categories of Third Parties to Which the Information Was Sold or Shared
Identifiers	Transferred to third parties for cross-context behavioral advertising	Ad networks, search and social media platforms, and other online advertising partners
Customer Records		
Commercial		
Internet or Other Electronic Network		
Geolocation Data		
Inferences		

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### 3. California Privacy Rights

Under the CCPA, California residents have certain rights they may exercise either independently or through an authorized agent.

Your California privacy rights are described below. To make a request to delete, request to correct, or request to know, you can submit a case through at our Consumer Rights Request page [here](#) or by calling 1-844-344 4526 and promptly respond to any follow-up inquires so that we may confirm your identity. If you would like to opt out of the sales and sharing of PI, click the “Do Not Sell or Share My Personal Information”. You can also request to opt out of any sale and sharing of PI [here](#) or by calling 1-844-344 4526.

If you submit a request to know, request to delete or request to correct, you will be asked to provide 2-3 pieces of PI that we will match against our records to verify your

identity. Authorized agents may submit requests on behalf of Consumers by following these steps and providing appropriate documentation. If you submit a request through an authorized agent, you will still need to verify your identity directly with us before your request can be processed.

Some PI we maintain about Consumers is not sufficiently associated with enough PI about the Consumer for us to be able to verify that it is a particular Consumer's PI when a Consumer request that requires verification pursuant to the CCPA's verification standards is made (e.g., clickstream data tied only to a pseudonymous browser ID). As required by the CCPA we do not include that PI in response to those requests. If we cannot comply with a request, we will explain the reasons in our response. You are not required to create a password-protected account in order for us to verify your identity. We will use PI provided in your request only to verify your identity or authority to make the request and to track and document request responses, unless you also gave it to us for another purpose.

We will make commercially reasonable efforts to identify Consumer PI that we collect, process, store, disclose and otherwise use and to respond to your California Consumer privacy rights requests. We will typically not charge a fee to fully respond to your requests; provided, however, that we may charge a reasonable fee, or refuse to act upon a request, if your request is excessive, repetitive, unfounded or overly burdensome. If we determine that the request warrants a fee, or that we may refuse it, we will give you notice explaining why we made that decision. You will be provided a cost estimate and the opportunity to accept such fees before we will charge you for responding to your request.

Your California Consumer privacy rights are as follows:

## **(A) The Right to Know**

### **1. Categories**

You have the right to send us a request, no more than twice in a twelve-month period, for any of the following for the period that is twelve months prior to the request date:

- The categories of PI we have collected about you.



- The categories of sources from which we collected your PI.
- The business or commercial purposes for our collecting or selling your PI.
- The categories of third parties to whom we have shared your PI.
- A list of the categories of PI disclosed for a business purpose in the prior 12 months and, for each, the categories of recipients, or that no disclosure occurred.
- A list of the categories of PI sold about you in the prior 12 months and, for each, the categories of recipients, or that no sale occurred.

To make a request, click [here](#).

For all requests, we will ask for your first and last name, as well as your email address to verify your identity. If we are unable to find you in our database or records, we will notify you.

For your specific pieces of information, as required by the CCPA, we will apply the heightened verification standards set forth in the Specific Pieces section below. Please note that PI is retained by us for various time periods, so we may not be able to fully respond to what might be relevant going back 12 months prior to the request.

## **2. Specific Pieces of Personal Information**

You have the right to make or obtain a transportable copy, no more than twice in a twelve-month period, of your PI that we have collected in the period that is 12 months prior to the request date and are maintaining. To make a request, click [here](#).

For all requests, we will ask for your first and last name, as well as your email address to verify your identity. If we are unable to find you in our database or records, we will notify you.

Please note that PI is retained by us for various time periods, so we may not be able to fully respond to what might be relevant going back 12 months prior to the request.

applicable law.

## **(B) Deletion Rights**

You may request that we delete your PI that we have collected directly from you. Under the CCPA, we may decline to delete your PI under certain circumstances—for example, if we need the PI to complete transactions or provide services you have requested or that are reasonably anticipated, for security purposes, for legitimate internal business purposes, to comply with law, or to exercise or defend legal claims.

To make a request, click [here](#).

For all requests, we will ask for your first and last name, as well as your email address, to verify your identity. If we are unable to find you in our database or records, we will notify you.

### **(C) Correction Rights**

If you believe that PI we maintain about you is inaccurate, you have the right to request that we correct that information.

### **(D) Right to Non-Discrimination for the Exercise of Your Privacy Rights**

If you choose to exercise any of your privacy rights under the CCPA, you also have the right not to receive discriminatory treatment by us..

## **Notice of Financial Incentive**

### **(E) Website Tracking and the Use of Cookies and Other Technologies**

If you use our Sites, certain information may be collected from your computer in the course of your use of our Sites. As with many websites, we may use both session based and persistent "cookies" and/or other technology (e.g., web bugs, e-mail bugs, clear GIFs, web beacons, tracker GIFs and "clickstream" data logs) in our Sites or in our electronic communications with you to enhance the functionality of our Sites and Services. These technologies also make your transactions and other activities more convenient and efficient.

## **Cookies**

"Cookies" are small amounts of data that a website can send to your web browser and store on your computer. It is our policy not to save sensitive data, such as passwords or credit card information in cookies.

Most web browsers are initially set up to accept cookies. You have the option of disabling or refusing cookies at any time in your browser preferences. However, note that some parts of our Sites will not function properly or may be considerably slower if you refuse cookies. For example, without cookies, you will not be able to set personalized preferences, and/or may have difficulty completing transactions. To find out more about cookies, visit [www.aboutcookies.org](http://www.aboutcookies.org).

The use of cookies is an industry standard, and as such, you will find that most major websites use them. Digilant has one (1) primary use for cookies. We use cookies to track Site usage trends and patterns. This helps us understand our users' needs better and improve areas of our Sites.

Because there is not yet a consensus on how companies should respond to web browser-based do-not-track ("DNT") mechanisms, we do not respond to web browser-based DNT signals at this time. Please note that not all tracking will stop even if you delete cookies.

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## **4. Changes to this Privacy Policy**

We may at any time in our sole discretion revise or update this Privacy Policy. We will post any changes on this page and indicate at the top of this page the date this Privacy Policy was last revised. You may read a current, effective copy of this Privacy Policy at any time by visiting this page. We will also notify you of any material changes either through a pop-up notice, email or through other reasonable means. We encourage you to periodically review this Privacy Policy in order to keep apprised of any changes.

## **Contact Us**

If you have questions about this Privacy Policy, or if you would like to request to exercise any individual rights, please contact us by emailing us at [privacy@digilant.com](mailto:privacy@digilant.com). You may also use our California Consumer Rights Portal found [here](#) or write to the following address or call our toll free number:

Digilant

170 Milk Street, 4th Floor

Boston MA 02109

Toll free number: (844) 344 4526