



Terms & Policies

Acceptable Use. Privacy. Product.

CrossLayer Privacy Policy

Effective Date: 10/10/2017

CrossLayer, Inc. ("**CrossLayer**," "**we**," "**us**," or "**our**") understands your privacy is important. This Privacy Policy ("**Policy**") describes how we collect, use, store, process, and share your information in relation to your use of www.CrossLayer.com (the "**Site**") and our CrossLayer Internet services, including all associated media, printed or electronic documentation, Updates, and support services (collectively, the "**CrossLayer Services**"). By visiting, accessing, or using the CrossLayer Services, you expressly consent to the collection, use, storage, transfer, processing, and disclosure of your information, including personally identifiable information, as described in this Policy. IF YOU DO NOT AGREE WITH THIS POLICY, DO NOT ACCESS OR USE ANY PART OF THE CROSSLAYER SERVICES.

1. APPLICABILITY OF THIS POLICY. This Policy covers our treatment of information, including personally identifiable information, that is submitted by you or collected by us in relation to your use of the CrossLayer Services, including when you visit or browse the Site or use our CrossLayer Internet services. This Policy does not apply to information collected by third parties, including on any Linked Sites. We have no control over and no responsibility or liability for any third party collection, use, disclosure, or retention of your information and that collection, use, disclosure, and retention is not subject to this Policy. Be sure to review the privacy policies of any Linked Sites or other third party services you may access.

2. INFORMATION COLLECTION.

A. General. When we provide the CrossLayer Services to you, we will collect certain information about you, including personally identifiable information. Personally identifiable information is information that identifies you, such as your name or address. When you visit our Site, you may browse without submitting any personally identifiable information. We will, however, collect and store some non-personally identifiable information, as described below.

B. Communications; Support Requests. In order to receive certain communications from us, such as responses to user inquiries or requests for product information, you may be required to submit certain personal information, including, but not limited to, your name, email address, physical address, phone number, and other contact information. Any personal communications that you or a third party voluntarily submits to us in any format, including by email, postal mail, or any other method of communication may be collected and saved indefinitely in a profile specific to you.

C. Location Information. Certain aspects of the CrossLayer Services, such as connecting to our CrossLayer Internet services via Wi-Fi, may request to obtain your location information, including GPS coordinates in real time ("**GPS Location**"). Your GPS Location may allow us to locate you with a high degree of precision. We use this GPS Location information in order to provide the CrossLayer Services. We may also collect and use GPS Location information over time to offer you services, protect, enhance or update the Service.

D. CrossLayer Internet Subscribers. When you subscribe to our CrossLayer Internet services, you will be asked to provide and we will collect certain information, including, but not limited to, name, address, billing address, email, telephone number, and payment card information. Our CrossLayer Internet services are location and time specific and not available to everyone at this time. For more information, please contact us at: legal@CrossLayer.com.

E. Updates. We have no obligation to and may not provide updates for the CrossLayer Services. If we do provide updates, supplements, or add-on components to the Service after the date you initially use, access, or download the Service (collectively, "**Updates**"), this Policy will apply to the Updates. We may add new features or remove existing features offered through the CrossLayer Services. We may, in our sole discretion, release subsequent versions of the CrossLayer Services and require you to obtain and use the most current version.

F. Automatically Collected Information. Similar to other websites and services, we may collect some information automatically when you access or use the CrossLayer Services. This collection may include, but is not limited to: your IP address, browser type and language, device type, platform type, number of clicks, landing pages, cookie information, the pages you requested and viewed, the amount of time

spent on particular pages, and the date and time of each request you make. We collect this non-identifying information in order to better understand our users, to more efficiently operate our business, to promote our products and services, and to improve the quality of the CrossLayer Services. We may automatically collect information using various mechanisms, including, but not limited to, cookies and pixels.

Cookies. A cookie is a small text file that is stored on a computer for record-keeping purposes. Our third-party analytics providers use cookies to record information about your activities while using the CrossLayer Services and to “remember” you when you return to the CrossLayer Services. Some cookies remain on your computer until you delete them. Others, like session ID cookies, expire when you close your browser. You may set your browser setting to attempt to reject cookies and you may still use the CrossLayer Services, however, certain features of the CrossLayer Services may not be available if your browser does not accept cookies. See the section titled “Do Not Track Settings” below for more information on how the CrossLayer Services may respond to your browser settings. We do not control the use of cookies by third parties. See also “Third Party Analytics Providers” below.

Pixels (aka web beacons). Pixels are tiny graphics with a unique identifier that are used to track the online movements of web users. Unlike cookies, which are stored on a computer’s hard drive, pixels are small graphics that are about the size of the period at the end of the sentence that are embedded invisibly on webpages or in HTML-based emails. Our third-party analytics providers may utilize pixels and other technology on the Site that track what other websites you visit (both before and after visiting the Site). Our third-party analytics providers use information obtained from pixels to help us improve our business and the CrossLayer Services. We do not control the use of pixels by third parties.

G. Third Party Analytics Providers. We use third parties to help us operate and improve the CrossLayer Services. In doing so, we may share with these third parties non-personally identifiable information about users’ use of the CrossLayer Services. These third party providers also use cookies. We use third party analytics providers, such as Google Analytics, to provide us with general demographic and interest-level information about our users and to help create a better user experience. We do not control information collected by third parties and are not responsible for their use of that information.

Google Analytics uses cookies and pixels in order to collect demographic and interest-level information and usage information from users that visit the CrossLayer Services, including, but not limited to, information about the pages where users enter and exit the CrossLayer Services and what pages users view on the CrossLayer Services, time spent, browser, operating system, and IP address. Cookies and pixels allow Google to recognize a user when a user visits the CrossLayer Services and when the user visits other websites. Google uses the information it collects from the CrossLayer Services and other websites to share with us and other website operators information about users including, but not limited to, age range, gender, geographic regions, general interests, and details about devices used to visit websites and purchase items. We take reasonable measures to prevent linking information we receive from Google with any of your personally identifiable information. For more information regarding Google’s use of cookies and collection and use of information, see the Google Privacy Policy at <http://www.google.com/policies/privacy/>. To opt out of Google Analytics, please visit the Google Analytics Opt-Out Page at <https://support.google.com/analytics/answer/181881?hl=en> to learn about opting out and installing the appropriate browser add-on.

H. “Do Not Track” Settings. Because we track information regarding usage of the CrossLayer Services through the use of cookies, pixels, and other tracking mechanisms, your selection of the “Do Not Track” option provided by your browser may not have any effect on our collection of cookie information. The only way to completely “opt out” of the collection of any information through cookies or other tracking technology is to actively manage the settings on your browser to delete and disable cookies and other tracking/recording tools. However, getting a “Do Not Track” signal to work as you might want is difficult. Using browsers as an example, not all tracking technologies can be controlled by browsers; unique aspects of your browser might be recognizable even if you disable a tracking technology; not all settings will necessarily last or be effective; even if a setting is effective for one purpose, data still may be collected for another; and even if one website observes a “Do Not Track” signal, that website usually will not be able to control other websites.

3. INFORMATION USE.

A. General. We will use your personally identifiable information to operate, manage and administer the CrossLayer Services; to assist in billing and invoicing (if applicable); to provide you with maintenance, support, Updates, and a more personalized experience; to communicate with you; to monitor usage of the CrossLayer Services and detect any theft of the CrossLayer Services; to improve the CrossLayer Services or products and to develop and test new products and services; and to provide you information about products and services (including the products and services of third parties) that may be of interest to you. We may also use personally identifiable information to resolve disputes; to detect and protect against errors, fraud, and illegal activity; to assist law enforcement; to enforce this Policy; or for any other purpose described in this Policy or described to you at the time of collection.

B. Communications. We may use your personally identifiable information to send you emails, notifications, or other communications related to your use of the CrossLayer Services, your orders for products or services (if applicable), or to respond to your inquiries or requests

C. Use of Non-Personally Identifiable and Aggregate Information. We may use non-personally identifiable information and aggregate information for any lawful purpose, including, but not limited to, analyzing trends, managing and administering the CrossLayer Services, tracking users’ movements, to create new products or services, for research purposes, or to improve our business and the CrossLayer Services. We may also share aggregate information with third parties to develop and deliver targeted advertising and to analyze and report on the advertising you see. In addition, we may share aggregate statistical information with our business partners. We may also combine your non-personally identifiable information and aggregate information with other non-personally identifiable information and aggregate information collected from other sources. We will take reasonable steps to ensure that aggregate information is never associated with you or your personal information.

D. Information Retention. We may retain your information indefinitely, or as long as legally required or allowed, for our business needs and in order to deter fraud or abuse of the CrossLayer Services. We may dispose of any information in our discretion without notice, subject to applicable law. We do not undertake any retention obligations through this statement.

4. INFORMATION DISCLOSURE.

A. Affiliated Entities and Service Providers. We may disclose your information, including personally identifiable information, to any affiliated entity or organization, business partner, and to agents and service providers to help us administer and operate the CrossLayer Services, improve our business or the CrossLayer Services, and to provide services to us. These third parties may include customer service providers, business or sales service providers, or providers that provide support for the CrossLayer Services. Use of information by affiliated entities and service providers will be subject to this Policy or an agreement at least as restrictive as this Policy.

B. Legal Requirements. In some cases, we may disclose your information, including personally identifiable information: (i) as required by any applicable law or legal regulation; (ii) if we believe disclosure is needed to protect our rights, property, or safety; (iii) to government regulators or law enforcement authorities in connection with any judicial proceeding, court order, subpoena, or legal process served on us or the CrossLayer Services; and (iv) to respond to a physical threat to you or another person.

C. Aggregate Information. We may share aggregate information with our affiliated entities and service providers, business partners, or with other third parties. We may publish information about usage statistics and trends and connect this information with certain demographic information. We will take reasonable steps to ensure that aggregate information is never associated with you or your personal information.

D. Insolvency and Business Transitions. If we should ever file for bankruptcy or engage in a business transition such as a merger with another company, or if we purchase, sell, or reorganize all or part of our business or assets, we may disclose your information, including, but not limited to, Personally Identifiable Information and aggregate information, to prospective or actual purchasers in connection with one of these transactions.

E. Disclaimer. We cannot ensure that all of your personal information will never be disclosed in ways not otherwise described in this Policy. For example, a third party may unlawfully intercept or access transmissions or private communications, or other users of the CrossLayer Services may abuse or misuse your personal information. No transmission of data over the internet can be 100% secure.

5. INFORMATION SECURITY MEASURES. We exercise care in facilitating the transmission of information between your device or computer and the third party servers that operate and store information for the CrossLayer Services. The personally identifiable information we collect is stored in operating environments that are not available to the public. While we have mechanisms in place to safeguard your personal information once we receive it, no transmission of data over the Internet or any other public network can be guaranteed to be 100% secure.

6. CHILDREN'S PRIVACY.

A. The CrossLayer Services are not for or Directed Towards Children. While the CrossLayer Services are not for anyone under the age of 18, we do not intend to and will not knowingly collect any personal information from children under the age of 13. Children under the age of 13 are prohibited from using the CrossLayer Services. If we learn that we have collected information from a child under the age of 13, we will remove that information immediately and delete it from our servers. If you believe information from a child under the age of 13 has been provided to the CrossLayer Services, please notify us at: Legal@CrossLayer.com.

B. California Minors. While the CrossLayer Services are not for anyone under the age of 18, if you are a California resident under age 18 and you believe your information has become publicly-available through the CrossLayer Services and you are unable to remove it, you may request removal by contacting us at: Legal@CrossLayer.com. When requesting removal, you must be specific about the information you want removed and provide us with specific information, such as the URL for each page where the information is located, so that we can find it. We are not required to remove any information that: (1) federal or state law requires us or a third party to maintain; (2) the information was not posted by you; (3) we anonymize the information so that you cannot be identified; (4) you do not follow our instructions for removing or requesting removal; or (5) you received compensation or other consideration for providing the information. Removal of your content or information from the CrossLayer Services does not ensure complete or comprehensive removal of that content or information from our systems or the systems of our service providers. We are not required to delete the information posted by you; our obligations under California law are satisfied so long as we anonymize the information or render it invisible to other users and the public.

7. YOUR CALIFORNIA PRIVACY RIGHTS; CALIFORNIA SHINE THE LIGHT LAW. California Civil Code Section 1798.83 permits users who are California residents to obtain from us once a year, free of charge, a list of third parties to whom we have disclosed personal information (if any) for direct marketing purposes in the preceding calendar year. If you are a California resident and you wish to make such a request, please send an e-mail with "California Privacy Rights" in the subject line to Legal@CrossLayer.com or write us at: Attn: Legal, CrossLayer, Inc., 999 Vanderbilt Beach Rd., Naples, FL, 34108.

8. LINKED SITES. The CrossLayer Services may contain links or references to third party websites ("**Linked Sites**"). We do not endorse any Linked Sites or the information, products, or services contained on any Linked Sites, and we have no control over Linked Sites or their content. Linked Sites are governed by their own user agreements and privacy policies, which you should be sure to read. We are not responsible for and do not control any content you may share on a Linked Site and access to any Linked Site is solely at your own risk.

9. CHANGES TO THIS POLICY. We reserve the right to change this Policy at any time upon notice. We may give notice by making the updated Policy available through the CrossLayer Services or by any other reasonable means. You can review the most current version of the Policy at any time at www.CrossLayer.com. The updated Policy is binding on you on the effective date indicated at the top of this Policy. If

you do not agree to the updated Policy, you must stop using the CrossLayer Services before the effective date. Your continued use of the CrossLayer Services after the effective date posted at the top of this Policy will constitute your acceptance of the updated Policy.

10. ACCESSING, UPDATING, OR DELETING YOUR PERSONAL INFORMATION. You may access, update, or delete your personal information by contacting us at: notifications@crosslayer.com. We will make good faith efforts to resolve requests to correct inaccurate information except where the request is unreasonable, requires disproportionate technical effort or expense, jeopardizes the privacy of others, or would be impractical.

11. PRIVACY QUESTIONS. If you have any questions about this Policy, please contact us at: notifications@CrossLayer.com.