

AMS PRIVACY POLICY

(Last Updated: June 30, 2020)

1. Introduction

American Messaging Services, LLC (“we” or “us” or “our”), being the owner or licensor of our website, applications, online services, the AMSSConnect™ and SECUREConnect secure text messaging services, SMS Short Code service, and other services provided via our online platform (collectively, the “Services”), respect the privacy of your personal information. We provide this explanation about our online information practices as a show of our commitment to protect your privacy.

We do not sell or rent personally-identifying information collected during your use of the Services.

In accordance with this AMS Privacy Policy or otherwise upon notification to you at the time of data collection or transfer, we may share your personally-identifying information with a third party. You will always have the option of not permitting the transfer by not using the particular services for which the information is collected or shared.

In addition, if, in connection with your use of the Services, we create or receive Protected Health Information (“PHI”) from or on behalf of you, or our customer for whom you work, as a “Covered Entity” under the Privacy and Security Regulations of the federal Health Insurance Portability and Accountability Act of 1996, the Health Information Technology for Economic and Clinical Health Act of 2009, and related applicable state regulations, you agree that, the terms set forth in the HIPAA Business Associate Addendum executed by you and us, governs such PHI.

2. The Information We Collect

At the time you register for the Services or otherwise provide information to us through the Services, we may collect and store your name, email address, mailing address, phone number, and other personally-identifying information. The user information we collect is categorized as follows:

Application Information — information that you provide to us through the Services and through other means, including third party messages delivered through the Services. Examples include your email address, mailing address, including zip code, and phone number.

Transaction and Experience Information — information about your transactions with us, as well as information about our communications with you. Examples include your account history, requests for information, and our responses.

We use this information to provide the Services to you. We also use this information to customize your experience using the Services. We may share the information we collect about you with third parties as required by law. Messages delivered through our Services may be deleted from our system in accordance with our retention policy.

In addition, we automatically gather general statistical information about the Services and users, such as IP addresses, browsers, pages viewed, number of users, goods and Services used, etc., but in doing so we do not reference you by individual name, email address, home address, or telephone number. We use this data in the aggregate to determine how much our users use parts of the Services so we can improve the Services. We may provide this statistical information to third parties, but when we do so we do not provide personally-identifying information without your permission.

As part of the Services, we use cookies and beacons to store and sometimes track information about you. Some features of the Services may be available only through the use of a cookie. A cookie is a small amount of data that is sent to your browser from a Web server and stored on your computer's hard drive. A beacon is a transparent graphic image placed on the Services to monitor the behavior of a user of the Services. Generally, we use cookies to remind us who you are and enable us to access your account information so you do not have to re-enter it. We use cookies and beacons to gather statistical information about usage by users to research usage patterns. Preference and options configurations in your browser determine if and how a cookie or beacon will be accepted. You can change those configurations on your computer if you desire. By changing your preferences, you can accept all cookies, you can be notified

when a cookie is sent, or you can reject all cookies. If you do so and cookies are disabled, you may be required to re-enter your information more often and certain features of the Services may be unavailable. Disabling cookies will also prevent beacons from tracking your unique information when using the Services.

In addition, third parties linked to the Services may use their own cookies and beacons and may collect personally-identifying information in connection with your use of their websites. The privacy policy of such third parties may differ from ours. We encourage you to read the third party's privacy policy before responding to the offer to determine how the personally-identifying information is used by that third party.

If your browser or similar mechanism gives the Services a "do not track" signal, the Services will make commercially reasonable attempts to honor your settings (although we still may deliver and use cookies and other tracking technologies for non-marketing purposes). However, we do not make any promises or guarantees about the effects of any "do not track" choice that you may make because: (a) such nuanced treatment is not necessarily available or effective for all browsers, mechanisms, or tracking technologies, and our commercially reasonable attempts to honor your settings might not be effective to preclude tracking or behavioral advertising at all or over any particular period of time; (b) third parties may not honor your settings or our policies and may use cookies or other tracking technologies for behavioral advertising despite our commercially reasonable attempts to prevent them from doing so; and (c) tracking technologies, browsers, and access devices may change from time to time and our commercially reasonable attempts might not be effective for each technology or across all platforms.

3. The Way We Use Information

We use your personally-identifying information to improve our marketing and promotional efforts, to statistically analyze Services usage, to improve our content and product offerings, including the Services. We may use your email address, your mailing address, and phone number to contact you regarding administrative notices and communications relevant to your use of the Services. We use your IP address to help diagnose problems with our server, to manage the Services, and to enhance the Services based on the usage pattern data we receive.

We may also use or disclose information to: (a) resolve disputes; (b) investigate problems; (c) enforce our AMS User Agreement (Terms of Use) and our applicable End User License Agreement; (d) protect our operations or those of any of our affiliates; (e) protect our rights, privacy, safety, or property, and that of our affiliates, you, or others; and (f) allow us to pursue available remedies or limit the damages that we may sustain. At times, we may review the status or activity of multiple users to do so. We may disclose or access information whenever we believe in good faith that the law so requires or if we otherwise consider it necessary to do so to maintain and improve the Services. In addition, as our business changes, we may buy or sell various assets. In the event all or a portion of assets owned or controlled by us or our affiliated entity are sold, assigned, transferred or acquired by another company, the information from and about the Services users may be among the transferred assets.

4. Security

We employ reasonable and current security methods designed to prevent unauthorized access, maintain data accuracy, and ensure correct use of information.

To use the Services, you may be required to set up a password-protected account or profile on the Services. It is your responsibility to safeguard your password and other credentials as provided in the AMS User Agreement (Terms of Use) or the End User License Agreement, as applicable. Our personnel will never ask you for your password in an unsolicited phone call or in an unsolicited email. Remember to sign out of your account, close your browser window, and delete your temporary Internet files when you have finished your session. This helps ensure that others cannot access your personal information and correspondence if you share a computer with someone else or are using a computer in a public place where others may have access to it.

No data transmission over the Internet or any wireless network can be guaranteed to be perfectly secure. As a result, while we try to protect your personal information, we cannot ensure or guarantee the security of any information you transmit to us, and you do so at your own risk.

5. Non-USA Residents

We maintain information in the United States of America and in accordance with the laws of the United States of America, which may not provide the same level of protection as the laws in other jurisdictions. The Services are not intended for use outside the United States of America. If you reside outside the United States of America, you should not use the Services and should not provide us with any personally-identifying information.

6. California Residents – Your California Privacy Rights

California Civil Code Section 1798.83 permits California residents to request from us certain information regarding the disclosure of certain categories of personal information to third parties for their direct marketing purposes within the immediately preceding calendar year. A company may also comply with the law by disclosing in its privacy notice that it provides consumers choice (opt-out or opt-in) regarding sharing personal information with third parties for those third parties' direct marketing purposes (as we do), and information on how to exercise that choice.

If you are a California resident and you have questions about our practices with respect to sharing information with third parties for their direct marketing purposes and your ability to exercise choice, please send your request to us via the email address or the mailing address set forth in Section 7. You must put the statement "Your California Privacy Rights" in the subject field of your email or include it in your writing if you choose to write to us at the designated mailing address. You must include your name, street address, city, state, and zip code. We are not responsible for notices that are not labeled or sent properly, or do not have complete information.

If you are a California resident under the age of 18, and a registered user of the Services, notwithstanding the fact the persons under the age of 18 are not permitted to use the Services, California Business and Professions Code Section 22581 permits you to request and obtain removal of content that you have publicly posted. To make such a request, please send an email with a detailed description of the specific content to us via the email address set forth in Section 7. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information that you have posted and there may be circumstances in which the law does not require or allow removal even if requested.

To the extent the California Consumer Privacy Act of 2018 is applicable to our collection of information that identifies or relates to you or your household, you may have a number of important rights free of charge. In summary, those rights include: (a) the right to know the categories of personal information to be collected and the purposes for which the information will be used (see Sections 2 and 3 above); (b) the right to know the categories of personal information that were actually collected in the preceding 12 months and sold or disclosed for business purposes in the preceding 12 months (see Sections 2 and 3 above); (c) the right to require us to respond to verifiable requests with disclosures about our collection, sale, or disclosure of your personal information (such requests may be made by contacting us as described in Section 7 below); (d) the right to access a copy of the specific pieces of personal information that we have collected about you (see Section 7 below); (e) the right to request that we delete, and request any third-party service providers to delete, any personal information collected about you (see Section 7 below); and (f) the right to opt out of the sale of your personal information to third parties (Note, we do not sell or rent personally-identifying information to third parties).

7. How You Can Update, Correct, or Delete Your Information

You may access the information that we collect online and maintain through normal updating methods. To access, update, correct, or request deletion of this information, you may contact us by email at contracts@americanmessaging.net or by mail at American Messaging Services, LLC, 1720 Lakepointe Drive, Suite 100, Lewisville, Texas 75057, Attn: Contracts. Your account can be deleted or deactivated, but doing so will result in your not being able to access certain services. During the normal course of doing business, we will continue to share your information among our business units, our affiliates, and unaffiliated third parties as necessary in order to provide the Services.

8. Children Under 13

We do not intentionally collect information from individuals under the age of 16. The Services are not directed to individuals under the age of 16 and we request that these individuals not provide personal

information through the Services. If a minor child has provided us with personally-identifying information without parental or guardian consent, the parent or guardian should contact us to remove the information and opt out of promotional opportunities or other applicable services.

9. Changes to Our Policy

We reserve the right to change, add, modify, or remove portions of this AMS Privacy Policy at any time. Any changes to this AMS Privacy Policy will be communicated through the Services and will become effective immediately as of the last updated date set forth above. Please continue to check this AMS Privacy Policy from time to time to learn about any changes to our privacy practices. Information collected before changes are made will be secured according to the previous AMS Privacy Policy.

10. Your Consent

By using the Services, you consent to the collection and use of this information in the manner described in this AMS Privacy Policy.