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September 2024

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# California Privacy Rights Notice

[www.Ativion.com](http://www.Ativion.com)

The logo for Ativion, featuring a stylized white 'A' followed by the word 'ATIVION' in a bold, white, sans-serif font. The background of the entire page is a solid blue color with two large, light blue, semi-transparent geometric shapes (triangles) that create a sense of depth and movement.



# California Privacy Rights Notice

**Effective Date: September 20, 2024**

**Last Updated: September 20, 2024**

The Ativion Group is a group of subsidiary companies of Impala Bidco and forms part of the Ativion and Netop companies as defined in our Group Structure available at [www.ativion.com/legal/group-structure](http://www.ativion.com/legal/group-structure) (referred to herein as “Ativion”, “us”, “we”, “ours”). Ativion operates services, including websites, software, technologies, services, support services, applications, and accounts. Ativion is committed to respecting the privacy of information and data of the users of our applications and other individuals (“you”). This California Privacy Rights Notice applies solely to visitors, users, and others who reside in the State of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this notice. Any other capitalized but undefined terms have the same meaning found in the [Privacy Policy](#).

## Information We Collect

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:



Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information)	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO



Category	Examples	Collected
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	data. Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES
L. Sensitive Personal Information	Social security numbers, driver's license, state identification card, passport number, financial account login in combination with security or access code, password or credentials, or precise geolocation.	NO

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Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, such as: Ativion CCPA Notice September 2024
- Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
- Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

## How We Collect Personal Information

We use different methods and sources to collect information from

and about you, including through:

- Direct interactions. You may give us information about you by interacting with our website, communicating with us via email or contact us page, or by interacting with us over social media.
- Third party or publicly available sources. We may receive information about you from third parties, including educational institutions. For more detail, please refer to our [Privacy Policy](#) or [Education Privacy Notice](#).
- Technical and Communication Data. When you visit our website and when we send you marketing emails, we collect certain information automatically using cookies and other technologies, such as web beacons. The cookies and web beacons may be third party provider cookies provided by X (formerly Twitter), Facebook, LinkedIn, Microsoft Azure, and Amazon Web Services.



## Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- Create, register, and maintain your account with the Services and provide our Services to you and/or your Users and Subjects;
- Manage our relationship with you, including dealing with your enquiries, support requests, and complaints; notifying you about changes to this Privacy Policy; and asking you to leave a review or take a survey;
- Administer and protect our Websites and Services (including troubleshooting, data analysis, testing, system maintenance, support reporting, and hosting of data);
- Improve and develop our Websites, Services, any other products and services, and relationships with Users and User experiences;
- Make suggestions and recommendations and send other promotional materials to you about our Services, information, events, and any of our other products or services that may be of interest to you;
- Personalize our Services for you;
- Enable you to complete a survey;
- Complete a transaction with us for Services, including to process payments and refunds and to deliver Services and any other information as requested;
- Plan and manage our contractual relationships with our vendors;
- Detect, prevent, and address technical issues;
- Comply with laws;

- Allow Users to log into the Services automatically without the need to interact with the Services (via a validation check, matching the primary account on the device with an existing User account on the web platform over a secure connection to a protected API, and personal data is not retained from this check);
- Allow you to exercise your data privacy rights;
- In any other way we may describe when you provide the information; and
- For any other purpose with your express consent.

We will not collect additional categories of personal information or use the personal information we collect for materially different, unrelated, or incompatible purposes without providing you notice. In the preceding twelve (12) months, we have used your personal information from the following categories for business purposes:

- Category A: Identifiers
- Category B: Personal Information categories listed in the California Customer Records statute
- Category D: Commercial Information
- Category F: Internet or other similar network activity
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences drawn from other personal information

## Sharing Personal Information

We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the



purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract. In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records personal information categories
- Category F: Internet or other similar network activity
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences drawn from other personal information

We disclose your personal information for a business purpose to the following categories of third parties:

- Our third-party service providers who perform functions on our behalf in connection with the operation of our business such as IT service providers and system administrators, third parties who host and manage data, deliver our products and Services.
- Professional advisers including lawyers, bankers, auditors and who provide consultancy, banking, legal, insurance and accounting services.
- Law enforcement, government agencies, or other authorities in order to comply with laws, regulations, court orders, or other legal obligations, or to protect and defend our legal interests.



- The institution you are affiliated with, if you use our products through your affiliation with an institution, in order to track activation of applications and to provide the Services.
- Our third-party analytics partners to analyze Website traffic and understand User needs and trends.
- Third parties if we are required to do so by law, or if we believe that such action is necessary to: (a) fulfil a government, or regulatory authority request; (b) conform with the requirements of the law or legal process; (c) protect or defend our legal rights or property, Websites, Services or customers.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this Privacy Policy.

## **Sale of Personal Information/Targeted Advertising**

In the preceding twelve (12) months, we have not sold any personal information or shared any personal information for cross-context behavioral advertising/targeted advertising.

## **Using your Sensitive Personal Information**

Sensitive personal information means personal information that reveals (A) a consumer's social security number, driver's license, state identification card, or passport number; (B) a consumer's account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (C) a consumer's precise geolocation; (D) a consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership;

(E) the contents of a consumer's mail, email, and text messages unless the business is the intended recipient of the communication; (F) consumer's genetic data; (G) biometric information for the purpose of uniquely identifying a consumer; (H) personal information collected and analyzed concerning a consumer's health; or (I) personal information collected and analyzed concerning a consumer's sex life or sexual orientation.

In the preceding twelve (12) months, we may have collected and used the following sensitive personal information.

- A consumer's financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
- A consumer's precise geolocation.
- A consumer's racial or ethnic origin, religious or philosophical beliefs, or union membership;
- The contents of a consumer's mail, email, and text messages unless the business is the intended recipient of the communication.
- Personal information collected and analyzed concerning a consumer's health.
- Personal information collected and analyzed concerning a consumer's sex life or sexual orientation.

This information is used to process your payment for the products and services and deliver the products and services to you.

Because this is the only use of sensitive personal information and our use is reasonably necessary and proportionate to the purpose, we are not required to post a notice of right to the limit use of sensitive personal information.



## Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

## Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past twelve (12) months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling/sharing that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we disclosed your personal information for a business purpose, the personal information categories that each category of recipient obtained.

## Deletion and Correction Request Rights

You have the right to request that we delete and/or correct any of your personal information that we collected from you and retained, subject

to certain exceptions such as the Family Educational Rights and Privacy Act. For more information on your Education Rights, please see the Education Privacy Notice.

Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion/correction request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public



interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.

7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.

8. Comply with a legal obligation.

9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Further, we cannot delete Student Data, as defined in the Education Privacy Notice, without permission from the applicable school.

## **Your Right to Opt-Out of Sale or Sharing Your Information**

We do not sell or disclose personal information with third parties that would be considered a "sale" under the CCPA. Since we do share your personal information for targeted advertising or cross-context behavioral advertising, you are opted-out of "sale" or "sharing" (as defined by the CCPA) your personal information by default.

## **Opt-out Preference Signals**

Opt-out preference signals or Global Privacy Controls (GPC) provide consumers with a simple and easy-to-use method by which consumers interacting with us online can automatically exercise their opt-out of sale/sharing rights. We do not process opt-out preference signals because we do not "sell" or "share" your personal information.

## **Exercising Access, Data Portability, Deletion, and Correction**

To exercise your access, portability, deletion, or opt-out rights described above, please submit a



verifiable consumer request to us by completing the following request form at [www.ativion.com/contact](http://www.ativion.com/contact) or contact us at +1 (844) 346-7376 or +1 (888) 808-6848 ext. 2 (ContentKeeper)

or by mail at:

Impero Solutions Inc. d/b/a Ativion 10300 SW Greenburg Rd., Suite 303 Portland, OR 97223  
Attn: CCPA Consumer Access Request

Only you or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person or an authorized representative of the person we collected personal information on.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

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## Response Timing and Format to Respond To Your Request

Within ten (10) business days after receiving your request to delete, correct, or request to know, we will confirm receipt of your request and provide you information about how the business will process the request. We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily usable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting



discounts or other benefits, or imposing penalties.

- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### Notice of Financial Incentives

We do not offer financial incentives or pricing discounts for providing your personal information or registering an Ativion account with us.

### Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will notify you by email or through a notice on our website homepage.

### Contact Information

If you have any questions or comments about this notice, our Privacy Policy, any other notice, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Impero Solutions Inc. d/b/a Ativion,  
10300 SW Greenburg Rd., Suite 303  
Portland, OR 97223

Attn: CCPA Consumer Access Request  
dpo@ativion.com