



TOPQUADRANT'S PRIVACY STATEMENT

A. INTRODUCTION

1. TopQuadrant, Inc. ("TopQuadrant," "we," "us," "our") is committed to protecting your privacy in connection with Personal Information, hereinafter defined, received from you. This Privacy Policy describes TopQuadrant's practices concerning the collection and use of information that would permit us to personally or directly identify you ("Personal Information") when you interact with us and use our Services, as defined below.
2. By using the Services, you agree to the collection and use of your Personal Information in accordance with this Privacy Policy. If you do not consent to the Privacy Policy and the practices outlined below, you should not use the Services or otherwise provide your Personal Information to us.
3. Subject to applicable law, TopQuadrant may revise this Privacy Policy from time to time, in which case we will publish the updates here and revise the "last updated" date at the bottom of the Privacy Policy. A notice will be posted on our Site whenever this Privacy Policy is changed in a material way. Subject to applicable law, your continued use of the Services will be deemed as your consent to the revised Privacy Policy. We encourage you to read the complete Privacy Policy and to contact us via email or post as set forth below with any questions or comments that you have.

B. ACTIVITIES COVERED BY THIS PRIVACY POLICY

1. This Privacy Policy applies to the Personal Information that we collect when you (a) visit our website, www.topquadrant.com, and any other websites that we own, operate, or control and that link to this Privacy Policy (collectively, the "Sites"), (b) use our software-as-a-service offerings as a customer or as an authorized user (for example, as an employee of one of our customers who provides you with access to our software-as-a-service offerings), and (c) download or activate our software. As used in this Privacy Policy, the Sites and our software-as-a-service offerings are referred to collectively as the "Services."
2. This Privacy Policy also applies to Personal Information that you share with us or that we collect or receive through other channels, including by email, telephone, in person at trade shows and conferences, and from third parties, including our business partners.
3. This Privacy Policy does not apply to Personal Information included within the data that our customers upload to our software-as-a-service offerings, or otherwise provide to us through their use of those offerings. We process and store that data on our customers' behalf, and our handling of that data is governed by our agreements with those customers. If you have questions about the information practices of a customer of ours that uses our software-as-a-service offerings, please contact that customer directly.

C. THE PERSONAL INFORMATION WE COLLECT AND HOW WE COLLECT IT

1. We collect your Personal Information when you choose to provide it to us, such as when you fill out a contact form on the Sites, register before downloading TopQuadrant software or using our software-as-a-service offerings, report a problem with the Services or otherwise seek support for your use of the Services, or when you purchase, activate and register TopQuadrant software products and services or a subscription to our software-as-a-service offerings.. The Personal Information we collect through these methods may include your name, e-mail address, mailing address, telephone number, company or organization, payment and billing information, and other information that you choose to provide us that we need to provide a product or service or as part of the purchase, activation and registration, or support thereof.
2. We also collect certain information automatically when you use the Services through technologies such as cookies, log files, and web beacons. The types of information that we automatically collect may include technical information about your computer, device, hardware, or software you use to access the Internet or our Services, such as IP address or other transactional or identifier information for your device (such as device make and model, information about device operating systems and browsers, or other device or system related specifications); usage information and statistics about your interaction with the Services which may include the URLs of the Services that you have visited, URLs of referring and exiting pages, page views, time spent on a page, number of clicks, the application you used, how long you used the application and when, and other usage statistics; and information that facilitates a safer and more personalized experience, such as user identification information, saved preferences, and device identifiers or usage information for authentication and fraud prevention purposes; and information about your approximate location, which we may derive from device information such as IP address. We collect some of this information through tracking technologies such as cookies and web beacons. For more information please see the How We Use Cookies and Other Tracking Technologies section of this Privacy Policy
3. We may also receive Personal Information about you from other business channels such as telephone calls, trade shows, conferences, product demonstrations, service engagements, or from our third-party partners. This Personal Information may include you your name and contact information such as your email address, mailing address, and telephone number.



D. HOW WE USE AND SHARE YOUR PERSONAL INFORMATION

1. TopQuadrant generally uses your Personal Information for purposes including: to help us create and deliver the Services and other content, products, and services that you order or that are otherwise relevant to you; to help you find or purchase software, services or information on our Site(s); to provide you with assistance or respond to your inquires; to fulfill orders, process payments or perform credit checks, as necessary; for interactive communications with you about our products or services; to relieve you from having to provide your Personal Information more than once; in order to secure the Services and prevent unlicensed or illegal use of the Services and TopQuadrant's software; to notify you by email, telephone or other medium about product upgrades, updated information, special offers and other new services or software offerings (you will be able to unsubscribe from emails by following the instructions at the bottom of our message); to help us manage and administer the Services; or as otherwise described herein or directed by you at the time you provide the information.
2. The information about our users and visitors that TopQuadrant collects is important to us and we do not sell or otherwise share your Personal Information with third parties for their own commercial purposes. We may, however, share your Personal Information with (a) third-party service providers that we engage to perform functions on our behalf; (b) a buyer or other successor or organization in the event of an actual or potential merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, including as part of bankruptcy, liquidation, or similar proceeding; and (c) with such other parties, or for such other purposes, as you may authorize or direct when we collect the information. TopQuadrant may also disclose Personal Information to third parties without notice, if required to do so by law or if we believe in good faith that such action is necessary to: (a) comply with the law, subpoena, court order or other legal process; (b) protect and defend the rights or property of TopQuadrant, and (c) protect the personal safety of users of TopQuadrant, its Services, or the public.
3. If you purchase a software license online or otherwise pay for our products and services through our Sites, TopQuadrant will direct you to a third-party credit card processor that collects your credit card and associated data. TopQuadrant does not receive this credit card information unless and until you authorize a manual authorization process.
4. Please note that TopQuadrant maintains archives of its web logs, database, and other systems and information and that it is possible some of this information may remain archived after TopQuadrant deletes the information from its active database. TopQuadrant maintains these archives for disaster recovery, legal, administrative and other non-marketing purposes.

E. HOW WE USE COOKIES AND OTHER TRACKING TECHNOLOGIES

1. We may collect information about your use of the Services through tracking technologies such as cookies and web beacons. A "cookie" is a unique numeric code that is transferred to your computer to track your interests and preferences and to recognize you as a return visitor. A "Web beacon" is a transparent graphic image placed on a Web site, e-mail or advertisement that enables the monitoring of things such as user activity and site traffic.
2. We and third-parties with whom we work use cookies and web beacons on the Services to improve user experience, to help remember your preferences and allow us to bring you the content and features that are likely to be of interest to you, and to analyze the use of our Services and to improve the Services' functionality, which may result in those third parties collecting information about your online activities over time and across different Web sites when you use the Services. One of the ways we do this is through the use of Google Analytics. For more information about how Google Analytics uses and processes data, please visit <https://www.google.com/policies/privacy/partners/>.

F. HOW WE PROTECT AND STORE YOUR PERSONAL INFORMATION

1. TopQuadrant has security measures in place that have been reasonably designed to protect against the loss, misuse and alteration of your Personal Information under our control. While we cannot guarantee that loss, misuse or alteration to data will not occur, we take reasonable precautions to prevent such unfortunate occurrences. However, TopQuadrant accepts no liability for any unintentional disclosure.
2. You acknowledge and agree that Personal Information or data that TopQuadrant has received may be stored and used on TopQuadrant's servers in the United States and in any other countries in which we or our third-party service providers maintain facilities. By your use of the Services, you acknowledge that we may transfer your Personal Information to, and store your Personal Information in, jurisdictions which may have different data protection rules than in your country.
3. You represent and warrant that you have the right and ability to provide TopQuadrant with the data as described in the Privacy Policy (including any third party data) and that no data infringe any patent, copyright or any other proprietary rights of a third party, nor violates any applicable data protection laws.

G. LINKS, DISCUSSION FORUM AND PUBLIC AREAS

1. Our site may contain links to other sites, including ones that display our trademarks and name amongst other organizations. TopQuadrant assumes no responsibility for the content or the privacy policies and practices of such Web sites. TopQuadrant



encourages you to read the privacy statements of these linked sites; their privacy practices may differ from ours. Please remember that any information you submit in a discussion forum, message board or other such area will be deemed public information and is not confidential. There is a risk in such communication venues that information can be collected and used by others. Please be careful and responsible when you are online.

H. YOUR CHOICES

1. We provide you with certain choices with regard to your Personal Information. For example, you can choose not to give us the Personal Information we request, as described in Section C.1 of this Privacy Policy. However, in some cases, if you decide not to provide the information we request, we will not be able to provide the service or information you requested.
2. You can browse our Sites without registering or directly submitting any information to us. We may collect some limited information automatically, as described in Section C.2 of this Privacy Policy.
3. You may opt out of receiving our email messages at any time by using the opt-out mechanism provided in the message.
4. You may change your browser settings or take other steps to block, manage, or delete cookies. Our Services do not currently respond to browser “do not track” signals, so you will need to use your browser settings to effectively manage cookies. In some cases, blocking or disabling cookies may cause the Services not to work as intended and some features may not be available.

I. CHILDREN’S PERSONAL INFORMATION

1. The Services are not directed to children under the age of 13, and we do not knowingly collect information from children under the age of 13. TopQuadrant assumes products purchased through credit card means are purchased by adults.

J. CONTACT INFORMATION

TopQuadrant welcomes your comments and questions regarding our information handling practice and this Privacy Policy. You may contact us by e-mail at privacy@TopQuadrant.com or via postal mail at TopQuadrant, Inc., 930 Main Campus Drive, STE 300, Raleigh NC 27606, Attention: TopQuadrant Privacy.

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