

## **TVU Networks Privacy Notice**

TVU Networks, Inc. (“TVU Networks”) values the privacy of its users, customers, subscribers, members, and others (collectively or individually, “Users”) who use its platform, consisting of web sites, services, software applications and networks that allows for the authorized broadcasting and viewing of digital content over the internet (the “TVU Networks Platform”). The TVU Networks Platform includes software for broadcasting of authorized digital content (the “TVU Broadcasting Application”) and receiving broadcasts of authorized digital content (the “TVUPlayer”) over the internet (collectively, the “TVU Networks Applications”).

This Privacy Notice is incorporated into and is subject to the TVU Networks [Terms of Service](#). Your use of TVU Networks and any personal information you provide on TVU Networks remain subject to the terms of this Privacy Notice and our [Terms of Service](#).

By using the TVU Networks Platform, you expressly consent to the information handling practices described in this notice.

**NEVER DISPLAY ANY PERSONAL INFORMATION ON THE TVU NETWORKS PLATFORM THAT COULD BE USED TO FIND YOU IN THE REAL, OFF-LINE, WORLD – for example, your full real name, mailing or home address, or phone numbers.**

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### **The Information TVU Networks Collects:**

- **“Personally Identifiable Information”**: You may provide to TVU Networks, through registering for and using the TVU Networks Platform, what is generally called “personally identifiable” information (such as your name, username, email address, postal mailing address, home/mobile telephone number, credit card number and billing information, etc.).

If you post personally identifiable or other personal information on the TVU Networks Platform, then the promises made by TVU Networks in this Privacy Notice may not apply to that information because TVU Networks won’t have control over who sees and who may collect the information that you make *publicly* available.

- **“Public Profile Information”**: You may choose to post certain information to your public “profile” on the TVU Networks Platform such as your date of birth, general location, interests, occupation, web site URLs, videos, blogs, IM addresses, and comments.
- **“Cookies” Information**: When you use the TVU Networks Platform, we may send one or more cookies – small text files containing a string of alphanumeric characters – to your computer. TVU Networks may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your browser on subsequent visits to the TVU Networks Platform. Persistent cookies can be removed. Please review your web browser “Help” file to learn the proper way to modify your cookie settings. **[Discuss uses of cookies]**
- **“Automatically Collected” Information**: When you use the TVU Networks Platform or open one of our HTML emails, TVU Networks may automatically record certain information from your system by using different types of tracking technology, including “clear gifs” or “web beacons.” This “automatically collected” information may include Internet Protocol address (“IP Address”), a unique device or user ID, system type, the services or web pages that you visit just before or just after the TVU Networks Platform, the content and pages that you access on the TVU Networks Platform, and the dates and times that you visit the TVU Networks Platform. **[Discuss collection of Automatically Collected Information and use of tracking technology, “clear gifs,” “web beacons,” etc.]**

#### **The Way TVU Networks Uses Information:**

- **IF YOU CHOOSE TO CREATE A PUBLIC PROFILE ON THE TVU NETWORKS PLATFORM, YOU WILL POST, AT YOUR OPTION, CERTAIN PERSONAL INFORMATION THAT WILL BE *PUBLICLY DISPLAYED* TO OTHER USERS.**
- TVU Networks uses all of the information that you provide or that we collect to operate, maintain, enhance, and provide to you all of the features and services found on the TVU Networks Platform. TVU Networks will use your email address, without further consent, for administrative purposes such as sending to you account activation and “welcome” emails, notifying you of major TVU Networks Platform updates, for customer service purposes, to address copyright infringement, defamation, or User safety issues, or to contact you regarding any of your uses of the TVU Networks Platform.
- TVU Networks uses Automatically Collected Information and Cookies to: (a) automatically update the TVU Networks Applications on your system; (b) remember your information so that you will not have to re-enter it during your visit or the next time you access the TVU Networks Platform; (c) provide customized third-party content, advertisements, and information; (d) monitor the effectiveness of third-party marketing campaigns; (e) monitor aggregate usage metrics such as total number of visitors and features used; and (f) track your entries, submissions, and status in any promotions or other activities.
- TVU Networks will not use your email address or other personally identifiable information to send promotional or marketing messages without your consent or except as part of a specific program or feature for which you will have the ability to opt-in. **[Discuss: confirm opt-in / opt-out approach and discuss policies with regard to dissemination of commercial messages to Users.]**

#### **When TVU Networks Discloses Information:**

- **TVU Networks does not share your personally identifiable information with other organizations for their *marketing* or *promotional* uses without your express consent.** Please be aware, however, that any personally identifiable information that you voluntarily choose to display on the TVU Networks Platform – such as when you publish video credits or profile information – becomes publicly available and may be collected and used by others without restriction.
- **[Discuss: additional third-party disclosure scenarios?]**
- TVU Networks may disclose Automatically Collected and other aggregate non-personally-identifiable information with interested third parties to assist such parties in understanding the usage, viewing, and demographic patterns for certain programs, content, services, advertisements, promotions, or other functionality on the TVU Networks Platform. **[Discuss: confirm whether applicable now or in the near future, e.g., major content partners or distribution partners.]**
- TVU Networks may disclose User information to affiliated companies or other businesses or persons who provide web site hosting, maintenance and security services, fulfill orders; conduct data analysis and create reports, offer certain functionality and that assist TVU Networks in improving the TVU Networks Platform and creating new site features for the TVU Networks Platform. We require that these parties process such information in compliance with this Privacy Notice, we authorize only a limited use of such information, and we require these parties to use appropriate confidentiality measures. **[Note: confirm use of NDAs and/or sufficient confidentiality, data security, and related indemnification provisos in any applicable vendor contracts.]**
- TVU Networks may disclose User information if required to do so by law or in the good-faith belief that such action is necessary to comply with state and federal laws (such as U.S. Copyright law) or respond to a court order, judicial or other government subpoena, or warrant. In some cases, we may make such disclosures without providing notice to Users. **[Note: discuss “informational-subpoenas” that may be received over copyright / DMCA issues.]**
- TVU Networks also reserves the right to disclose User information that we believe, in good faith, is appropriate or necessary to take precautions against liability; protect TVU Networks from fraudulent, abusive, or unlawful uses; to investigate and defend ourselves against third-party claims or allegations; to assist government enforcement agencies; to protect the security or integrity of the TVU Networks Platform; and to protect the rights, property, or personal safety of TVU Networks, our Users, or others.

### **Your Choices:**

You may, of course, decline to share your personally identifiable information with TVU Networks, in which case TVU Networks will not be able to provide to you some of the features and functionality found on the TVU Networks Platform. **You may update, correct, or delete your User profile information and email subscription information and preferences at any time by going to the [“edit profile”](#) section of the TVU Networks Platform and following the applicable menu choices.** Please note that upon deletion of your account or profile information, that some of your personally identifiable information, including billing and contact information, may remain in TVU Networks’ systems for some limited period of time.

To protect your privacy and security, we take reasonable steps to verify your identity before granting you account access or making corrections to your information. HOWEVER, YOU ARE RESPONSIBLE FOR MAINTAINING THE SECRECY OF YOUR UNIQUE PASSWORD AND ACCOUNT INFORMATION AT ALL TIMES.

### **Advertisers:**

TVU Networks allows other companies, called third-party ad servers or ad networks, to serve advertisements within the TVU Networks Platform. These third-party ad servers or ad networks may use technology to send, directly to your browser, TVUPlayer, or TVU Broadcasting Application, the advertisements that appear on the TVU Networks Platform and they may automatically receive your IP Address and other log file information when this happens. Such third-party ad servers or ad networks may also use other technologies (such as cookies, javascript, or web beacons) to measure the effectiveness of their advertisements and to personalize their advertising content.

TVU Networks does not provide your personally identifiable information to these third-party ad servers or ad networks without your consent. However, please note that if an advertiser asks TVU Networks to show an advertisement to a certain audience (for example, males aged 24) or audience segment (for example, males aged 24 who have viewed certain types of content) and you respond to that advertisement, the advertiser or ad-server may conclude that you fit the description of the audience that they were trying to reach.

You should consult the respective privacy policies of these third-party ad servers or ad networks. This Privacy Notice does not apply to, and we cannot control the activities of, such other advertisers or web sites. TVU Networks reserves the right to add or remove third-party ad networks or ad servers in its discretion and TVU Networks may not at all times list such updated ad network or ad server partners in this Privacy Notice. **[Discuss: confirm current and expected future approach regarding advertising on the service.]**

Currently, TVU Networks has relationships with the following third-party ad servers or ad networks: **[Note: The “best practice” is to list third-party advertising partners to the extent feasible. Confirm / discuss whether applicable at this time.]**

### **Other Sites and Services**

The TVU Networks Platform may contain links to websites or online services operated by third parties. When you follow a link to a third-party website or online service, the information you provide to that third party will be subject to the privacy policy of that third party and not this Privacy Notice. TVU Networks is not responsible for the use or disclosure of any information that you provide to these third parties accessed from links on the TVU Networks Platform.

### **Our Commitment to Data Security:**

TVU Networks uses commercially reasonable physical, managerial, and technical safeguards to preserve the integrity and security of your **non-public** personal information. We cannot, however, ensure or warrant the security of any information you transmit to TVU Networks, and you do so at your own risk. Once we receive your transmission of such information, TVU Networks makes commercially reasonable efforts to ensure the security of our systems. HOWEVER, PLEASE NOTE THAT THIS IS NOT A GUARANTEE THAT SUCH INFORMATION MAY NOT BE ACCESSED, DISCLOSED, ALTERED, OR DESTROYED BY BREACH OF ANY OF OUR PHYSICAL, TECHNICAL, OR MANAGERIAL SAFEGUARDS. WE CANNOT ENSURE OR WARRANT THE

SECURITY OF ANY INFORMATION THAT YOU TRANSMIT TO TVU NETWORKS, AND YOU DO SO AT YOUR OWN RISK.

If TVU Networks learns of a security systems breach, then we may attempt to notify you electronically so that you can take appropriate protective steps. TVU Networks may post a notice on the TVU Networks Platform if a security breach occurs. Depending on where you live, you may have a legal right to receive notice of a security breach in writing. To receive a free written notice of a security breach you should notify us at [privacy@tvunetworks.com](mailto:privacy@tvunetworks.com). **[Note: Please note Federal Trade Commission (FTC) actions relating to significant failures to implement standard data security measures, In the Matter of DSW, Inc., FTC File No. 052 3096, Dec. 1, 2005 (The FTC charged that DSW engaged in a number of practices that, taken together, failed to provide reasonable and appropriate security for sensitive customer information.) In addition, please note California and other state laws requiring various forms of notification upon a security breach.]**

### **Our Commitment to Children's Privacy:**

IF YOU ARE UNDER 13 YEARS OF AGE, THEN PLEASE DO NOT USE OR ACCESS TVU NETWORKS AT ANY TIME OR IN ANY MANNER.

Protecting the privacy of young children is especially important. For that reason, TVU Networks does not knowingly collect or maintain personally identifiable information from persons under 13 years-of-age. If TVU Networks learns that personally-identifiable information of persons less than 13-years-of-age has been collected on the TVU Networks Platform, then TVU Networks will take the appropriate steps to delete this information.

If you are the parent or legal guardian of a child under 13 who has become a TVU Networks Platform User, then please contact [TVU Networks to have that child's account terminated and information deleted](#).

Following are some resources that may help parents and legal guardians in monitoring and limiting your childrens' access to certain types of material on the Internet. While TVU Networks does not endorse these products, we provide information about them as a public service to our community.

- § ["OnGuard Online"](#), maintained by the Federal Trade Commission.  
<<http://onguardonline.gov/socialnetworking.html>>
- § [WiredSafety](#) <<http://www.wiredsafety.org/>>
- § [Netsmartz.org](#) <[www.netsmartz.org](http://www.netsmartz.org)>
- § [The Child Safety Network](#) <<http://www.csn.org/index.jsp>>
- § [Control Kids](#) <<http://www.controlkids.com>>
- § [Cyber Sitter](#) <<http://www.solidoak.com>>
- § [Net Nanny](#) <<http://www.netnanny.com>>

### **International Visitors:**

For Users using the TVU Networks Platform from the European Economic Area, the Asia-Pacific Region, or other non-U.S. territories, please note that any data you provide on the TVU Networks Platform will be transferred outside the European Economic Area, the Asia-Pacific Region, or those other territories for use by TVU Networks and its affiliates for any of the purposes described in this Privacy Notice. In addition, because TVU Networks operates globally, we make your information available to our worldwide business units and affiliates. By providing information to TVU

Networks you expressly consent and agree to the transfer, storage, and use of your information as described in this paragraph and Privacy Notice.

**[Discuss: territories / countries with concentrations of TVU Networks users to focus privacy analysis. Consider applicable third-party seals and/or safe harbor programs.]**

**In the Event of Merger or Sale:**

In the event that TVU Networks is acquired by or merged with a third-party entity, TVU Networks reserves the right, in any of these circumstances, to transfer or assign the information that we have collected from Users as part of such merger, acquisition, sale, or other change of control.

**Changes and Updates to this Privacy Notice:**

This Privacy Notice may be revised periodically without further notice to you and this will be reflected by the “last modified” notice below. Please revisit this page to stay aware of any changes. In general, we only use your personal information in the manner described in the Privacy Notice in effect when we received that personal information.

For revisions to this Privacy Notice that may be materially less restrictive on our use or disclosure of personal information you have provided to us, we will make reasonable efforts to notify you and obtain your consent before implementing revisions with respect to such information.

**[Note: A key component of the FTC privacy initiative is ensuring that companies keep the promises they make to consumers about privacy and, in particular, the precautions that companies take to secure consumers’ personal information, see In the Matter of Gateway Learning Corp., FTC File No. 042 3047, Sep. 10, 2004 (FTC charged that, despite promises made in its public privacy policy, Gateway Learning rented personal information provided by consumers – including their names, addresses, phone numbers, and age ranges and gender of their children – to target marketers to send mailings and make telemarketing calls.)]**

Your continued use of TVU Networks constitutes your agreement to this Privacy Notice and any future revisions.

**Effective Date, Date Last Modified:**

TVU Networks Privacy Notice effective as of [REDACTED], 200[REDACTED].

TVU Networks Privacy Notice last modified on December [REDACTED], 2006.

**[Note: Effective date required by California Business & Professions Code §§ 22575-22578. In the future, we would revise the “last modified” date for each material revision to the notice.]**  
**{TVU Networks: we should include a prominent notice on the web site that the privacy policy has been updated – in any case, the hyperlink to the privacy notice should be ‘prominent,’ at least all CAPS.}**

**TVU Networks Contact Information:**

Please contact TVU Networks with any questions or comments about this Privacy Notice, your personal information, our third-party disclosure practices, or your consent choices by email at [privacy@tvunetworks.com](mailto:privacy@tvunetworks.com) or by postal mail at [REDACTED]. We will respond to your

inquiry within 30 days of its receipt. **[Note: California “shine the light” law, Notice of Information-Sharing Disclosure. Consider creating a distinct email address to handle privacy inquiries, e.g., [privacy@tvunetworks.com](mailto:privacy@tvunetworks.com).]**

**[Note: consider applying for a Truste ([www.truste.org](http://www.truste.org)) or BBBOnline ([www.bbbonline.org](http://www.bbbonline.org)) privacy seals.]**