

## **General Privacy Policy**

TxVia, Inc. ("we" or "us") recognizes the importance of respecting the privacy of those who visit the txvia.com web site (the "site"). We believe it is important for you to know how we treat the information about you that we receive during your visits to the site. This General Privacy Policy is designed to assist you in understanding how we collect, disclose, and safeguard various types of information, including the personally identifiable information you provide to us via the site.

This General Privacy Policy applies only to the information that we collect on the txvia.com site and not to any information that we collect through other methods or sources, including sites owned or operated by our affiliates, vendors, or partners. Please note that when you link from our site to other web sites, this General Privacy Policy no longer applies. Please also note that different, more detailed, policies may apply to certain portions of the site. Those policies are available when you visit the applicable portions of our site.

You acknowledge that, by accessing or using our site, you agree to be bound by all of the terms and conditions of use pertaining to the site, including this General Privacy Policy. If you do not agree to this General Privacy Policy, please do not access or use this site.

We reserve the right to change this General Privacy Policy at any time. Such changes, modifications, additions, or deletions shall be effective immediately upon posting thereof on the site. You acknowledge and agree that it is your responsibility to review this site and this General Privacy Policy periodically, and to be aware of any modifications. Your continued use of the site after such modifications will constitute your: (a) acknowledgment of the modified General Privacy Policy; and (b) agreement to abide and be bound by the modified General Privacy Policy.

### 1. Types of Information Collected

We collect two types of information about our website users: Personally Identifiable Information and Non- Personally Identifiable Information. Our primary goal in collecting information from you is to provide you with a smooth, efficient, and customized experience while using our site.

**Personally Identifiable Information:** This refers to information that lets us know the specifics of who you are. When you engage in certain activities on this site, such as registering for our mailing list or sending us feedback, we may ask you to provide certain information about yourself by filling out and submitting an online form. It is completely optional for you to engage in these activities; however, we may ask that you provide us personal information, such as your first and last name, mailing address (including zip code), e-mail address, employer, job title and department, telephone and facsimile numbers, and other personally identifying information. Depending upon your activity, some of the information we ask you to provide is identified as mandatory. If you do not provide the mandatory data with respect to a particular activity, you will not be able to engage in that activity.

Non-Personally Identifiable Information: This refers to information that does not by itself identify a specific individual. We gather certain information about you based upon where you visit on our site in several ways. This information is compiled and analyzed on both a personal and an aggregated basis. This information may include the Web site's Uniform Resource Locator ("URL") that you just came from, which URL you next go to, what browser you are using, and/or your Internet Protocol ("IP") address. A URL is the global address of documents and other resources on the World Wide Web. An IP address is an identifier for a computer or device on a Transmission Control Protocol/Internet Protocol ("TCP/IP") network, such as the World Wide Web. Networks like the Web use the TCP/IP protocol to route information based on the IP address of the destination. In other words, an IP address is a number that is automatically assigned to your computer whenever you are surfing the Web, allowing Web servers to locate and identify your computer. Computers require IP addresses in order for users to communicate on the Internet.

## 2. Collection Methods and Use of Information

We do not collect any Personally Identifiable Information about you unless you voluntarily provide it to us. We will primarily use your Personally Identifiable Information to provide our services to you, as requested by you or as required by any agreements between us and you. We will also use Personally Identifiable Information to enhance the operation of our site, fill improve our marketing and promotional efforts, statistically analyze site use, improve our product and service offerings, and customize our site's content, layout, and services. We may use Personally Identifiable Information to deliver information to you and to contact you regarding administrative notices. We may also use Personally Identifiable Information to resolve disputes, troubleshoot problems, and enforce agreements with you, including our web site Terms of Use, and this General Privacy Policy.

In addition, we may also collect, or our third-party ad server and/or content server may collect, certain Non-Personally Identifiable Information. Our servers automatically collect certain site use information each time you visit the site. The site use information includes but is not limited to the following: the domain names, operating system in use (e.g., Macintosh, Windows), browser (e.g., Netscape, Internet Explorer) and version, the web site that referred you to us, and other similar information. This information may be aggregated to measure the number of visits, average time spent on the site, pages viewed, time and date of visits, and other similar information. We may use and disclose site use information, for example, to measure the use of our site, explain the utility of our site, and to improve the content of our site.

We also make use of "cookies" on this site. A cookie is a small piece of data that our web site can send to your browser, which may then be stored on your computer. One of the ways we use cookies is to identify computers that are being used to make visits to our web site. We also may customize, monitor, or regulate the use of our site based on information stored in the cookie or host server. In addition, we use session cookies to recognize the user when moving from page to page in our site. By using this site, you consent to the use of our cookies.

### 3. Release of Information

We may disclose Personally Identifiable Information to our affiliates. We may also disclose Personally Identifiable Information to third parties that partner with us or provide services for us, and to other third parties as permitted by law. Currently, our disclosure of Personally Identifiable Information is limited to the following purposes:

- understanding the use of our site and making improvements;
- administering a mailing list for customers that have registered for such list;
- responding to requests from or providing any necessary notices to you;
- protecting the security or integrity of our site; and
- otherwise administering or managing the site software.

We will encourage our service partners to adopt and post privacy policies. However, the use of your Personally Identifiable Information by our service partners is governed by the privacy policies of those service partners and is not subject to our control.

Occasionally, we may be required by law enforcement or judicial authorities to provide Personally Identifiable Information to the appropriate governmental authorities. We will disclose Personally Identifiable Information upon receipt of a court order or subpoena or to cooperate with a law enforcement investigation. We fully cooperate with law enforcement agencies in identifying those who use our services for illegal activities. We reserve the right to report to law enforcement agencies any activities that we in good faith believe to be unlawful.

We may also provide Non-Personally Identifiable Information about our customers' sales, traffic patterns, and related site information to third-party advertisers, but these statistics do not include any Personally Identifiable Information.

### 4. Updating and Correcting Information

You can access and modify certain personal information stored on the txvia.com site, such as your name, phone number, email address, and mailing address, by contacting us via email at [info@txvia.com](mailto:info@txvia.com).

We retain information provided to us indefinitely unless otherwise stated. In addition, we will keep some personal information you have asked us to remove for the following purposes:

- Troubleshoot problems
- Assist with investigations
- Enforce our Web site rules
- Comply with legal requirements

Therefore, you should not expect that all of your Personally Identifiable Information will always be completely removed from our databases in response to your requests.

## 5. User Choices on Collection and Use of Information

We may, from time to time, send you e-mail regarding our products and services. In addition, if you signed up for our mailing list, we may occasionally send you direct mail about products and services that we feel may be of interest to you. Only TxVia (or agents working on behalf of TxVia) will send you these direct mailings and only if you indicated that you do not object to these offers. If you do not want to receive such e-mails or mailings, simply tell us when you give us your personal information. Or, at any time, you can modify your account information to no longer receive such offers and mailings.

You also have choices with respect to cookies. By modifying your browser preferences, you have the choice to accept all cookies, to be notified when a cookie is set, or to reject all cookies. If you choose to reject all cookies, some parts of our site may not work properly.

## 6. Security of Information

We believe that keeping Personally Identifiable Information secure is one of our most significant responsibilities. We restrict access to Personally Identifiable Information about you to those employees and others who need to know that information to assist us in our business or to provide products or services to you. We safeguard Personally Identifiable Information according to established security standards and procedures, by maintaining physical, electronic, and procedural safeguards for the information.

Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your Personally Identifiable Information, you acknowledge that: (a) there are security and privacy limitations of the Internet which are beyond our control; (b) the security, integrity, and privacy of any and all information and data exchanged between you and us through this site cannot be guaranteed; and (c) any such information and data may be viewed or tampered with in transit by a third party.

## 7. Privacy Policies of Third-Party Sites

When you use a link to go from this site to a web site operated by a third party, this General Privacy Policy is no longer in effect. We are not responsible for the privacy practices employed by third party web sites linked to or from our site, nor for the information or content contained therein.

## 8. Miscellaneous

We do not collect or maintain information at our Site from those we know are under 13 years old, and no part of our web site is designed to attract anyone under 13 years old.

If you have any questions about this General Privacy Policy, the practices of this site, or your dealings with this site, please contact us by sending a letter to:

TxVia, Inc.  
Attn: Compliance  
340 Madison Avenue, 3rd Floor  
New York, NY 10017

You may also contact us by e-mail at [info@txvia.com](mailto:info@txvia.com).

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