

Privacy Policy

INTRODUCTION AND OVERVIEW

Upward Mobile (“Upward Mobile,” “**we**,” “**our**,” or “**us**”) is committed to protecting your privacy. This Privacy Policy is provided to help you better understand the kinds of information Upward Mobile collects from and about you when you visit our Website (“Site”), use our mobile applications (each an “App”) and use our online services, devices, products, or services (collectively referred to as the “Services”).

This Privacy Policy applies to you and anyone who a) applies for Wireless Services or government benefits available for eligible applicants in conjunction with our Services; and/or b) uses our Services under your account, except where we identify for you that separate terms and conditions apply.

Please take a moment to review the full terms of our Privacy Policy below, because by accessing and using the Site containing a link to this Privacy Policy, or by using our Services where a link to this Privacy Policy is provided, you agree to the terms and conditions of this Privacy Policy and any updates we make to it. If you do not agree to the terms and conditions of this Privacy Policy, then please do not provide us with your information. Please note, however, that if you choose to limit the information that you provide to us while using the Site, you may not be able to use or participate in certain features of the Site.

This Privacy Policy is part of the Terms and Conditions and Agreement to Arbitrate Disputes and Judge or Jury Trial Waiver governing the use of our Services, available at <https://upwardmobile.net/>. To the extent that any provision or clause in our Terms and Conditions conflicts with any provision or clause in this Privacy Policy or a specific service plan we offer, the terms of those more specific documents will govern.

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1. DEFINITIONS

“Call Detail Information” means any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call.

“Device” means any phone, smartphone, tablet, accessory, or other device provided or sold to you by us or that you activate or use with our Services.

“Geolocation Data” means any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area.

“Precise Geolocation” means any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area that is equal to or less than the area of a circle with a radius of 1,850 feet, except as prescribed by law or regulation.

“Personal Information” is information that identifies you or is reasonably capable of being associated with or linked, directly or indirectly, with you or your household. It does not include aggregate, de-identified, and/or anonymous information that is not reasonably capable of being associated with or linked, directly or indirectly, with you or your household.

“Services” means voice telephony (“talk”), text messaging (“text”), broadband Internet access services (“data”), and any other services provided to you by us, services and devices subject to Affordable Connectivity Program discounts, and prepaid wireless service.

“Underlying Carrier” means the wireless provider whose facilities we use to provide you wireless Services.

2. TYPES OF PERSONAL INFORMATION WE COLLECT ABOUT YOU

Depending on how you interact with us or our Services, we may collect the following categories of Personal Information from or about you, including, for example:

- **Identifiers**, such as your name, address, e-mail address, telephone number, date of birth, internet protocol (“IP”) address, social security number, account name, username(s), social security number, driver’s license number, state identification card number, passport number, cookies, Electronic Device Identifiers such as “IMEI” (International Mobile Equipment Identity) and “ICCID” (Integrated Circuit Card Identifier).
- **Information in customer records**, such as your name, address, social security number, driver’s license or state ID card number, passport, phone number, insurance policy number, education, employment, bank account number, financial information.
- **Financial information associated with you**, such as your credit card, debit card, purchase and order history, and billing information related to your use of our voice and text services; documentation of participation in an eligible government low-income or financial assistance program, documentation demonstrating proof of income, or your Social Security number, each of which will only be used to determine Affordable Connectivity Program (“ACP”) eligibility.
- **Characteristics of protected classifications under State or Federal law**, such as Tribal status (e., National Origin, Ancestry in California) to determine ACP eligibility.

- **Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies**, such as your purchase and order history, frequency of use, and quantity of use, your interaction with our communications and advertisement, broadband usage, your activity on your Device, and Customer Proprietary Network Information (“CPNI”), as described in the CPNI section below.
- **Biometric information**, such as interactive voice control communications with our customer service system, and recorded audio interactions with our customer service representatives.
- **Internet or other electronic network activity information**, such as information about your use of the Services, including the date and time of your use, frequency of use, and quantity of use, your interaction with our communications and advertisement, broadband usage, your activity on your Device, CPNI as described in the CPNI section below, your internet protocol (“IP”) address, browser type, operating system, software version, Device type, Device model, and Electronic Device Identifiers (IMEI and ICCID).
- **Geolocation Data**, such as the location of your Device when it is connected to our network and our Underlying Carrier’s network.
- **Audio, electronic, visual, thermal, olfactory, or similar information**, such as interactive voice control communications with our customer service system, and recorded audio interactions with our customer service representatives.
- **Professional or employment-related information**, such as employment status.
- **Sensitive Personal Information**, such as your social security number, driver's license number, state Identification card number, and/or passport number; your login, 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.

3. THE PERSONAL INFORMATION WE COLLECT

We may obtain Personal Information about you in the following ways:

3.1. Personal Information You Provide Directly to Us

You may give us Personal Information, such as Identifiers, Information in customer records, Financial information associated with You, Professional or employment-related

information, and Sensitive Personal Information, including when you apply for, subscribe to, or purchase our Services; communicate with us using our contact information; or provide us with your Device when you relinquish, exchange, return, or recycle your Device or provide it to us, our contractors, or our vendors for maintenance.

3.2. Personal Information Automatically Collected from You

We, our service providers, or contractors may automatically or passively collect Personal Information, such as Internet or other electronic network activity information when you use or interact with our Services, including through the use of network management technology and third-party analytics and advertising tools, which may use cookies, web beacons, pixel tags, log files, local shared objects (Flash cookies), HTML5 cookies, or other technologies to automatically or passively collect information about your use of and interaction with the Services.

Upward Mobile may use standard technology called cookies on this Site. Cookies are small data files that are downloaded onto your computer when you visit a particular web site. You can disable cookies by turning them off in your browser, however, some areas of this Site may not function properly if you do so. We use cookies to recognize you as a customer, to help track usage to help us understand which parts of the Site are the most popular, where our visitors are going, and how much time they spend there, to make usage of the Site even more rewarding as well as to study the effectiveness of our customer communications and to customize each visitor's experience and provide greater convenience. We may transfer your Personal Information to third-party service providers in order to help us analyze usage, as discussed in further detail below.

3.3. Personal Information We Receive from Third Parties

We may collect any category of Personal Information from affiliates, business partners, federal and state regulators, subsidy program administrators, compliance and service support entities, or third parties (such as social media platforms, data aggregators, public databases, and other commercially available sources), which may include the information you provide those entities or that they automatically collect from you.

Please note that the information we may receive from those third-party sites (such as Facebook, Instagram, Twitter and YouTube) is governed by the privacy settings, policies and/or procedures of the applicable platform, and we strongly encourage you to review them before submitting any information using a social media platform.

We may combine the various types of Personal Information we receive from or about you, including information you provide to us, information we automatically collect, and information from other sources, and use it as described in this Privacy Policy.

4. HOW WE USE PERSONAL INFORMATION WE COLLECT ABOUT YOU

Except as otherwise prohibited by law or regulation, and subject to applicable instructions from you to us, we may use your Personal Information for a variety of business and commercial purposes, including for:

- **Verifying Eligibility and Subscribing You to Our Services.** To verify your identity and eligibility for the ACP and subscribe you to our Services, including to execute requests to port your phone number.
- **Providing, Improving, and Maintaining Our Services.** To provide, improve, and maintain our Services, including to: initiate and render our Services; maintain the accuracy of the information we collect; track, measure, and analyze the usage and operations of our Services; maintain, manage, optimize, and resolve problems with our wireless networks, information technology, and our Services; develop and improve our business, content, products, and Services; and interact with third-party services, at your request.
- **Customer Service.** To respond to questions and comments about your account and Services, to communicate with you about your account status and technical issues, and for training or quality assurance purposes.
- **Billing and Payments.** To complete your purchases, including billing and payment processing, which may involve the use of cookies.
- **Preventing and Detecting Unlawful and Unauthorized Use.** To prevent and detect fraud, abuse, and other unlawful and unauthorized use of our Services, including to investigate possible violations of and enforce our Terms and Conditions and any other contracts, and to otherwise protect the security or integrity of the Services, our business and property, and our rights and interests, and those of you, our other customers, our service providers or contractors, and other businesses.
- **Complying with Legal and Regulatory Obligations.** To comply with our legal and regulatory obligations, including responding to legal process, such as subpoenas, court orders, and search warrants.
- **Emergency Situations.** To allow responses to 911 requests and for other emergencies or exigencies in cases involving danger of death or serious physical injury to you or any other person.

- **Marketing and Advertising.** To serve you promotional offers, content, advertisements, and other marketing about our Services, or those of our affiliates, partners, and third parties, through our website, applications, social media, direct mail, email, or manual, autodialed, or prerecorded calls and texts, each with your consent, where necessary, including by: personalizing marketing and advertising to your interests (“interest-based advertising”); measuring, analyzing, and optimizing the effectiveness of our marketing and advertising; and using your comments and communications with us about our Services as customer testimonials (with only your first name and your last name initial) or for other purposes that benefit us.
- **Conducting** To administer surveys.

We may use your Personal Information as otherwise disclosed and explained to you at the point of collection and with your consent, where necessary.

5. HOW WE SHARE OR ALLOW ACCESS TO YOUR PERSONAL INFORMATION

Except as otherwise prohibited by law or regulation, and subject to applicable instructions from you to us, we may disclose or allow access to your Personal Information for a variety of business and commercial purposes, including, for example:

- **For Our Business Purposes and to Our Affiliates.** With our parent, subsidiary, and affiliate companies for business, operational, and legal purposes.
- **To Our Service Providers or Contractors in Order to Provide, Improve, and Maintain Our Services.** We use service providers or contractors who may need access to your Personal Information in order to provide services for us. These organizations are contractually required to treat your Personal Information as confidential and to use Personal Information only to provide the services we request of them.
- **Protect Our Services and Users.** With governmental authorities or other entities if we believe disclosure is necessary or appropriate to: protect against fraudulent, malicious, abusive, unauthorized, or unlawful use of our Services; protect our network, databases, Services, Devices, users, and employees from physical or financial harm; and investigate violations of our Terms and Conditions or other contracts.
- **For Identity Verification and Fraud Prevention Services in Order to Protect our Services and Users.** To help protect customers and consumers from fraudulent use

of our Services, we share Personal Information or risk scores derived from such data with banks or other entities that provide us with fraud prevention services.

- **For Legal Process and Protection.** We may disclose Personal Information to governmental authorities or other entities if we believe disclosure is necessary or appropriate, including:
 - to protect against fraudulent, malicious, abusive, unauthorized, or unlawful use of our Services;
 - to protect our network, databases, Services, Devices, users, and employees from physical or financial harm;
 - to investigate violations of our Terms and Conditions or other contracts;
 - to respond to subpoenas, court orders, search warrants, or other legal process;
 - to respond to requests for cooperation from law enforcement or other government entities, including pursuant to the Communications Assistance for Law Enforcement Act (CALEA), which may require that we monitor or facilitate monitoring and otherwise disclose the nature and content of communications transmitted through the Services or Devices without any further notice or liability;
 - to recover payment for previously billed Services;
 - to facilitate or verify the appropriate calculation of taxes, fees, or other obligations due to local, state, or federal governments and governmental agencies; and
 - in emergency situations involving danger of death or serious physical injury to you or any other person, to respond to 911 requests, and for other emergencies or exigencies.
- **In a Business Transfer or Transaction.** We may disclose or transfer Personal Information as part of a corporate business transaction, such as a sale, assignment, divestiture, merger, bankruptcy, consolidation, reorganization, liquidation, or other transfer of the business or its assets. If another entity acquires Upward Mobile or any of our assets, your Personal Information may be transferred to such entity. In addition, if any bankruptcy or reorganization proceeding is brought by or against us, such information may be considered an asset of ours and may be sold or transferred to third parties. Should such sale or transfer occur, we will use reasonable efforts to

try to require that the buyer or transferee use your Personal Information in a manner that is consistent with this Privacy Policy.

- **For Commercial Marketing Purposes.** With our affiliates, service providers, contractors, or marketing partners for our marketing and advertising purposes, including when we use our marketing partner's analytic and advertising tools, such as cookies, web beacons, pixel tags, log files, local shared objects (Flash cookies), HTML5 cookies, or other technologies that automatically or passively collect Personal Information from your use of our Services.

6. HOW YOU MIGHT SHARE YOUR INFORMATION WITH THIRD PARTIES

When using our Services, you may choose to install, access, or use services offered by third parties, such as websites and applications. Please also refer to the Acceptable Use Policy inside our Terms and Conditions, available at <https://upwardmobile.net/>. In some cases, our Services may have links to websites operated by third parties, plugins for social media services, or third-party advertisements.

When you interact with third-party services, you may be consenting to those third parties accessing, collecting, using, or disclosing your Personal Information through our Services or directing us to share or allow access to your Personal Information by those third parties, such as your IP address, browsing activity, or location information. Those services operate independently of our Services, and your Personal Information will be governed by their terms and conditions, including their privacy policies, not this Privacy Policy. We encourage you to review the privacy policies of any third-party services that you use to better understand their privacy practices. You may be able to restrict or disable the use and disclosure of certain information, such as your location information, using settings available on your Device or through the third-party services.

7. YOUR RIGHTS AND OUR OBLIGATIONS RELATED TO YOUR CUSTOMER PROPRIETARY NETWORK INFORMATION

CPNI is information made available to us solely by virtue of our relationship with you that relates to the type, quantity, destination, technical configuration, geolocation data, and amount of use of the telecommunications services you purchase from us, as well as information related to the billing for those services.

CPNI does not include subscriber list information such as name, postal address, or telephone number. Under federal law, you have the right, and we have the duty, to protect

the confidentiality of your CPNI. When we share your CPNI with our service providers or contractors, we require them to take reasonable measures to protect the confidentiality of that information.

We are permitted to use or disclose your CPNI for certain purposes without further notice or consent from you, including: to provide you with our Services; to market service offerings to you related to the services you purchase; to protect us, you, other subscribers, and other carriers from fraud, abuse, or unlawful use of the Services; and in an aggregate form. We also may use your CPNI, or share it with affiliates and third-party agents, for the purpose of offering you communications-related products and services, packages, discounts, and promotions that may be different from the types of services you have already purchased.

You have the right to opt out of use of your CPNI for marketing purposes and can submit an opt-out request by contacting us by calling (513) 322-5785 or filling out the Contact Us form, available at <https://upwardmobile.net/>. Opting out will not affect our provision of Services to you or our use of your CPNI for permitted purposes. If you choose to opt-out, your choice is valid until you choose to opt in. You may also contact us to correct your CPNI or request that we disclose your CPNI to you.

We will not disclose your CPNI except when provided with your password, and we may implement other authentication measures. If you do not provide a password, we may not release your CPNI to you except by sending it to your address of record or by calling you at your telephone number of record. Be sure to use a strong password with our Services and not one you use for other services. We may disclose your CPNI to any “authorized user” that you have designated to us in writing or to any person who is able to provide us with your password.

8. YOUR ADVERTISING CHOICES AND CONSENT OPTIONS

Google Analytics and Google AdWords. We may use Google Analytics on our Sites to help us analyze traffic and improve services. For more information on Google Analytics’ processing of Personal Information, please see <http://www.google.com/policies/privacy/partners/>. You may opt-out of the use of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.

Our Sites also use the Google AdWords remarketing service to advertise on third party websites (including Google) to previous visitors to our site. This could be in the form of an advertisement on the Google search results page or a site in the Google Display Network. Third-party vendors, including Google, use cookies to serve ads based on someone’s past visits to our Sites. Any data we collect will be used in accordance with this Privacy Policy,

and Google is responsible to abide by its own privacy policy. You can set your preferences for how Google advertises to you using the Google Ad Preferences page: <https://adssettings.google.com>.

You have certain choices and consent options related to the use and disclosure of your Personal Information for advertising purposes. Exercising these choices and options will not affect our provision of Services to you. Please note that these choices and options may not prevent you from receiving all advertising; you may continue to receive generic advertising from us or interest-based advertising from third parties, depending on how they operate.

Interest-Based Advertising. You have choices and options concerning interest-based advertising on our Services or across other websites and online services as follows:

- To opt-out of collection and use of your Personal Information for interest-based advertising by companies participating in the Digital Advertising Alliance (“DAA”), please visit optout.aboutads.info or click on the DAA icon when you see it on an online ad.
- To opt-out from the use of Personal Information about your online activities for interest-based advertising by Network Advertising Initiative (“NAI”) member companies, please visit optout.networkadvertising.org.
- To opt-out of the use of your mobile device ID for targeted advertising, please visit www.aboutads.info/appchoices.
- To prevent your Personal Information from being used by Google Analytics to measure and improve marketing and advertising and understand the use of our Services, including through Google AdWords, Google Display Network Impression Reporting, DoubleClick Platform Integrations, and Google Analytics Demographics and Interest Reporting, add the Google Analytics opt-out plugin to your browser, available at tools.google.com/dlpage/gaoptout.
- To manage flash cookies, visit Adobe’s [Global Privacy Settings Panel](#).
- You may be able to adjust your browser, computer, or device settings to disable cookies, remove or prevent the storage of HTML5, or control other advertising and analytics technology to stop or reduce the amount of interest-based advertising you receive, but doing so may prevent you from using certain features of our Services.

Marketing Communications. In accordance with our Terms and Conditions, you provide consent for us to contact you via email, voice call or text, including manual, autodialed, and prerecorded calls and texts. You also provide consent for us to use CPNI for marketing

purposes, as described in the Terms and Conditions. You may limit or revoke these authorizations as follows:

- Call us at (513) 322-5785.
- Unsubscribe from our email communications following the unsubscribe instructions contained within our emails.
- Reply “STOP” to our text messages.

Your instructions to opt-out from these communications will be processed as soon as reasonably practicable. Please note that exercising a marketing opt-out will not affect the services you receive and will not affect our right to contact you about the services to which you subscribe, including notifications regarding compliance obligations related to those services (e.g., non-usage, de-enrollment, and collection notices).

Do Not Track. Because Do Not Track (“DNT”) and similar signals do not yet operate according to common, industry-accepted standards, our Services may not respond to DNT signals.

9. HOW WE STORE, RETAIN, AND PROTECT PERSONAL INFORMATION WE COLLECT ABOUT YOU, AND HOW LONG WE KEEP YOUR PERSONAL INFORMATION

Upward Mobile has implemented technology and security features, such as encryption, to safeguard the privacy of your customer specific information from unauthorized access or improper use and will continue to enhance our security measures as technology becomes available. Unfortunately, there is no such thing as foolproof security on the Internet, and therefore, Upward Mobile makes no guarantees with regard to the sufficiency of our security measures.

We will keep your Personal Information as long as necessary to provide your Services, or as otherwise required by federal or state law, subpoena, or court order.

FCC regulations require us to keep:

- 911 call data for two (2) years.

The Personal Information we collect from or about you is stored on servers which we take commercially reasonable efforts to secure in the United States (“U.S.”), subject to the laws of the U.S. Electronic access to the databases and physical access to the servers on which this Personal Information is stored are restricted to those employees, agents, contractors, service providers, and other third parties who have a business need for such access. They

will only access and use your Personal Information based on our instructions and they are required to keep your Personal Information confidential. While we take reasonable steps to help ensure the integrity and security of our network and servers, we cannot guarantee their security, nor can we guarantee that your communications and information will not be intercepted while being transmitted over our underlying carrier's network or the Internet.

Your Personal Information is stored on servers in the U.S.; however, some of our service providers may store information on servers hosted in other countries. As such, your Personal Information may be subject to the laws of other countries, where the data protection and other laws may differ from those of the U.S. Should your Personal Information be transferred to other countries, we will require our service providers to protect your Personal Information. Your Personal Information may be disclosed in response to inquiries or requests from government authorities or to respond to judicial process in the countries in which we operate.

Upward Mobile may assign you a user ID and a password when you as part of your participation and access to the Site and your account. Only you may use your user ID and password. You may not share your user ID and password with anyone else, and you are solely responsible for maintaining and protecting the confidentiality of your user ID and password. You are fully responsible for all activities that occur under your user ID. You play a role in protecting your information as well.

10. GOVERNING LAW AND NOTICE TO NON-U.S. RESIDENTS

Our Services are solely intended for individuals located within the U.S. and its territories and are subject to U.S. law. If you are located outside of the U.S. and its territories, please do not use the Services.

If you do not reside in the U.S. and provide Personal Information to us, please note that your Personal Information will be transferred, processed, collected, used, accessed and/or stored in the U.S. and subject to U.S. laws. The laws in the U.S. may not provide the same protections for your Personal Information as the jurisdiction in which you are located. Do not provide your Personal Information to us if you do not want this information to be transferred or processed outside of your country, or if the laws in your country restrict such transfers.

11. INFORMATION FROM CHILDREN

Our Services are not directed toward children, and we do not knowingly collect Personal Information from children under the age of 13 (or under the age of 16 in California).

If you are a minor, please do not provide us with any Personal Information or use or access the Services without receiving your parent's or guardian's permission. If we learn that we have collected any Personal Information from a child under the age of 13 (or under the age of 16 in California), we will take steps to delete the information as soon as possible. If you believe that we might have any Personal Information provided by a child under 13 (or under the age of 16 in California), or if you are a parent or guardian of a child under 13 (or under the age of 16 in California) that has provided us with Personal Information without your consent, please contact us by calling (513) 322-5785 or filling out the Contact Us form, available at <https://upwardmobile.net/>.

For clarification, you (as a customer) may provide us information about children within your family, such as school enrollment or school breakfast/lunch documentation, to qualify for the ACP or Lifeline. That information may be collected and stored by our service providers and provided to the Universal Service Administrative Company (USAC).

12. UPWARD MOBILE AND VARIOUS STATE PRIVACY LAWS

We are not subject to the defined scope of many state privacy laws, such as the Virginia Consumer Data Protection Act ("VCDPA"), the Colorado Privacy Act ("CPA") or the Connecticut Data Privacy Act ("CDPA"), and therefore the specific rights and obligations identified in these laws do not currently apply to us. However, residents of these states may refer to these Privacy Policy provisions regarding our current data practices and may contact us regarding data inquiries or further information requests via the Our Contact Information section below. We also recognize that privacy laws continue to evolve rapidly, so we are undertaking reasonable means to monitor developments in these laws and update our policies accordingly.

13. CALIFORNIA RESIDENT PRIVACY RIGHTS

California residents have certain additional rights under the CCPA as described below, to the extent that we:

- (i) generate over \$25 million in annual gross revenue;
- (ii) process the personal information of at least 100,000 California consumers; or

(iii) generate 50% or more of our annual revenues from the sale or sharing of personal information.

You may inquire whether these thresholds have been met by contacting us at (513) 322-5785 or filling out the Contact Us form, available at <https://upwardmobile.net/>. To the extent the threshold has been met, you may exercise these rights.

This section explains how we collect, use, and disclose personal information about users, customers, and visitors who reside in California (“consumers” or “you”). It also explains certain rights afforded to consumers under California’s Shine the Light law and the California Consumer Privacy Act of 2018 (“CCPA”), as revised and updated by the California Privacy Rights Act (“CPRA”). This section uses certain terms that have the meaning given to them in the CCPA including personal information. “Personal Information” for purposes of this Privacy Policy is as defined by applicable laws.

The following section does not apply to individuals who do not live in California on a permanent basis, individuals who do not collect personal information about, or individuals for whom all of the information we collect is exempt from California laws.

13.1. Categories of Personal Information Collected

We may collect (and have collected during the 12-month period prior to the effective date of this Privacy Policy) the above categories of Personal Information about you in the Types of Personal Information We Collect About You section above.

13.2. Sources of Personal Information

During the 12-month period prior to the effective date of this Privacy Policy, have obtained Personal Information about you from the sources identified in The Personal Information We Collect section above.

13.3. Purpose of Collection

We used during the 12-month period prior to the effective date of this Privacy Policy your Personal Information for the business or commercial purposes described in the **How We Use** Personal Information We Collect About You section above.

13.4. Disclosures of Personal Information for a Business Purpose

We may disclose your Personal Information to a contractor or service provider for a business purpose.

When we disclose Personal Information for a business purpose, we enter a contract that prohibits any such contractor or service provider from selling or sharing your Personal

Information. Any such contract requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

During the 12-month period prior to the effective date of this Privacy Policy, we have disclosed the categories of Personal Information about you for a business purpose as described in the **How We Share or Allow Access to Your Personal Information** section above.

13.5. Sale and Sharing of Personal Information

We do not sell or share your Personal Information in exchange for monetary consideration.

However, the definitions of Personal Information, ‘share,’ and ‘sale’ under CCPA are broad. The CCPA defines “sharing” as “communicating orally, in writing, or by electronic or other means, a consumer’s personal information” to “a third party for cross-context behavioral advertising, whether or not for money or other valuable consideration.” We may share your Personal Information with a third party to help serve personalized content or ads that may be more relevant to your interests, and to perform other advertising-related services such as enabling our partners to serve such personalized content.

We do not knowingly sell or share personal information related to children under 16 years of age.

During the 12-month period prior to the effective date of this Privacy Policy, we have shared the following categories of Personal Information as follows:

Category of Personal Information that May Be Shared	Third Parties with Which Personal Information May Be Shared	Purpose for Sharing Personal Information
Identifiers, Internet or Other Similar Network Activity We shared device identifiers and internet and electronic network activity to facilitate online advertising. This means that a unique, resettable number that identifies your device was linked to online activity and shared with others who use that data for advertising and analytics purposes (like advertising networks, data analytics providers, and social media platforms).	Third-party advertising companies that collect information about your visit to our Site and apps using cookies and other web technologies Third-party advertising and social media companies to help them better target our advertising on their sites and apps or display our ads to other potential customers using interest segments they create from your activities across non-affiliated sites and apps.	Targeted advertising/ Cross contextual advertising

13.6. Use and Disclosure of Sensitive Personal Information

We do not use or disclose sensitive personal information about you except as necessary to provide you with our Services, including processing and fulfilling orders and verifying your information, to prevent fraudulent or illegal actions, and for other purposes that are not for the purpose of inferring characteristics about you.

For purposes of this section, “sensitive personal information” is defined as:

Personal information that reveals:

- A consumer’s social security, driver’s license, state identification card, or passport number.
- 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.
- 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.
- A consumer’s genetic data.
- The processing of biometric information for the purpose of uniquely identifying a consumer.
- Personal information collected and analyzed concerning a consumer’s health.
- Personal information collected and analyzed concerning a consumer’s sex life or sexual orientation.

13.7. California Consumer Privacy Rights

Under CCPA, consumers have certain rights regarding their Personal Information, as described below.

- *Right to Know:* The provisions in this Privacy Policy, including **Types of Personal Information We Collect About You, The Personal Information We Collect, How We Use Personal Information We Collect About You, How We Share or Allow Access to Your Personal Information, and Sale and Sharing of Personal**

Information, inform you about the Personal Information we collect from you and how we use it.

- *Right of Access:* You have the right to request, twice in a 12-month period, that we disclose to you the following information about you, limited to the preceding twelve (12) months:
 - The categories of Personal Information that we collected about you;
 - The categories of sources from which the Personal Information was collected;
 - The business or commercial purpose for collecting or selling Personal Information;
 - The categories of third parties with whom we share Personal Information;
 - The specific pieces of Personal Information that we have collected about you;
 - The categories of Personal Information that we disclosed about you for a business purpose or shared with third parties; and
 - For each category of Personal Information identified, the categories of recipients or third parties to which the information was disclosed or with which the information was shared.
- *Right of Deletion:* You have the right to request that we delete any Personal Information about you which we have collected from you, subject to exceptions within the law.
- *Right to Opt-Out:* You have the right to opt-out of the sale or sharing of Personal Information as described in **Sale and Sharing of Personal Information**
- *Right to Limit Use and Disclosure of Sensitive Personal Information:* You may request specific *limitations* on further sharing, use, or disclosure of your Sensitive Personal Information that is collected or processed for “the purpose of inferring characteristics about a consumer.” However, as described in **Use and Disclosure of Sensitive Personal Information** above, we do not collect or process Sensitive Data for this purpose.
- *Right to Correction:* You have the right to request that we maintain accurate *Personal* Information about you and correct any Personal Information about you which we have collected from you, subject to exceptions within the law.

Under California’s “Shine the Light” law, California residents have the right to request in writing, once per year (a) a list of the categories of Personal Information, such as name, e-mail and mailing address and the type of services provided to the customer, that we have disclosed to third parties during the immediately preceding calendar year for the third parties’ direct marketing purposes; and (b) the names and addresses of all such third parties. To request the above information, please contact us as directed in the Our Contact Information section below with a reference to California Disclosure Information.

To opt out of the sale or sharing of your personal information or otherwise take advantage of the foregoing rights, please visit and complete our Do Not Sell My Personal Information/Data Request Form or contact us by calling (513) 322-5785, filling out the Contact Us form, available at <https://upwardmobile.net/>.

13.8. Consumer Requests and Verification

Right to Non-Discrimination

We do not discriminate against you if you exercise any rights described in this section.

Verifying Requests

You may request to exercise your rights under this Privacy Policy by contacting us as described in the Our Contact Information section below. To help protect your privacy and maintain security, we will take steps to verify your identity before processing your request. If you request access to or deletion of your Personal Information, we may require you to provide any of the following information: name, date of birth, email address, telephone number, or postal address. When you make such a request, you can expect the following:

- As required under applicable law, we will verify your identity. You will need to provide us with your email address and full name. We may ask for additional information if needed.
- We will confirm that you want your information accessed, corrected, and/or deleted.
- We will confirm our receipt of your request within 10 days. If you have not received a response within a few days after that, please let us know by contacting us at the webpage or phone number listed below.
- We will respond to your request within 45 days upon receipt of your request. If necessary, we may need an additional period of time, up to another 45 days, but we will reply either way within the first 45-day period and, if we need an extension, we will explain why.

- In certain cases, a request for access, correction, or deletion may be denied. For example, if we cannot verify your identity, the law requires that we maintain the information, or if we need the information for internal purposes such as providing Services or completing an order. If we deny your request, we will explain why we denied it and delete any other information that is not protected and subject to denial.

Authorized Agents

You may designate an authorized agent to request any of the above rights on your behalf. You may make such a designation by providing the agent with written permission, signed by you, to act on your behalf. Your agent may contact us as described in the Our Contact Information section below to make a request on your behalf. Even if you choose to use an agent, we may, as permitted by law, require:

- The authorized agent to provide proof that you provided signed permission to the authorized agent to submit the request;
- You to verify your identity directly with us; or
- You to directly confirm with us that you provided the authorized agent permission to submit the request.

14. NEVADA RESIDENT PRIVACY RIGHTS

We comply with applicable requirements of the Nevada privacy law (Nevada Revised Statutes Chapter 603A), which in some instances provides Nevada residents with choices regarding how we use and share your personal information.

Nevada Personal Information (“Nevada PI”) includes personally identifiable information about a Nevada consumer collected online, such as an identifier that allows the specific individual to be contacted. Nevada PI also includes any other information about a Nevada consumer collected online that can be combined with an identifier to identify the specific individual.

We may collect your telephone number in addition to the categories information we outline in the **Types of Personal Information We Collect About You** section above (which include the Nevada PI categories of first and last name; physical address; email address; and username).

We may share such Personal Information with categories of third parties including federal and state regulators, subsidy program administrators, compliance and service support entities, and marketing entities.

Unaffiliated third parties outside of our control may collect covered information about your online activities over time and across different Internet websites or online services (via, e.g., “cookies”) when you use our Services.

You have the right to request that we not sell your Personal Information. Although we do not currently sell Personal Information, you may submit a request directing us to not sell Personal Information if our practices change in the future. To exercise this right, you may contact us using one of the methods described in the Our Contact Information section below.

15. CHANGES AND UPDATES TO THIS PRIVACY POLICY

We reserve the right to modify this Privacy Policy at any time. When we do, we will post the changes on this page. We will give you notice of any materially adverse changes to this privacy policy and may give you notice of all other changes but reserve the right to make such modifications immediately if required. It is your responsibility to regularly check this page to determine if there have been changes to the Privacy Policy and to review such changes.

The most current version of this Privacy Policy can be viewed by visiting our website and clicking on “Privacy Policy” located at the bottom of the pages. Any changes will take effect immediately. The effective date of this Privacy Policy is stated below. Continued access or use of our Services following the effective date of any changes shall indicate your acceptance of such changes. If you do not agree to the modified provisions of this Privacy Policy, you must discontinue your access and use of the Services.

16. OUR CONTACT INFORMATION

If you have any questions or concerns about this Privacy Policy or how we treat your Personal Information, please contact us using the following information:

Online Form: <https://upwardmobile.net/>

Phone: (513) 322-5785 or 611 from your Device during normal business hours: Monday through Saturday 9 AM – 9 PM EST.

