

## Last updated: May 25, 2014

We, Backy LLC. ("Backy LLC"), are committed to protecting any data that we collect concerning you. By using our services you agree to the use of the data that we collect in accordance with this Privacy Policy. The purpose of this Privacy Policy is to enable you to understand what personal information of yours is collected, how and when we might use or share your information, and how you can correct any inaccuracies in the information. This Privacy Policy also explains our online information practices and the choices you can make about the way your information is collected and used.

## Who We Are

Backy LLC provides cloud-based solutions, including web hosting, domain name registration and related products and services, to businesses, individuals, non-profit organizations and others.

## Information Collected

We collect the following types of information from you to provide you with the products and services you purchased and for the purposes described below. We may collect any or all of the information via both automated means such as communications profiles or cookies.

**Personal Information.** The personal information we collect depends on the type of service, support, or sales inquiry, and may include your name, address, telephone number, fax number and email address, dates of service provided, types of service provided, payment history, manner of payment, amount of payments, date of payments, domain name, credit card or other payment information. The financial information will only be used to bill you for the products and services you purchased. If you purchase by credit card, this information may be forwarded to your credit card provider. When transferring personal information a security icon will appear in your browser.

**Cookies and Tracking.** Your Internet browser has the in-built facility for storing small text files - "cookies" - that hold information which allow a website to recognize your account. We use cookies to save your preferences and login information, and to provide personalized functionality. We may use cookies to collect, store, and sometimes track information for statistical purposes to improve the products and services we provide and to manage our telecommunications networks. More specifically, we use different types of cookies for different purposes: (i) "required cookies" are necessary for our website to work properly, (ii) "performance cookies" allow us to analyze how Visitors use our website so we can measure and improve the performance of our website, (iii) "functional cookies" allow us to remember choices you may have made on our website, and (iv) "advertising cookies" are used to present ads that are relevant to your interests. We may utilize cookies to track referrals from internal and external affiliates, as well as advertising campaigns. We may also use a third party service provider to send emails that you have agreed to receive. Pixel tags and cookies may be used in those email messages to help us measure the effectiveness of our advertising and to enable us to provide more focused marketing communications to you. You can reject cookies by changing your browser settings, but be aware that this will disable some of the functionality on the Backy LLC.com website.

**Customer Surveys.** We may periodically conduct customer surveys. Participation in our customer surveys is voluntary. However, we encourage our Users to participate in these surveys because they provide us with important information that helps us improve the types of services we offer and how we provide them to you. Your personal information, if provided, will remain confidential, even if the survey is conducted by a third party service provider on our behalf.

**Social Media.** Our website includes social media features (such as the Facebook "Like" button). These features may collect your IP address and which page you are visiting on our website, and may set a cookie to enable the feature to function properly. Social media features and widgets may be hosted by a third party or directly on our website. Your interactions with these features are governed by the privacy policy of the company providing the feature.

**Data and Information Submitted to Third Parties on Our Network.** This Privacy Policy does not apply to data or personal information that may be submitted to, or collected by, third-party websites hosted by Backy LLC or to domain names registered by Backy LLC. Such websites and domain names are not owned or controlled by Backy LLC. You should independently evaluate the privacy policies of such third-party websites before submitting data or personal information to them.

## Information Use

**Personal Information.** The information we collect is used for billing and to provide service and support to our customers. We may study this information to determine our customers' needs and to promote certain products and services or additional support. We may also generate non-identifying and aggregate profiles from information that our customers provide during registration (such as the total

number of customers in a given category). This aggregated and non-identifying information may be used to promote advertisements that appear on our website and in connection with our services.

We take reasonable precautions to prevent unauthorized access to your information. Accordingly, we may require you to provide additional forms of identity should you wish to obtain information about your account details. Backy LLC may also use the information you provide to email Backy LLC's monthly newsletter to the primary contact e-mail on file, or to contact you about other products or services that we think may be of interest.

**Log Files.** We use IP addresses to analyze trends, administer our site and servers, track access, and gather broad demographic information for aggregate use. IP addresses are not linked to personally identifiable information. However, it is possible that personal information about a customer may be included in the log files due to the normal functions of IP addresses and Web browsing.

**Customer Surveys** We may use the contact and other information provided to follow up with customers who respond to our customer surveys to help resolve issues internally or with our third party partners. For example, Backy LLC may contact customers based on their survey answers or to highlight certain changes we made in response to customer feedback.

## Disclosing Information

**Partners and Sponsors.** Some of our products or services are offered or promoted to our customers in conjunction with a partner or sponsor, or another brand or company within our corporate family. We may share your information with these parties to offer the product or service or to facilitate your use of additional amenities included with your hosting account. For example, one of our partners may provide services to you based on links that you access from your control panel.

We may also disclose aggregate, anonymous data based on information collected from users to potential partners, reputable third parties and other companies or brands within our corporate family. We will only share your information with third parties that agree to maintain your information in confidence and to use it solely for purposes of providing the product or service as agreed to by Backy LLC.

**Service Providers.** We may transfer (or otherwise make available) your personal information to third parties that help us provide our services or provide services on our behalf. For example, we may use service providers to authorize and process payments, administer surveys, or run promotions. Your personal information may be maintained and processed by our third party service providers in the United States or in other jurisdictions. Our service providers are given the information they need to perform their designated functions, and we do not authorize them to use or disclose personal information for their own marketing or other purposes.

**Online Advertisements.** We do not share personally identifiable information about individual customers with advertisers. We may display online advertisements and we may share aggregated and non-identifying information about our customers that we collect through the registration process or through online surveys and promotions with certain advertisers. In some instances, we use this aggregated and non-identifying information to deliver tailored advertisements. For example, an advertiser may tell us the audience they want to reach (e.g., males between 25 and 55 years of age) and provide us with an advertisement tailored to the audience. Based upon the aggregated and non-identifying information we have collected, we may then display the advertisement to the intended audience.

**Customer Surveys.** We may share customer information obtained from customer surveys within Backy LLC and our corporate family, and with trusted third parties to develop or provide products and services that we believe would be of interest to our customers.

**Domain Registration.** In certain jurisdictions or pursuant to the rules of the Internet Corporation for Assigned Names and Numbers ("ICANN") or certain registries, the contact information you provide to register a domain name ("Domain Name Registration Information") has to be made available and accessible to the public through a "WHOIS" search. The WHOIS database is a publicly accessible database that lists the Domain Name Registration Information for a particular domain name, the name server(s) to which the domain name points, and the domain name's creation and expiration date. The Domain Name Registration Information you provide is hosted by us or a third party service provider and is made available to the public through WHOIS searches. At times, customers may receive solicitations that result from searches of the publicly available WHOIS database by other companies or individuals. Any such solicitations or SPAM do not come from Backy LLC and we do not control the use of WHOIS information by third parties. Further, pursuant to ICANN rules, Backy LLC is required to make WHOIS data available to any third party that enters into a bulk access agreement. While ICANN allows individuals to opt-out (using the account management panel, domain management console or similar service) of having their WHOIS information made available to third parties through bulk access, companies, such as ours, businesses, and other organizations do not have the ability to opt-out of having their information made available to a third party that enters a bulk access agreement. We may also deposit your Domain Name Registration Information with a third-party escrow provider to comply with ICANN requirements.

**Law Enforcement and Special Cases.** We cooperate with government and law enforcement officials to enforce and comply with the law. We will disclose any information about users upon a valid request by government or law officials as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process (including without limitation subpoenas), to protect your property and rights, or the property and rights of a third party, to protect the safety of the public or any person, or to stop activity that we consider illegal or unethical.

# Your Options

**Correcting/Updating Personal Information.** If a customer's information changes, or if a customer no longer desires our services, we will endeavor to provide a way to correct, update or remove that customer's personal data in our records. In most cases, this can be achieved via our billing system at <https://clients.backyllc.com> or via email to [sales@backyllc.com](mailto:sales@backyllc.com)

**Opt Out.** By default, customers will receive invoices, any system updates, Backy LLC newsletters and other mailings. Customers are able to opt out of newsletters and mailings by using the unsubscribe link in any promotional email or as otherwise provided in the communication. Please note that customers may not opt out of receiving important system notifications or emails about their accounts.

# Data Security

Backy LLC uses technical security measures to prevent the loss, misuse, alternation or unauthorized disclosure of information under our control. Backy LLC uses security measures including and not limited to: physical, electronic and managerial procedures to safeguard and secure the information we collect online. All sensitive information is collected on a secure server. When we ask customers or users to provide financial information (such as a credit card number) that data is protected using Secure Sockets Layer ("SSL") technology.

# Children

This website is not directed towards children and we do not seek to collect any personal information from children. If we become aware that personal information from a child under the age of 13 has been collected, we will use all reasonable efforts to delete such information from our database.

# Reseller Relationships

In addition to all of the terms and conditions set forth above, the following terms apply to Reseller relationships only.

**Information Related to Data Collected through Resellers.** Backy LLC may collect information under the direction of our Resellers, and we have no direct relationship with the individuals whose personal data is provided, processed or obtained by our Resellers. Customers who seek access, or who seek to correct, amend, or delete inaccurate data should direct their query to the Reseller's data controller. If the Reseller requests that we remove the data, we will respond to such request within thirty (30) business days.

**Choice.** If you are a customer of one of our Resellers and would no longer like to be contacted by such Reseller, please contact the Reseller from whom you purchased products or services.

**Data Retention.** We retain personal data we process on behalf of our Resellers for as long as needed to provide services under the relationship. We will retain and use this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

# Changes to this Policy

We reserve the right to revise, amend, or modify this Privacy Policy at any time and in any manner. However, if we plan to materially change how we plan to use previously collected personal information, we will provide you with advance notice prior to the change becoming effective and an opportunity to opt-out of such differing uses. We encourage you to periodically review this page for the latest information on our privacy practices.

# Contacting Us

**Concerns.** Backy LLC encourages individuals covered by this Privacy Policy to raise any concerns about our processing of personal information by contacting Backy LLC at the address below.

PO Box 1775  
Loma Linda, California 92354  
United States of America

**Questions.** If you have any questions about our Privacy Policy, or if you want to know what information we have collected about you, please email us at [sales@backyllc.com](mailto:sales@backyllc.com).