



## **DMA Member Safe Harbor Program**

ClickSquared, Inc. (hereinafter the "ClickSquared") respects individual privacy and values the confidence of their customers, employees, consumers, business partners and others. ClickSquared strives to collect, use and disclose personal information in a manner consistent with the laws of the countries in which they do business, and pride themselves on upholding the highest ethical standards in their business practices. This Safe Harbor Privacy Policy (the "Policy") sets forth the privacy principles that ClickSquared follows with respect to personal information transferred from the European Union (EU) to the United States.

### **Safe Harbor**

The United States Department of Commerce and the European Commission have agreed on a set of data protection principles and frequently asked questions (the "Safe Harbor Principles") to enable U.S. Companies to satisfy the requirement under European Union law that adequate protection be given to personal information transferred from the EU to the United States. Consistent with its commitment to protect personal privacy, ClickSquared adheres to the Safe Harbor Principles.

### **Scope**

This Safe Harbor Privacy Policy (the "Policy") applies to all personal information received by ClickSquared in the United States from the European Economic Area, in any format including electronic, paper or verbal.

### **Definitions**

For purposes of this Policy, the following definitions shall apply:

"ClickSquared" means ClickSquared, Inc. a US corporation incorporated in the state of Delaware.

"Sensitive" means personal information that reveals race, ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs, or trade union membership, or that concerns an individual's health. In addition, ClickSquared will treat as sensitive personal information any information received from a third party where that third party treats and identifies the information as sensitive.

Notice: ClickSquared enters into email marketing agreements with its clients in the EU which may include the processing of information relating to their clients' customers. In these agreements, the EU client agrees and recognizes that it is the 'data controller' for the purposes of data protection legislation. This means that our EU clients are responsible for complying with the data protection legislation in the relevant Member State national law before it sends its customer data to ClickSquared for processing. Any data processed by ClickSquared is only disclosed to third parties at the request and direction of its European client as the data controller, or when required by law. Any information that our EU clients identify as sensitive will be treated as such.

ClickSquared has a Compliance Manager who is responsible for the internal supervision of ClickSquared privacy policies. ClickSquared also has a team of technicians to handle data security. ClickSquared continuously educates its employees about compliance with the Safe Harbor Principles and has self-assessment procedures in place to ensure its compliance. The Direct Marketing Association serves as ClickSquared's third-party dispute resolution provider. ClickSquared participates in the EU Safe Harbor Privacy Framework as set forth by the United States Department of Commerce.

Security: ClickSquared will take reasonable precautions to protect personal information in its possession from loss, misuse and unauthorized access, disclosure, alteration and destruction.

Enforcement: ClickSquared will conduct compliance audits of its relevant privacy practices to verify adherence to this Policy. Any employee that ClickSquared determines is in violation of this policy will be subject to disciplinary action up to and including termination of employment.

Dispute Resolution: ClickSquared participates in the Direct Marketing Association (DMA) Safe Harbor dispute resolution process. If you feel that this company is not abiding by its posted privacy policy or is not in compliance with the Safe Harbor principals, you should first contact ClickSquared's Compliance Manager by email at [privacy@ClickSquared.com](mailto:privacy@ClickSquared.com). If you do not receive acknowledgement of your inquiry or your inquiry has not been satisfactorily addressed, you should then contact the Direct Marketing Association (DMA) Safe Harbor Dispute Resolution Program. The Direct Marketing Association (DMA) will act as a liaison to ClickSquared to resolve your concerns.

You can contact the Direct Marketing Association (DMA) Safe Harbor Dispute Resolution Program at:

Safe Harbor Line  
Direct Marketing Association  
1615 L Street, NW Suite 1100  
Washington, DC 20036  
[Safeharbor@the-dma.org](mailto:Safeharbor@the-dma.org)

#### Contact Information

Questions or comments regarding this Policy should be submitted to the following person by mail as follows:

ClickSquared Inc.  
200 West Street, 3<sup>rd</sup> Floor  
Waltham, MA 02451  
Attn: Chief Financial Officer  
Telephone: 781.622.1611  
Fax Number: 781.622.2650  
eMail Address: [jquintana@clicksquared.com](mailto:jquintana@clicksquared.com)

#### Changes to the Safe Harbor Privacy Policy

This Policy may be amended from time to time, consistent with the requirements of the Safe Harbor Principles. A notice will be posted on ClickSquared's web page:  
[http://www.clicksquared.com/pdfs/DMA\\_SafeHarbor-040108.pdf](http://www.clicksquared.com/pdfs/DMA_SafeHarbor-040108.pdf)

Effective Date: January 1st, 2008