

PubNub Privacy Policy

Last Updated: January 1, 2020

A. Our Commitment to Protecting Your Privacy.

PubNub Inc., its subsidiaries, affiliates, and its group of companies, (“PubNub”, “we”, “us” and “our”) are committed to ensuring the privacy and security of personal information entered while using the PubNub website, as well as the privacy of data that is processed by third party providers, and for users of the PubNub Services. This Privacy Policy communicates how we collect, use, and disclose the Personal Data provided.

By visiting this website (pubnub.com) and using the PubNub Services, you accept the practices described in this Privacy Policy. We reserve the right to change this Privacy Policy from time to time by updating this page or by posting a new version on this website. We encourage you to check this page from time to time to review updates that may occur. This Privacy Policy supersedes any earlier version.

B. Information We Collect and Receive.

- 1. PubNub Service and Registration.** PubNub may collect and receive personal data in a variety of ways and use them for different purposes. When you sign up for the PubNub Services or attend events and visit our offices, we collect personal identifiers such as your name, email address, organization name, and other contact information. We also collect your payment information as well as other information required to configure, use, pay for, and receive support for the PubNub Services, and your IP address, time you visited, and cookies (collectively, “Customer Information”).
- 2. Cookies.** A cookie is a piece of information that our web server sends to your computer (actually to your browser file) when you access a website. Then when you come back to our site, it will detect whether you have one of our cookies on your computer. Our cookies help provide additional functionality to the site and help us analyze site usage more accurately. We use both our own and third party cookies for statistical purposes and to improve our website. You can set some of your own Cookie preferences or disable them, but doing so may affect the functionality of the Service, including notifications.
- 3. IP Address.** When you visit our website, we collect IP address information in order to provide you more relevant content.

C. Use of Personal Information.

- 1. Use.** The information we collect is used for various purposes such as:
 - a. Provide Services.** We may contact you to provision the PubNub products or services, provide customer support, track site usage and assist with website account session authentication and identification when you visit our site.
 - b. Communicate with you about our services.** The information collected is used to provide you with information that you request from us. Your email address will be used to notify you of critical updates, account information, and news or announcements that may be of interest to you.
 - c. Process Payments.** We may use your Personal Data, such as contact data, to administer our business activities and carry out our obligations arising from any contracts between you and us, including invoicing.
 - d. Improve our Services.** The information is also used to improve our website and your website experience.
 - e. Support Security.** We use the information to investigate and prevent security issues and abuse. Additionally, such information may be used to respond to law enforcement requests as required by applicable law, court order or governmental regulations.
 - f. Market our products and services.** We may use your information to send promotional communications that may be of specific interest to you and your organization, including information about new features, and to drive engagement.
- 2. Sharing of Information.** We do not share, sell, rent, or trade any information that you provide with third parties except as required to provide you the PubNub Services and as specified in this Privacy Policy.

D. Third Party Service Providers.

- 1. PubNub customers.** We may share information we collect with our third party data center service providers that assist with operating the PubNub Services. Third party service providers that we use are

required to protect all data provided hereunder as PubNub confidential information, restricting transfer and disclosure to any other third party.

2. **Website visitors.** As you browse pubnub.com, advertising cookies and cookies to assist in marketing our services to you will be placed on your computer so that we can understand what you are interested in. Our marketing services partners enables us to present you with information on our services based on your previous interaction with pubnub.com. The techniques our partners employ do not automatically collect personal information such as your name, email address, postal address, or telephone number. In addition, we use Google, Inc. to collect data to track and examine the use of pubnub.com, to prepare reports on its activities and share them with other Google services. Google may use the data collected to contextualize and personalize the ads of its own advertising network.
3. **Credit Card Processing Provider.** PubNub uses a third party credit card processing provider to manage credit card processing. This service provider is not permitted to store, retain, or use billing information except for the sole purpose of credit card processing on our behalf, and is subject to confidentiality obligations restricting the disclosure of information collected to other third parties.
4. **Attribution.** PubNub may include a list of customers of the PubNub Services as well as testimonials on the PubNub website that contains a customer name, logo and associated employee name and title. Customer consents to such listing or posting of testimonials.
5. **Public Forums.** Any information you post on any PubNub provided blog, bulletin board or similar forum may be freely used by PubNub, any PubNub customer or any other visitor to such forum, and therefore, you shall have no expectation of privacy with any data included in such forum.
6. **Required by Law.** PubNub reserves the right to use or disclose information provided if required by law or if we reasonably believe that use or disclosure is necessary to protect our rights or to comply with a judicial proceeding, court order, or legal process.
7. **Retention.** PubNub retains Customer Information for a period of time that is consistent with the purpose of the data collection, or where it has a justifiable business need to do so, such as enforcing our agreements or resolving disputes, or unless a longer retention period is required by law.
8. **Do Not Track.** PubNub does not respond to 'Do Not Track' browser signals or other mechanisms. Third parties may collect personal information about your online activities over time and across sites when you visit the Site or use the PubNub Service.
9. **Choice - Opt Out.** You can choose not to provide certain information, but this may impair your ability to use the PubNub Services. You may opt out of Google Analytics by visiting the [Google Analytics opt-out page](#). To opt out of the marketing tracking, send an email to privacy@pubnub.com Opt Out Request. PubNub uses Facebook-generated pixels to collect and receive information from you and elsewhere on the internet and use that information to provide measurement services and target ads. You can opt out of Facebook tracking by [clicking here](#).

E. Data Integrity - Data Transacted through the PubNub Services.

1. PubNub will use personal information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. PubNub will take reasonable steps to ensure that personal information is relevant to its intended use, accurate, complete, and current.
2. When third party providers and developers use the PubNub Services, data is sent ("Published") and received ("Subscribed") through the PubNub Services. Aggregate, non-personally identifiable data Published to, and Subscribed from, the PubNub Services may be used by PubNub to help with the development, tuning and scaling of the PubNub Services, including the generation of reports. Reporting is used both for internal use and to provide reports available to the PubNub customer associated with such provided data. PubNub will keep all data private, and will not share data with any third parties, except as an aggregate across multiple PubNub customers (for example, advertising the total number of messages sent through the PubNub Service per day). Occasionally we may use the information collected herein to notify all our customers about new services or special offers.
3. Security - PubNub provides various levels of security and the ability to encrypt data to customers for data Published to the PubNub Services. Please check the PubNub documentation for up-to-date information on the various security levels offered to third party providers and developers by the PubNub Services. In addition, PubNub takes reasonable measures, including technical, physical, and administrative measures and training, designed to protect personal information from loss, misuse, and unauthorized disclosure, access, alteration, and destruction. PubNub safeguards personal information according to established security standards and periodically assesses new technology for methods of protecting information. However, PubNub cannot guarantee the security of personal information.
4. If you are a customer of a third party provided service that is powered by PubNub and have questions about privacy, please contact the third party provider of the service to inquire about their privacy policy.

Additionally, PubNub may process Personal Data in the role of a processor or service provider on behalf of a customer (and/or its affiliates), who is the responsible controller of the applicable Personal Data. If your Personal Data has been submitted to us by or on behalf of an PubNub customer and you wish to exercise any rights you may have under applicable data protection laws, please inquire with the applicable customer directly.

- F. **Children.** If you are under 18, or the age of majority in the jurisdiction in which you reside, you may only use the PubNub website and PubNub Services with the consent of your parent or legal guardian.
- G. **Consent.** By accessing and using the PubNub website and PubNub Services, you agree to this Privacy Policy. Your continued use of the PubNub website or PubNub Services constitutes your agreement to this Privacy Policy and any updates. In the event of a corporate sale, merger, reorganization, dissolution or similar event, personally identifiable information may be part of the transferred assets. You acknowledge that such transfers may occur, and that any acquirer or successor of PubNub may continue to use your information as set forth in this policy without additional consent from you, provided such entity agrees to the provisions of this policy.
- H. **Changes to Privacy Policy.** If our Privacy Policy or procedures change, we will promptly post those changes to our website. Any such changes will be effective immediately upon being posted, unless otherwise stated in the change. PubNub may share personal information with any entity that is affiliated with us for purposes consistent with this Policy.
- I. **Terms of Service.** Our [Terms of Service](#) take precedence over any conflicting Privacy Policy provision contained herein.
- J. **Access to your Information.** You may contact PubNub to request Customer Information held by PubNub in order to correct, amend or delete information that is inaccurate. The Contact information is provided in the Contact Us section below.
- K. **EU-US Privacy Shield.** PubNub adheres to and has certified compliance with the EU-US Privacy Shield framework and the Switzerland-U.S. Privacy Shield framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from Switzerland and European Union member countries. PubNub has certified that it adheres to the Privacy Shield Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement (the "Principles"). To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/participant?id=a2zt000000000sSAAQ&status=Active>.
- L. **GDPR.** PubNub complies with the provisions of the Regulation (EU) 2016/679 of the European Parliament, known as the General Data Protection Regulation (GDPR). For purposes of Article 14(2) of the GDPR, PubNub relies on the following lawful basis for processing Personal Data: consent, compliance with law and legitimate interests.
 - 1. Under GDPR, PubNub acts as a Data Processor vis a vis data provided to it through the PubNub services by its Customers. PubNub acts as a Data Controller with regard to data collected as part of its marketing activities.
 - 2. All transfers of data internally in the European Economic Area is done in accordance with Privacy Shield or Standard Contractual Clauses.
 - 3. In addition, for those commercial customers on PubNub's Transaction Plan, PubNub will execute Standard Contractual Clauses (also known as Model Clauses) as defined in Article 26(2) of the Directive 95/46/EC.
- M. **California Privacy Rights.** For California Consumers, please review the California Privacy Policy.
- N. **Dispute Resolution.** In compliance with the Privacy Shield Principles, PubNub commits to resolve complaints about your privacy and our collection or use of your personal information and will respond to such complaints within forty-five days. European Union citizens with inquiries or complaints regarding this Privacy Policy should first contact PubNub at:
 - 1. Email: privacy@pubnub.com attention to PubNub's Chief Privacy Officer
 - 2. Postal mail: PubNub Inc., 460 Bryant Street, San Francisco, CA 94107
 - 3. PubNub has further committed to refer unresolved privacy complaints under the Privacy Shield to an independent dispute resolution mechanism, established by JAMS. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by PubNub, please contact them for more information and to file a complaint. <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>
The JAMS dispute resolution process shall be conducted in English. In addition, the United States Federal Trade Commission is a statutory body that has jurisdiction to hear any claims against PubNub regarding possible unfair or deceptive practices and violations of laws or regulations governing privacy.
 - 4. In addition, If PubNub does not resolve the complaint, you may submit the matter to arbitration to a single arbitrator of the Privacy Shield Panel. The remedies from this arbitration are limited to individual-

specific, non-monetary equitable relief (such as access, correction, deletion, or return of the individual's data in question) necessary to remedy the violation of the Principles only with respect to the individual. For European Residents and European supervisory authorities, you can contact our Representative at:
VeraSafe
Unit 3D North Point House
North Point Business Park
New Mallow Road
Cork T23AT2P
Ireland. Email: support@verasafe.com

Or you may contact the Office of the Data Protection Commissioner. Canal House, Station Road, Portarlington, Co. Laois, R32 AP23, Ireland. email info@dataprotection.ie

- O. **Contact Us.** For privacy related inquiries, please Email: privacy@pubnub.com attention to PubNub's Chief Privacy Officer.
- P. Postal mail: PubNub Inc., 460 Bryant Street, 2nd Floor, San Francisco, CA 94107. The PubNub Data Protection Officer is George Gong. Email: privacy@pubnub.com.

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