



## Privacy Policy

The following privacy policy governs your use of the PerkSpot service, operated by 12 Interactive LLC ("We") on behalf of your employer or organization.

### Summary of Purposes

We are committed to protecting your privacy. At no time will we trade, sell, or distribute for free organization-specific or personal information, including email addresses or other user IDs, to any individual, company, vendor or organization, in ways other than disclosed in this privacy statement.

This privacy statement covers the site [www.perkspot.com](http://www.perkspot.com) and private label sub-domains delivered by 12 Interactive LLC, (i.e. [abc.perkspot.com](http://abc.perkspot.com), etc.). Because 12 Interactive LLC wants to demonstrate its commitment to your privacy, it has agreed to disclose its information practices.

The PerkSpot service is a portal through which users access discounts redeemable at selected vendors. In some cases, online purchases facilitated by the PerkSpot portal are subject to the privacy policies of the website where that transaction is conducted, whose policies may differ from those that govern PerkSpot.

### Information We Collect

#### Personal Information

Your first name, last name, email address, and location represent the only pieces of personal information required to access PerkSpot. In certain instances, other demographic data will be collected, but not required.

Purchases on our website or through vendors may require the collection of billing information such as address, phone numbers, credit card numbers, and banking information.

Your information may also include preferences, other demographic or anonymous usage data.

#### Website Data and Cookies

Additionally, PerkSpot collects click-stream data and other preference information in order to improve the function and vendor selection of the service, for you or for others. Click-stream data represents a page-by-page history of a person's service usage.

A cookie is a small text file that is stored on a user's computer for record-keeping purposes. Our service uses cookies. We track open rates and click-through rates of email communications using industry-standard technology. We may link the information stored in cookies to personally identifiable information, including email address, you submit while on the site(s).

This privacy statement covers the use of cookies by [www.perkspot.com](http://www.perkspot.com) and private label subdomains delivered by 12 Interactive LLC only and does not cover the use of cookies by any advertisers.

#### Customer Service Contacts and Feedback

Personal information is gathered to ensure a prompt and accurate reply by a 12 Interactive LLC representative, as well as other vendors and service providers. You may also have the option to provide feedback on services.

#### Employer, Employment, Organization and Membership Data

You, your employer, or organization may provide data to us such as your status as an employee and other personal information.

### How Information is Used

PerkSpot uses this information to provide the benefits/services associated with the program.

#### By 12 Interactive LLC and PerkSpot

PerkSpot uses your information to provide the service to you and customize the service to your interests. Your information is used for customer service purposes to resolve any issues. Your information can be used to contact you for legal, regulatory, compliance and other similar business needs related to the service.

Although your privacy is of paramount concern to us, 12 Interactive LLC cannot reasonably be expected to suppress information where the withholding of such information represents a violation of federal or state law.

12 Interactive LLC reserves the right to disclose your personally identifiable information, including email address, as required by law and when it is believed that disclosure is necessary to protect 12 Interactive LLC's rights and/or comply with a judicial proceeding, court order, or legal process served on the site(s).

#### Vendors on PerkSpot

We take measures to protect your privacy and your right to only be contacted with your permission. Your information is only shared in the following cases:

- For customer service purposes, we may share your information, including personally-identifiable information, with vendors and other service providers in the interest of resolving an issue.
- Information that is not personally-identifiable may be shared with vendors in order to improve your shopping experience. This may include information such as your shopping preferences, ZIPcode, employer or member organization, so that relevant offers and discounts may be shown to you.
- With your knowledge and consent, we may share your personally identifiable information with reputable vendors so they may further customize your shopping experience. To be eligible, vendors must commit in writing that they will not use your information to contact you unless you grant them additional permission upon visiting their site.

Please note that our service links to vendor websites, and your use of those vendor websites are governed by those vendors, without direct control or jurisdiction by us or this policy. Each vendor maintains its' own privacy policy that you should be familiar with before you submit your personal information. Our privacy policy is not applicable on any of the vendor sites. Therefore, it is important for a potential buyer to familiarize himself with the privacy policies of each vendor.

#### Your Employer or Organization

We do not share your personally-identifiable information with your employer or organization.

#### For Statistical and Analytical Purposes

Your information may be combined with others or anonymized to provide insights into the use of the service including user enrollment and use. This anonymous or aggregated data may be shared with vendors, employers, organizations and others with an interest in our service.

#### Technology and Service Providers

We partner with reputable service and technology providers to deliver our service. Your information may be transmitted to them and stored on their servers, however, your information, along with our own company secrets and software, is considered confidential. Providers have no rights to your information.

12 Interactive LLC may use an outside company to fulfill orders, and a credit card processing company to bill you for goods and services. These companies do not retain share, store, or use personally identifiable information for any other purposes unless explicitly disclosed to you.

## Our Protection Safeguards

We respect your privacy and take precautions to ensure your safety as a user of our service. We strive to treat your personal information with the same standard of care we use with our own personal data. While we cannot protect from every eventuality, we take measures to protect the service and your data from theft, corruption, misuse, illegal action, or other malfeasance.

We assign a special standard of care to personally-identifiable information for the purpose of protecting your privacy and to make it difficult for anyone to contact you without your permission.

Within our company, access to your information is restricted to those with a business need to be able to access it. We employ additional safeguards including encryption, physical controls and two-factor authentication to restrict access to your information.

When selecting vendors to participate in the service, we consider their history and reputation with regard to consumer's privacy and data protection.

## Communication Practices

### Opt Out

At any time, users may opt out of PerkSpot related correspondence by sending an email to [cs@perkspot.com](mailto:cs@perkspot.com). Users may also access their personal information, including email address to make edits in the "My Account" section of the website.

Requests are honored as immediately as possible. At the longest, within five days.

### Retained Email

When you opt-out of communications, your email address and some data is retained, but only for these specific purposes:

- To retain a record of your opt-out, so that no one can sign-up again with your email address.
- To continue to deliver our service obligations to you and your employer or organization, such as access to employer listings, prior purchases and other features.
- To administer our legal, regulatory, compliance and other similar business responsibilities.

## Notification of Changes to this Policy

Users will be notified of changes or revisions to this privacy policy, including our email practices, by a notice posted on the login page of PerkSpot. The notice will contain a link, whereby the privacy policy can be examined in full. In this way registered users are made aware of policy changes prior to shopping or browsing the website. As always, a user who is not amenable to the conditions of a revised privacy policy may opt out of PerkSpot by the means outlined earlier in this document.

## Your Consent

As a user of PerkSpot, you consent to our collection and storage of your personal information, including email address, (as defined above) in our database, and to our use of aggregated and non-personal information generated by the viewing habits of our users.

## Safe Harbor

12 Interactive complies with the U.S.–E.U. Safe Harbor Framework and the U.S.–Swiss Safe Harbor framework as set forth by the U.S. Department of Commerce regarding the collection, use and retention of personal data from the European Union member countries and Switzerland. 12 Interactive has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement.

To learn more about the Safe Harbor program and to view 12 Interactive's certification, please visit <http://www.export.gov/safeharbor>.

## Scope

This Safe Harbor Privacy Policy (the "Policy") applies to all personal information received by 12 Interactive in the United States from the EEA and from Switzerland, in any format, including electronic, paper, or verbal.

## Definitions

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

"Agent" means any third party that collects or uses personal information under the instructions of, and solely for, 12 Interactive or to which 12 Interactive discloses personal information for use on 12 Interactive's behalf.

"12 Interactive" means 12 Interactive LLC, its predecessors, successors, subsidiaries, divisions and groups in the United States.

"Personal information" means any information or set of information that identifies or could be used by or on behalf of 12 Interactive to identify an individual. Personal information does not include information that is encoded or anonymized, or publicly available information that has not been combined with non-public personal information.

## Privacy Principles

The privacy principles in this Policy have been developed based on the Safe Harbor Principles.

**NOTICE:** Where 12 Interactive collects personal information directly from individuals in the EEA, it will inform them about the purposes for which it collects and uses personal information about them, the types of non-agent third parties to which 12 Interactive discloses that information, if any, the choices and means 12 Interactive offers individuals for limiting the use and disclosure of personal information about them, and how to contact 12 Interactive. Notice will be provided in clear and conspicuous language if and when individuals are asked to provide personal information to 12 Interactive, or as soon as practicable thereafter, and in any event before 12 Interactive uses or discloses the information for a purpose other than that for which it was originally collected.

If 12 Interactive receives personal information from subsidiaries, affiliates or other entities in the EEA, it will use and disclose such information in accordance with the notices provided by such entities and the choices made by the individuals to whom such personal information relates.

**CHOICE:** 12 Interactive will offer individuals the opportunity to choose (opt-out) whether their personal information is (a) to be disclosed to a non-agent third party, or (b) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

12 Interactive will provide individuals with reasonable mechanisms to exercise their choices.

**DATA INTEGRITY:** 12 Interactive will use personal information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. 12 Interactive will take reasonable steps to ensure that personal information is accurate, complete, current, and relevant to its intended use.

**TRANSFERS TO AGENTS:** 12 Interactive will obtain assurances from its agents that they will safeguard personal information consistently with this Policy. Examples of appropriate assurances that may be provided by agents include: a contract obligating the agent to provide at least the same level of protection as is required by the relevant Safe Harbor Principles, being subject to EU Directive 95/46/EC (the EU Data Protection Directive), being subject to Swiss Federal Act on Data Protection, Safe Harbor certification by the agent, or being subject to another European Commission or Swiss FDPIC adequacy finding (e.g., companies located in Canada). Where 12 Interactive has knowledge that an agent is using or disclosing personal information in a manner contrary to this Policy, 12 Interactive will take reasonable steps to prevent or stop the use or disclosure.

**ACCESS AND CORRECTION:** Upon request, 12 Interactive will grant individuals reasonable access to personal information that it holds about them. In addition, 12 Interactive will take reasonable steps to permit individuals to correct, amend, or delete information that is demonstrated to be inaccurate or incomplete. This information can be corrected, amended, or deleted via the 'My Account' section.

**SECURITY:** 12 Interactive will take reasonable precautions to protect personal information in its possession from loss, misuse and unauthorized access, disclosure, alteration, and destruction.

**ENFORCEMENT:** 12 Interactive uses a self-assessment approach to assure compliance with this privacy policy and periodically verifies that the policy is accurate, comprehensive for the information intended to be covered, prominently displayed, completely implemented and accessible and in conformity with the Principles. We encourage interested persons to raise any concerns using the contact information provided and we will investigate and attempt to resolve any complaints and disputes regarding use and disclosure of Personal Information in accordance with the Principles.

**DISPUTE RESOLUTION:** If you have any questions or concerns regarding the use or disclosure of personal information, you should first contact Customer Service at [cs@perkspot.com](mailto:cs@perkspot.com). 12 Interactive will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information by reference to the principles contained in this Policy. If you do not receive acknowledgement of your inquiry or your inquiry has not been satisfactorily addressed, 12 Interactive has agreed to participate in the following dispute resolution procedures in the investigation and resolution of complaints to resolve disputes pursuant to the Safe Harbor Principles:

1. for disputes involving all personal information received by 12 Interactive from Switzerland, 12 Interactive has agreed and to cooperate with the Swiss FDPIC;
2. for disputes involving employment-related personal information received by 12 Interactive from the EEA, 12 Interactive has agreed to cooperate with the data protection authorities in the EEA and to participate in the dispute resolution procedures of the panel established by the European data protection authorities;

### Limitation on Application of Principles

Adherence by 12 Interactive to these Safe Harbor Principles may be limited (a) to the extent required to respond to a legal or ethical obligation; (b) to the extent necessary to meet national security, public interest or law enforcement obligations; and (c) to the extent expressly permitted by an applicable law, rule, or regulation.

### Contact Information

Questions or comments regarding this Policy should be submitted to 12 Interactive by mail to:

12 Interactive, LLC.  
216 W Ohio St.  
Floor 4  
Chicago, IL 60654

Or by email to 12 Interactive Customer Service ([cs@perkspot.com](mailto:cs@perkspot.com))

### Changes to this 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 the PerkSpot web page ([www.PerkSpot.com](http://www.PerkSpot.com)) for 30 days whenever this Safe Harbor Privacy Policy is changed in a material way.

EFFECTIVE DATE: November 17th, 2015