

Nivo1 Privacy Policy

PREAMBLE

Nivo1 LLC ("Nivo1") has adopted this Privacy Policy ("Policy") to establish and maintain an adequate level of Personal Data privacy protection.

COLLECTION AND USE OF PERSONAL DATA

Nivo1 provides various solutions to its Individual Customers who purchase its products. Nivo1 collects Personal Data from Individual Customers when they purchase its products, register with our website, log-in to their account, complete surveys, request information or otherwise communicate with us. For example, Nivo1 individual customers may choose to seek live support or post to a message board. The Personal Data that we collect may vary based on the Individual Customer's interaction with our website, our AP Express application, and other requests for our services. As a general matter, Nivo1 collects the following types of Personal Data from its Individual Customers:

1. Contact information, including, a contact person's name, work email address, work mailing address, work telephone number, title, and company name
2. Contract and payment information required for accurate invoicing and collections for services provided by nivo1
3. Individual customers access Nivo1's AP Express application through individual login to a designated user-specific account online and to request service online through an online support option. Nivo1 will collect all information required to deliver our services to our Customers through these portals.

When Individual Customers use our services online, we will collect their IP address and browser type. We may associate IP address and browser type with a specific customer. We also may collect Personal Data from persons who contact us through our website to request additional information; in such a situation, we would collect contact information (as discussed above) and any other information that the person chooses to submit through our website for the purpose of collection of data required to fulfill Nivo1 products and services to the Customer.

The information that we collect from Individual Customers is used for managing transactions, reporting, invoicing, renewals, selling and servicing the products and services they buy from us, other operations related to providing services and products to the Individual Customer.

Nivo1 serves as a service provider. In our capacity as a service provider, we will receive, store, and/or process Personal Data. In such cases, we are acting as a data processor and will process the personal information on behalf of and under the direction of our partners and/or agents. The information that we collect from our Individual Customers in this capacity is used for managing transactions, reporting, invoicing, renewals, other operations related to providing services to the Individual Customer, and as otherwise requested by our partner and/or agent. Nivo1 uses Personal Data that it collects directly from its Individual Customers and for its partners indirectly in its role as a service provider for the following business purposes, without limitation:

1. Maintaining and supporting its products, delivering and providing the requested products/services, and complying with its contractual obligations related thereto (including managing transactions, reporting, invoices, renewals, and other operations related to providing services to a Individual Customer);
2. Satisfying governmental reporting, tax, and other requirements (e.g., import/export);
3. Storing and processing data, including Personal Data, in computer databases and servers located in the United States;
4. Verifying identity (e.g., for online access to accounts) as requested by the Individual Customer;
5. For other business-related purposes permitted or required under applicable local law and regulation, and as otherwise required by law.

Nivo1 does not disclose personal information to third parties for purposes that are materially different than what it was originally collected for. Should this change in the future, we will provide individuals with the option to opt-out.

DISCLOSURES / ONWARD TRANSFERS OF PERSONAL DATA

Except as otherwise provided herein, Nivo1 discloses Personal Data only to Third Parties who reasonably need to know such data only for the scope of the initial transaction and not for other purposes. Such recipients must agree to abide by confidentiality obligations.

Nivo1 may provide Personal Data to Third Parties that act as agents, consultants, and contractors to perform tasks on behalf of and under our instructions. For example, Nivo1 may store such Personal Data in the facilities operated by Third Parties. Such Third Parties must agree to use such Personal Data only for the purposes for which they have been engaged by Nivo1 and they must either comply with the Privacy Shield principles or another mechanism permitted by the applicable EU & Swiss data protection law(s) for transfers and processing of Personal Data or agree to provide adequate protections for the Personal Data that are no less protective than those set out in this Policy. Nivo1 also may disclose Personal Data for other purposes or to other Third Parties when a Data Subject has consented to or requested such disclosure.

Please be aware that Nivo1 may be required to disclose an individual's personal information in response to a lawful request by public authorities, including to meet national security or law enforcement requirements. Nivo1 is liable for appropriate onward transfers of personal data to third parties.

SENSITIVE DATA

Nivo1 does not collect Sensitive Data from its Individual Customers.

DATA INTEGRITY AND SECURITY

Nivo1 uses reasonable efforts to maintain the accuracy and integrity of Personal Data and to update it as appropriate. Nivo1 has implemented physical and technical safeguards to protect Personal Data from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. For example, electronically stored Personal Data is stored on a secure network with firewall protection, and access to Nivo1's electronic information systems requires user authentication via password or similar means. Nivo1 also employs access restrictions, limiting the scope of employees who have access to Individual Customer Personal Data.

Further, Nivo1 uses secure encryption technology to protect certain categories of personal data. Despite these precautions, no data security safeguards guarantee 100% security all of the time.

ACCESSING PERSONAL DATA

Nivo1 personnel may access and use Personal Data only if they are authorized to do so and only for the purpose for which they are authorized.

RIGHT TO ACCESS, CHANGE OR DELETE PERSONAL DATA

Right to Access. Individual Customers have the right to know what Personal Data about them is included in the databases and to ensure that such Personal Data is accurate and relevant for the purposes for which Nivo1 collected it. Individual Customers may review their own Personal Data stored in the databases and correct, erase, or block any data that is incorrect, as permitted by applicable law and Nivo1 policies.

Individual Customers may edit their Personal Data by logging into their account profile or by contacting Nivo1 by phone or email. In making modifications to their Personal Data, Data Subjects must provide only truthful, complete, and accurate information. To request erasure of Personal Data, Individual Customers should submit a written request to local Nivo1 office.

Requests for Personal Data. Nivo1 will track each of the following and will provide notice to the appropriate parties under law and contract when either of the following circumstances arise:

- (a) legally binding request for disclosure of the Personal Data by a law enforcement authority unless prohibited by law or regulation; or
- (b) requests received from the Data Subject. If Nivo1 receives a request for access to his/her Personal Data from an Individual Customer, then, unless otherwise required under law or by contract with such Individual Customer, Nivo1 will refer such Data Subject to the Individual Customer.

Satisfying Requests for Access, Modifications, and Corrections. Nivo1 will endeavor to respond in a timely manner to all reasonable written requests to view, modify, or inactivate Personal Data.

CHANGES TO THIS POLICY

This Policy may be amended from time to time, consistent with applicable data protection and privacy laws and principles. We will make employees available of changes to this policy either by posting to our intranet, through email, or other means. We will notify Customers if we make changes that materially affect the way we handle Personal Data previously collected, and we will allow them to choose whether their Personal Data may be used in any materially different manner.

QUESTIONS OR COMPLAINTS

Individual customers may contact Nivo1 with questions or complaints concerning this Policy at the following address: privacyshield@Nivo1.com

ENFORCEMENT AND DISPUTE RESOLUTION

Nivo1 commits to resolve complaints about your privacy and our collection or use of your personal information.

DEFINED TERMS

Capitalized terms in this Privacy Policy have the following meanings:

"Individual Customer" means an Individual customer or client of Nivo1. The term also shall include any individual agent, representative, of an individual customer of Nivo1 and all employee of Nivo1 where Nivo1 has obtained his or her Personal Data from such Individual Customer as part of its business relationship with Nivo1.

"Data Subject" means an identified or identifiable natural living person. An identifiable person is one who can be identified, directly or indirectly, by reference to a name, or to one or more factors unique to his or her personal physical, psychological, mental, economic, cultural or social characteristics. For Customers residing in Switzerland, a Data Subject also may include a legal entity.

"Employee" means an employee (whether temporary, permanent, part-time, or contract), former employee, independent contractor, or job applicant of Nivo1 or any of its affiliates or subsidiaries, who is also a resident of a country within the European Economic Area.

"Personal Data" means data that personally identifies or may be used to personally identify a person, including an individual's name in combination with country of birth, marital status, emergency contact, salary information, terms of employment, job qualifications (such as educational degrees earned), address, phone number, e-mail address, user ID, password, and identification numbers. Personal Data does not include data that is de-identified, anonymous, or publicly available.

"Sensitive Data" means Personal Data that discloses a Data Subject's medical or health condition, race or ethnicity, political, religious or philosophical affiliations or opinions, sexual orientation, or trade union membership.

"Third Party" means any individual or entity that is neither Nivo1 nor an Nivo1 employee, agent, contractor, or representative.