

# NewBay PRIVACY STATEMENT

*Last Updated: October 3, 2006*

NewBay MEDIA LLC and its affiliates recognize the importance of protecting the privacy of all information provided by users of our web sites, subscribers to our magazines, registrants for our events, recipients of our e-mail newsletters and all other customers of our products and services. We created this policy with a fundamental respect for our customers' right to privacy and to guide our relationships with our customers. This Privacy Statement discloses the privacy practices for all products and services owned by NewBay. A current list of our publications, web sites, online webcasts, newsletters and trade shows can be found at <http://www.NewBay.com/>.

## **INFORMATION COLLECTION AND USE**

NewBay collects information from our website users, subscribers and other customers. In this section of our Privacy Statement, we describe the type of information we collect and how we use it to provide better services to our customers.

### **Registration and Ordering**

When attending our trade shows and other in-person events, participating in our customer-sponsored webcasts, using some of our websites and signing up for certain selected services (such as free subscriptions), users must first register. During registration, users are required to give their contact information (such as name, e-mail address, mailing address and phone number). For internal purposes, we use this information to communicate with users and provide requested services, and, for our website visitors, to provide a more personalized experience on our sites. We also may collect information about a user's professional responsibilities (such as job title and purchasing responsibilities, company information and professional certification). We use such information to improve our service, for marketing purposes and/or for industry reporting purposes.

Many of our products and services are free to subscribers who meet certain demographic criteria. Independent auditors may need to certify the eligibility of these subscribers. In order to do that, we may collect unique identifiers (such as mother's maiden name) that we disclose to the auditors strictly for industry reporting and audit verification purposes.

For our services that require payment (such as certain events, products and subscriptions), we also collect credit card information (such as account name, number and expiration date), which is used for our or our agent's billing purposes only, and is not otherwise shared.

### **E-mail Newsletters**

If users wish to subscribe to our e-mail newsletters, we ask for contact information (such as name, e-mail address, phone number) and information about the subscriber's professional interests and responsibilities. We use this information in the same manner as we use contact information in the

registration and ordering process described above. Recipients of our newsletters can unsubscribe using the instructions listed at the end of the e-mail newsletter.

### **Surveys and Contests**

From time to time we invite web site users and other customers to provide information via surveys or contests. Participation in these surveys or contests is completely voluntary and the website user or other customer therefore has a choice whether to disclose requested contact information (such as name and mailing address) and demographic information (such as zip code or job title). In addition to the other uses set forth in this policy, contact information collected in connection with surveys and contests is used to notify the winners and award prizes and to monitor or improve the use of, and satisfaction with the website or other NewBay product or service. Subject to the given customer's preferences (as described in the "Permission" section below), such information also may be shared with third party sponsors of such surveys or contests.

### **Interactive Features**

At some of our sites, we offer interactive and community features such as discussion boards, webcasts and user profiles. Note that all personal information sent or posted via such features becomes public information for which we are not responsible.

### **Tell-A-Friend**

If customers elect to use our referral service for informing a friend about our sites and services, we may ask them for the friend's name, job title and e-mail address. NewBay will store and use this information to send the friend an invitation. This information may also be used to provide information about our company and related products and services. The friend may contact us as specified in the tell-a-friend message to request that no further communications be sent.

### **Communications with Us**

We have features where our customers can submit information to us (such as our feedback forms). Where such submissions include requests for service, support or information, we may forward them to our agents, as needed, to best respond to the specific request. In addition, we may retain e-mails and other information sent to us for our internal administrative purposes, and to help us to serve customers better. Please note that letters to the editor and similar submissions may be made public.

### **Communications from Us: Service Updates, Special Offers**

In order to best serve our customers, we may send updates that contain important information about our products and services. For example, we send new members a welcoming message, and verify password and username for our password-protected web sites. We may also communicate with a customer to provide requested services and for account-related issues via e-mail, phone or regular mail. In addition to such service and product-essential messages, we offer our customers the option to receive information about our company, related products, services and special deals. Users, however, can choose not to receive these communications from us, as set forth in the "Permission" section below.

### **Automatic Data Collection**

Our web sites, newsletters and, from time to time, certain other products and services have features that automatically collect information from customers, to deliver content specific to customers' interests and to honor their preferences. This information assists us in creating products and services that will serve the needs of our customers.

For example, we use "cookies," a piece of data stored on the user's hard drive containing information about the user. Cookies benefit the user by requiring login only once, thereby saving time while on our web site. If users reject the cookies, they may be limited in the use of some areas of our web site. For example, the user may not be able to participate in sweepstakes, contests or drawings. Additionally, we may note some of the pages the user visits on our web sites and via our email newsletters through the use of pixel tags (also called clear gifs) and web beacons. The use of cookies, pixels and web beacons enable us to track and target the interests of our users to enhance the experience on our sites and via our email newsletters.

In addition, some of our business affiliates use cookies on our web sites and in our email newsletters, in ads or promotions. However, we have no access to or control over these business affiliates' cookies; we urge users to read their privacy policies for information. In particular, we use third-party advertising technology to serve ads for NewBay products and services when you visit certain NewBay Web sites. This technology uses information about your visits to these NewBay Web sites (not including your name, address, or other personal information), to serve our ads to you. In the course of serving our advertisements to you, a unique third-party cookie may be placed or recognized on your browser. In addition, we use web beacons, provided by our ad serving partner, to help manage our online advertising for NewBay products and services. These web beacons enable our ad server to recognize a browser's cookie when a browser visits these sites and to learn which banner ads bring users to our Web sites. The information used in this process is not personally identifiable. To learn more about our third party ad serving partner, cookies, and how to "opt-out," please [click here](#).

We also use an email delivery and marketing company to send emails (including newsletters) for which you have registered (or otherwise agreed to receive). Web beacons and cookies may be used in such email messages to help us measure the effectiveness of our advertising and how customers use our web sites and other products and services.

For our internal purposes, we gather date, time, browser type, navigation history and IP address of all visitors to our web sites. We use this information for our internal security audit log, trend analysis and system administration, and to gather broad information about our user base.

We may combine information supplied by a customer at registration with web site usage data to learn more about users and their preferences in the content of the site. We may use this information to tailor services to your interests or to contact you about offers from our business associates which may be of interest to you. We do not disclose this information to third parties.

## **WITH WHOM YOUR INFORMATION IS SHARED**

Other than with respect to users of Techonline.com and related sites, when we have co-branded, customized, private label, "powered by" or sponsored products and services, or when we join with other parties to provide specific services (however we do not share credit card information with such third parties), then we may share (provide and receive) information about our customers with such third party, subject to the customer's preferences (as described in the "Permission" section below). Other than with respect to users of Techonline and related sites, in particular, please note that information collected in connection with online webcasts will be shared with the sponsor of the particular webcast(s)/seminar(s), subject to the given customer's preferences (as described in the "Permission" section below).

These sponsors will use the information according to their own privacy policies, and we urge participants to read those policies and be aware of their privacy practices before registering.

If you register for the Techonline network of sites, information which you submit at registration may be shared with third party sponsors if you access their white papers and resources or register for events they sponsor.

Finally, on occasion, we may provide targeted lists of names and offline and online contact information for marketing purposes to third parties, subject to our Permission policies, as described below, pursuant to which we give customers the option of not having their name or contact information disclosed to third parties.

Other than as set forth above, we do not share personally identifiable information with other companies, apart from those acting as our agents in providing our product(s)/service(s), and which agree to use it only for that purpose and to keep the information secure and confidential. Also, our parent, subsidiary and affiliate companies, entities into which our company may be merged, or entities to which any of our assets, products, sites or operations may be transferred, will be able to use personal information. We will also disclose information we maintain when required to do so by law, for example, in response to a court order or a subpoena or other legal obligation, in response to a law enforcement agency's request, or in special cases when we have reason to believe that disclosing this information is necessary to identify, contact or bring legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) our rights or property. Users should also be aware that courts of equity, such as U.S. Bankruptcy Courts, might have the authority under certain circumstances to permit personal information to be shared or transferred to third parties without permission. We may share aggregate information, which is not personally identifiable, with others.

## **CORRECTION/UPDATING PERSONAL INFORMATION**

If information which you have submitted to us changes, or if you no longer desire our product(s)/service(s), we provide a way to correct or update your personal data: you may either contact Customer Support for the applicable product or service or, to change your preferences, complete the "Feedback" page as described in the "Permission" section below.

## **PERMISSION**

Our customers are given the opportunity to choose whether to receive information from our affiliates and us not directly related to the product or service for which they registered (or which they otherwise agreed to receive). Other than the sharing of user information with certain sponsors by Techonline.com and related sites, as set forth in the "With Whom Your Information Is Shared" section above, Customers also have the opportunity to choose whether to have personal information shared with third parties for marketing purposes. Customers also can go to our "Feedback" page at any time, at <http://www.NewBay.com/feedback/permission.jhtml> to change their preferences. Please note that we have a number of brands and products. You may choose to opt out of certain brands and products selectively or for all our lists. Your choice to resubmit your email address and contact details to us will also reset your privacy preferences. In addition, for those customers that are California residents, you may have additional rights, as described in the "Your California Privacy Rights" section below. Please note that we will endeavor to implement your permission requests within a reasonable time, although for a time you may continue to receive mailings, etc., transmitted based on information released prior to the implementation of your request. In addition, please note that even after such request is implemented, you will continue to receive information directly related to the product or service for which you registered (or which you otherwise agreed to receive), so you always are kept informed.

## **YOUR CALIFORNIA PRIVACY RIGHTS**

Beginning on January 1, 2005, California Civil Code Section 1798.83 permits those customers that are California residents to request that NewBay not share your personal information with third parties for their direct marketing use. To make such a request, [click here](#) or write us at: Legal Department - Privacy Officer

NewBay Media LLC

810 Seventh Avenue, 27th Floor,

New York, NY 10019

T (212) 378-0400

F (212) 378-0470

[privacyrequests@CMP.com](mailto:privacyrequests@CMP.com)

## **SECURITY**

We use reasonable precautions to protect information about our customers while it is stored on our servers or in transit to our vendors processing on our behalf. Sensitive information that is transmitted to us online (such as credit card number) is encrypted and is transmitted to us securely. In addition, access to all of our customers' information, not just the sensitive information mentioned above, is restricted. Only employees who need the information to perform a specific job (for example, a billing clerk or a customer service representative) are granted access to personally identifiable information. Finally, the servers on which we store personally identifiable information are kept in a secure environment.

## **LINKS**

Our web sites contain links to other sites. NewBay is not responsible for the privacy practices or content

of such other sites. We encourage our users to be aware when they leave our site and to read the privacy statements of each web site to which we may link that may collect personally identifiable information.

#### **CHILDREN**

NewBay websites are not directed at individuals under thirteen years of age, and NewBay does not intend to collect any personally-identifiable information from such individuals.

#### **NOTIFICATION and CHANGES**

If we change our Privacy Statement, we will post those changes on this page so our users are aware of what information we collect, how we use it and under which circumstances, if any, we disclose it. Users should check this policy frequently to keep abreast of any changes.

For questions about this Privacy Statement, contact:

Legal Department - Privacy Officer

NewBay Media LLC

810 Seventh Avenue, 27th Floor,

New York, NY 10019

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F (212) 378-0470

[privacyrequests@CMP.com](mailto:privacyrequests@CMP.com)

For all other questions concerning the practices of this site or any dealings with NewBay Media LLC, contact us at:

Corporate Communications

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