



## NEW WEBSITE PRIVACY POLICY

This website privacy policy (“Privacy Policy” or “Policy”) was last updated on January 6, 2023.

Viant Technology is a digital media company comprised of a family of companies that includes Viant Technology Inc., Viant Technology LLC, Viant US LLC and Adelphic LLC (“Adelphic”), (collectively, “Viant,” “we,” or “us”). Viant is the owner of a number of websites, emails, and other online services, including <https://www.viantinc.com/> and <https://www.adelphic.com/> (the “Online Service(s)").

### 1. SCOPE

This Privacy Policy describes how we collect, use, disclose and otherwise process personal information, personally identifiable information or personal data as defined by data privacy laws applicable to the Online Services activities (“Personal Data”) in relation to operation of the Online Services covered by this Policy. This Policy only applies to our Online Services that include a link to this Policy and does not apply to sites that do not link to this Policy, including any sites operated by Myspace LLC, such as <https://myspace.com/>. The privacy policy and privacy notice for Myspace are located [here](#) and [here](#). This Policy does not apply to our advertising services platform. The privacy policy for those services is available [here](#). This Policy is supplemented by our [Enterprise-wide Privacy Notice](#).

Please read this entire Policy carefully. This Policy contains links that you can click on to get further information or exercise the options you have about your Personal Data. To make this Policy more reader-friendly, we use everyday words such as use, transfer and storage to describe what we do with your Personal Data. Subject to applicable law, by visiting and/or otherwise using the Online Services, you accept our data practices as set forth in this Policy.

Some of the key topics you may be interested in include:

- [Information We Collect](#)
- [How We and Disclose Use Your Information](#)
- [Children’s Information](#)
- [How We Secure Your Personal Data](#)
- [How Long We Keep Your Personal Data](#)
- [Additional Information for Certain U.S. Residents](#)
- [This Privacy Policy May Change](#)
- [Contact Information](#)

## 2. INFORMATION WE COLLECT

We may collect online information of users on our Online Services (“you,” “your,” or “User(s)”) directly from you, through cookies and other Tracking Technologies (defined below), and from other sources, such as Third-Party Services (defined below).

### A. Information We Collect Directly From You

We may collect certain information via the Online Services about Users directly from Users. For example if you contact our customer support service, when you request a chat session, such as by submitting a question, if you download a whitepaper, or contact us via the Online Services. This may include Personal Data such as your first and last name, e-mail address, phone number, and address.

### B. Information Collected Automatically and Your Choices

We may also automatically collect certain information about you when you access or use the Online Service (“Usage Information”). Usage Information may include IP address, device identifier, browser type, operating system, information about your use of the Online Service, and data regarding network connected hardware (*e.g.*, computer or mobile device). We treat Usage Information as Personal Data to the extent required by applicable law and where it is combined with Personal Data by or on behalf of us.

We collect Usage Information on the Online Service through tracking technologies, such as cookies, web beacons (also known as “tracking pixels”), embedded scripts, location-identifying technologies, device recognition technologies, device and activity monitoring, and other tracking technologies (“**Tracking Technologies**”).

- **Cookies.** A cookie is a small text file that is stored on a user’s device, which may be session ID cookies or tracking cookies. Session cookies make it easier for you to navigate the Online Service and expire when you close your browser. Tracking cookies remain longer and help in understanding how you use the Online Service and enhance your user experience. Cookies may remain on your hard drive for an extended period of time. If you use your browser’s method of blocking or removing cookies, some but not all types of cookies may be deleted and/or blocked and as a result some features, and functionalities of the Service may not work. The Online Service may associate some or all of these types of cookies with your devices.
- **Web Beacons (“Tracking Pixels”).** Web beacons are small graphic images, also known as “Internet tags” or “clear gifs,” embedded in web pages and e-mail messages. Web beacons may be used, without limitation, to count the number of visitors to the Online Service, to monitor how users navigate the Online Service, and to count content views.
- **Embedded Scripts.** An embedded script is programming code designed to collect information about your interactions with the Online Service. It is temporarily downloaded onto your computer from our web server, or from a third party with which we work and is

active only while you are connected to the Online Service and deleted or deactivated thereafter.

- **Location-identifying Technologies.** GPS (global positioning systems) software, geo-filtering and other location-aware technologies locate you (sometimes precisely), or make assumptions about your location, for purposes such as verifying your location and delivering or restricting content based on your location. If you have enabled GPS or use other location-based features on the Online Service, your device location may be tracked by us and third parties.
- **Device Recognition Technologies.** Technologies, including application of statistical probability to data sets, as well as linking a common unique identifier to different device use (e.g., Facebook ID), which attempt to recognize or make assumptions about users and devices (e.g., that a user of multiple devices is the same user or household) (“**Cross-device Data**”).
- **Device and Activity Monitoring and Session Replay.** Technologies that monitor, and may record, certain of your interactions with the Service, including without limitation, keystrokes, and/or collect and analyze information from your device, such as, without limitation, your operating system, plug-ins, system fonts, and other data, for purposes such as identification, security, fraud prevention, troubleshooting, tracking and/or improving the Online Service and customizing or optimizing your experience on the Online Service. This may also include technologies that monitor and record usage sessions to help us better understand, track, and improve the usage of the Online Service.

As more fully described in Section 2.C, Third-Party Services (defined below) may associate Tracking Technologies with our Online Services and in doing so may collect Personal Data about your online activities over time and across different Web sites when you use our Online Services or Third-Party Services. Without limiting the generality of the foregoing, we may engage and work with vendors to serve advertisements about us on other online services. Some of these ads may be tailored to your interest based on your browsing of our Online Service and elsewhere on the Internet, which may include use of precise location and/or Cross-device Data, sometimes referred to as “interest-based advertising” and “online behavioral advertising” (“Interest-based Advertising”), which may include sending you an ad on another online service after you have left our Online Service (i.e., “retargeting”). However, you have certain options regarding Interest-based Advertising as follows:

***Industry Group Opt-outs:***

Some of the vendors that perform advertising-related services for us, and other third parties involved in interest-based advertising, may participate in the Digital Advertising Alliance’s (“DAA”) Self-Regulatory Program for Online Behavioral Advertising and may also be members of the Network Advertising Initiative (“NAI”), which are industry groups that have programs designed to allow Users to limit Interest-based Advertising.

If you would like more information about Interest-based Advertising, to know your choices with respect to it, and to learn how to opt out of having your browsers used for certain types of ad

serving purposes, you can visit the DAA's WebChoices tool at <https://optout.aboutads.info> and the NAI Choices page at <http://www.networkadvertising.org/choices/>. To learn how to opt out with respect to mobile apps download the DAA AppChoices application available for iOS and Android at <http://www.aboutads.info/appchoices> and see the NAI's Mobile Choices page at <http://www.networkadvertising.org/mobile-choice>. To opt-out of interest-based advertising via hashed email, visit the NAI's choice tool at <https://optout.networkadvertising.org/optout/email?c=1>.

Because the various web browsers and mobile devices you use have different identifiers, you will need to opt-out of each environment separately. We are not responsible for the accuracy of any DAA or NAI statements or how any party other than us acts in connection with those program opt-out signals. If you block or clear cookies these opt-out signals may be ineffective, and you will need to opt-out on every device you use.

We collect and use data from Google services and other Third-party Services while Users visit our Online Services and when retargeting Users with advertisements across different websites or applications. More information on Google's advertising cookies may be found at <https://policies.google.com/technologies/partner-sites>.

#### ***Device-based Opt-out for Mobile Applications:***

To opt-out of Interest-based Advertising for the mobile applications on your current device, the method of opting out depends on the type of device you have. In some cases, for older devices, it may be necessary for you to provide your device ID to opt out. Please visit the NAI's Mobile Choices Page located at <https://www.networkadvertising.org/mobile-choices> for the NAI's instructions on how to use the advertising choice mechanisms for various devices.

#### ***Device-based Opt-outs for Browsers:***

Although most web browsers automatically accept cookies, many browsers' settings can be set to decline cookies or alert you when a website is attempting to place a cookie on your computer. Please note that when you use cookie control tools, you will have to change your settings for each browser and device you use, and your limitation on cookies can limit the functionality of online services you use, including our Online Services. Use the help function on your browser to learn more.

Your browser settings may allow you to automatically transmit a "Do Not Track" signal to online services you visit. Note, however, there is no consensus among industry participants as to what "Do Not Track" means in this context. Like many online services, we currently do not alter our practices when we receive a "Do Not Track" signal from a visitor's browser. For information on how we process global privacy controls, see our Enterprise-wide Privacy Notice [here](#).

#### ***U.S. Consumer Rights Opt-outs:***

Residents of certain U.S. states have certain additional opt-out and other rights as more fully explained [here](#).

## **C. Information We Collect from Other Sources and that Third-Parties May Collect From You**

The Online Service may include, or link to, third-party websites, apps, locations, platforms, code (e.g., plug-ins, application programming interfaces (“API”), and software development kits (“SDKs”)), Tracking Technologies or other services (“Third-Party Service(s)”). These Third-Party Services may independently collect information about you, including by soliciting Personal Data from you and collecting Personal Data about your online activities over time and across different Web sites, including when you use our Online Services.

Certain functionalities on the Online Service permit interactions that you initiate between the Online Service and certain Third-Party Services, such as third party social networks (“Social Features”). Examples of Social Features include: enabling you to send content such as contacts and photos between the Service and a Third-Party Service; “liking” or “sharing” our content; and to otherwise connect the Online Service to a Third-Party Service (e.g., to pull or push information to or from the Online Service). If you use Social Features, and potentially other Third-Party Services, information you post or provide access to may be publicly displayed on the Online Service or by the Third-Party Service that you use. Also, both we and the third party may have access to certain information about you and your use of the Online Service and any Third-Party Service.

We may use Google Analytics, Adobe Analytics or other service providers for analytics services. These analytics services may use cookies and other Tracking Technologies to help us analyze Users and how they use the Online Service. Information generated by these analytics services (e.g., your IP address and other Usage Information) may be transmitted to and stored by these service providers on servers in the U.S. (or elsewhere) and these service providers may use this information for purposes such as evaluating your use of the Online Service, compiling statistic reports on the Online Service’s activity, and providing other services relating to Online Service activity and other Internet usage. You may exercise choices regarding the use of cookies from Google Analytics by going to <https://tools.google.com/dlpage/gaoptout> or downloading the Google Analytics Opt-out Browser Add-on. You may exercise choices regarding the use of cookies from Adobe Analytics by going to <http://www.adobe.com/privacy/opt-out.html> under the section labeled “Tell our customers not to measure your use of their web sites or tailor their online ads for you.”

To the fullest extent permitted by applicable law, we are not responsible for, and make no representations regarding, the policies or business practices of any third parties, including, without limitation, analytics service providers and other Third-Party Services associated with the Online Service, and encourage you to familiarize yourself with and consult their privacy policies and terms of use.

## **3. HOW WE USE AND DISCLOSE YOUR INFORMATION**

We may use and disclose non-Personal Data without restriction, and may create non-Personal Data from Personal Data. We may use and disclose Personal Data collected in connection with

our Online Services for any purpose related to the Online Services or our business that is not inconsistent with our statements under this Policy, otherwise made by us in writing at the point of collection, and not prohibited by applicable law, including, without limitation, the following:

As more fully set forth in [Section 1 of our Enterprise-wide Privacy Notice](#). Without limiting the generality of the forgoing, the purposes for our use and disclosure of Personal Data include:

- Providing the Online Services
- To Respond to Your Requests
- Advertising and Marketing
- Auditing, Reporting, Corporate Governance, and Internal Operations
- Change of Ownership
- To Protect our Interests and Comply with Law
- Other Compatible Purposes

This may include (i) recording of activities and communication, including without limitation chat and customer service calls; and (ii) use of vendors to process your Personal Data (in and outside of the U.S.).

## **4. CHILDREN’S INFORMATION**

Our Online Services are intended for a general audience and not directed to children less than 13 years of age. We do not intend to collect personal information as defined by the U.S. Children’s Online Privacy Protection Act (“COPPA”) (“Children’s Personal Information”) in a manner not permitted by COPPA. If you believe we have collected Children’s Personal Information in a manner not permitted by COPPA, please contact us at [privacy@viantinc.com](mailto:privacy@viantinc.com) and we will take action consistent with COPPA and other applicable laws.

## **5. HOW WE SECURE YOUR PERSONAL DATA**

We use a variety of reasonable technical and organizational measures designed to protect Personal Data from unauthorized access, use or disclosure.

## **6. HOW LONG WE KEEP YOUR PERSONAL DATA**

We store Personal Data for so long as we maintain a legal or business purpose to do so. Personal Data may be aggregated or anonymized and such shall no longer be Personal Data except as required by applicable law.

## **7. ADDITIONAL INFORMATION FOR CERTAIN U.S. RESIDENTS**

We provide additional information and choices for residents of certain U.S. states. View Section 2 of our [Enterprise-wide Privacy Notice](#) for more information. To the extent that there is a

conflict between this Policy and our Enterprise-wide Privacy Notice, the Enterprise-wide Privacy Notice will control.

## **8. THIS PRIVACY POLICY MAY CHANGE**

Viant will maintain Personal Data in accordance with this Policy. If Viant decides to change this Policy, we will post the changes on our Online Services and revise the “Last Updated” date above. If we make any changes to this Policy that materially affect our practices with regard to the Personal Data under a prior version of the Policy, we will continue to apply the prior version to the applicable previously collected Personal Data unless you otherwise consent. Any changes to this Policy will become effective as to new collection upon our posting of a revised Policy on our Online Service. Use of the Online Services following such changes constitutes your acceptance of the revised Privacy Policy that is in effect.

## **9. CONTACT INFORMATION**

For questions or concerns relating to privacy, please call us at 1-888-655-1873.