



## FUSION'S PRIVACY POLICY STATEMENT

Last Updated: January 2023

Fusion Connect, Inc., and its subsidiaries (collectively, "**Fusion**", "**we**", "**our**", or "**us**"), are committed to keeping the information we collect safe and secure. This Privacy Policy ("**Privacy Policy**") explains Fusion's practices regarding the collection and use of Personal Data, defined below, collected through <https://www.fusionconnect.com/> (the "**Site**") and through Fusion's general product and service offerings ("**Fusion Services**"). This Privacy Policy applies to Fusion account holders and users of the Fusion Services ("**Customers**"), and anyone accessing or using the Site (Site visitors and Customers may be referred to herein as "**Users**", "**you**" and "**yours**"). This Privacy Policy is incorporated by reference into Fusion's Customer Service Agreements and Service Orders (each a "**Fusion Customer Agreement**"). In the event of a conflict between the terms of this Privacy Policy and any Fusion Customer Agreement, the terms of the Fusion Customer Agreement shall govern. **Please read this Privacy Policy carefully.**

### What Personal Data Do We Collect?

We collect Personal Data when you communicate with us on our Site and when you use the Fusion Services. Specifically, we collect personally identifiable information that can be used on its own or with other information to identify you ("**Personal Data**").

#### Personal Data may include:

- Your Name;
- Your home or work address;
- Your home, work, or cellular telephone number;
- Your personal or work email address;
- Your company name and title;
- Your credit card or financial account/bank account number and information ("**Protected Financial Information**" or "**PFI**"); and
- Your Internet usage information including websites visited and service and device information.

In some cases you have a choice about the collection and use of your Personal Data, and in other cases we collect Personal Data in accordance with our business and operations services and where we have a legal basis for collecting your Personal Data ("**Business Purposes**").



## **How We Collect Personal Data**

When you access and use our Site and the Fusion Services, we collect Personal Data as outlined below:

### **Business Purposes**

When you contact Fusion for information, we may use the Personal Data you supply to provide you with information about the Fusion Services.

When you use the Site or its applications, Personal Data is collected including:

- browsing and searching activity as you interact with the Site and its applications;
- IP address information;
- account information;
- web addresses of the sites you come from; and
- information about your connection, including your device's browser, operating system, platform type and Internet connection speed.

We use this Personal Data for a variety of Business Purposes including:

- protecting our Site from malicious activity and exploits;
- displaying service availability results for a particular physical location; and
- fulfilling various types of user requests such as service quotes, training registration, special downloads, etc.

### **Marketing Purposes**

We also use Personal Data as part of our marketing and communications operations (“**Marketing Purposes**”) to help us deliver more relevant marketing messages on the Site and directly to our Customers via email. Your Personal Data is used to tailor the content you see and manage the frequency with which you see an advertisement.

We may collect Personal Data when you open Fusion emails to which you have subscribed or click on links contained therein. This Personal Data is used to personalize the content of the emails themselves and make future communications more interesting to you.

Personal Data you provide on our Site about your preferred location and other preferences may be used to provide you with more relevant service recommendations and special offers.

You may opt-out of our marketing and communications emails and the associated preference data by unsubscribing at <https://www.fusionconnect.com/subscription-center/>.

### **Surveys & Job Applications**



We also collect Personal Data from you when you participate in surveys or provide other feedback to us regarding Fusion Services, or when you apply for a job with Fusion. We use this Personal Data only for the purpose for which it was provided.

### **When you establish an online account (“Customer Account”)**

We use Customer Account Personal Data to, among other things:

- establish, monitor, and maintain a Customer’s account and billing records;
- measure credit and payment risk;
- provide account-related services;
- help our Customers with service-related issues or questions;
- deliver and maintain Fusion Services;
- manage and protect Fusion’s network, services, and Customers from abusive, fraudulent, or unlawful uses;
- help Fusion improve and personalize its solutions;
- authenticate access to systems; and
- market new products and services to our Customers.

### **From third parties**

When you purchase Fusion Services, we may obtain Personal Data about you including credit information received from outside credit reporting agencies. We use this Personal Data to help us with Customer authentication and credit-related decisions.

Fusion obtains Personal Data from outside companies, including Personal Data related to your existing service provider, service locations and existing phone equipment type. We use this Personal Data and combine it with other information we have about existing Customers and potential customers to help make marketing offers more relevant to that Customer, and to help us better analyze Customer information for business modeling purposes.

We obtain Personal Data and other marketing lead information, including website referral options, from third parties.

We obtain Personal Data from social media platforms, including Facebook and LinkedIn, if you utilize these platforms to login and access your Customer Account.

We may combine your Personal Data with other information legally in Fusion’s possession to contact Customers or market directly to Customers for Marketing Purposes. You may opt out of Fusion marketing communications at any time.



In each instance where we obtain Personal Data from a third-party, Fusion has a contractual relationship with the third-party and the third-party is required to obtain your consent prior to sharing your Personal Data with Fusion.

## How We Use Personal Data

Fusion uses your Personal Data as outlined below:

### Day-to-Day Business Purposes

<b>Business Purpose</b>	<b>Categories of Personal Data</b>	<b>Lawful Basis for Processing</b>
Creating, maintaining, customizing, and securing Customer Accounts	Name, address, email address, PFI	Legitimate interest in servicing your account; underwriting credit risks in accordance with Fusion guidelines
Supporting day-to-day business operations	Name, address, phone number, email address	Provision of voice services
Performing internal technological development activities	Name, address, phone number, email, IP address	Provision of voice services, including securing Customer Account and Personal Data
Marketing and creating Fusion Services	Name, address, phone, email address, company	Consent
Conducting audits related to Customer matters	Name, address, phone, email address	Legitimate interest in servicing your account;
Assessing credit risks and for reporting purposes or to obtain payment	Name, address, phone, company, SSN/EIN, email address	Legitimate interest in servicing your account; underwriting credit risks in accordance with Fusion guidelines

### Legal & Regulatory

<b>Business Purpose</b>	<b>Categories of Personal Data</b>	<b>Lawful Basis for Processing</b>
Controls and access rights		Legal obligation
In the event of a merger, acquisition, restructuring, sale, or other transfer of assets	Name, address, phone, email address, IP address	Contractual obligations
Fusion's contractual	Name, address, phone,	Contractual obligations



obligations	company	
If required by law, with court administrative orders, civil or criminal subpoenas, warrants from law enforcement agencies, federal or state regulatory requirements, to defend against complaints or legal claims in court administrative proceedings; and other legal, regulatory, or supervisory matters	Name, address, phone, email address, IP address	Court or other regulatory order
To protect Fusion's rights or property, or the safety of our Customers or employees	Name, address, phone, email address, IP address	Legal obligation
In cases involving danger of death or serious physical injury to any person or other emergencies including national security or law enforcement requirements	Name, address, phone, email address, IP address	Legal obligation
To share with outside auditors and regulators	Name, address, phone, email address, IP address	Regulatory or other supervisory authority

**Security and Fraud Detection**

<b>Business Purpose</b>	<b>Categories of Personal Data</b>	<b>Lawful Basis for Processing</b>
Protect against fraudulent, malicious, abusive, unauthorized, or unlawful use of our products and services and to protect Fusion's network, services, devices, and users from such improper use	Name, address, phone, IP address	Legitimate interest in protecting Customer Account and Personal Data against fraud and security threats
Detect security issues	Identifiers	Legitimate interest in protecting Customer Account and Personal Data against fraud and security



		threats
Manage risk and securing systems	Name, address, phone, IP address	Legitimate interest in protecting Customer Account and Personal Data against fraud and security threats

**To Improve Customer Experience**

<b>Business Purpose</b>	<b>Categories of Personal Data</b>	<b>Lawful Basis for Processing</b>
Improve Customer and user experience	Name, address, phone, IP address	Legitimate interest in improving Customer experience
Provide Customer and user support and develop products and services	Name, address, phone, IP address	Legitimate interest in servicing Customer and customer Account
Create new Fusion Services	Name, address, phone, IP address	Fulfilling a contract

**Analytics**

<b>Business Purpose</b>	<b>Categories of Personal Data</b>	<b>Lawful Basis for Processing</b>
Conduct analytics to better understand Customer and user needs to create better-tailored Fusion Services	Name, address, phone, IP address	Legitimate interest to manage Fusion Services

**Use of Cookies**

Cookies are small text files that can be used by us to make your experience more efficient. Cookies used on the Site are related to managing your identity and personalization; and can help Fusion remember information about your visit. Certain cookies can make your next visit more efficient and useful to you. The law provides that Fusion may store cookies on your device if such cookies are strictly necessary for the operation of Fusion’s Site. For all other cookies, Fusion needs your consent. Fusion obtains this consent when you access our Site and where we provide you with an opportunity to opt-out of cookies. You may opt-out of cookies tracking at any time. For more information please select the “Help” option on your browser to assist you in changing your cookies preferences. Please note that by turning cookies off, you may not have access to certain features available on the Site.



In addition, you may opt-out of cookies at any time by [clicking here](#).

## **Anonymous Data**

Fusion may collect Personal Data which is later aggregated or otherwise de-identified (“**Anonymized Data**”) for our Business Purposes and Marketing Purposes. We may share Anonymized Data with vendors that help us customize the advertising and marketing messages you receive. Anonymized Data may also be shared with third parties for a variety of purposes, including to improve Fusion Services, measure and analyze the use of Fusion Services and to help make Fusion Services and advertising more relevant to you.

## **Personal Data We Share**

### **Information shared within Fusion:**

Fusion shares Personal Data with other group companies for a variety of Business Purposes, including providing you with the latest information about Fusion Services. Customers may limit the sharing of certain types of Personal Data, specifically, information that relates to the type, quantity, destination, technical configuration, location, amount of use and related billing information of your telecommunications or interconnected Voice over Internet Protocol (“**VoIP**”) services (“**Customer Proprietary Network Information**” or “**CPNI**”), by contacting [Fusion’s Privacy Officer](#). Federal law governs Fusion’s use and sharing of CPNI. For the avoidance of doubt, under this Privacy Policy, Personal Data includes CPNI.

### **Information shared outside of Fusion:**

Fusion uses vendors and partners for a variety of Business Purposes including to help us offer, provide, repair, restore, bill, and collect amounts owed with respect to the Fusion Services. We share Personal Data with those vendors and partners when it is necessary for them to perform work on Fusion’s behalf. Fusion requires that these vendors and partners protect the Customer’s Personal Data we provide to them and limit their use of that Personal Data to the purposes for which it is provided. Fusion does not permit its vendors and partners to use Personal Data for their own marketing purposes.

## **Special Notice Regarding Minors**

Fusion respects the privacy of children of all ages and in particular recognizes the sensitivity of Personal Data concerning children under the age of 18 (“**Minors**”) and therefore provides this special notice to parents and legal guardians regarding the collection and use of Personal Data collected from Minors. The Fusion Services are not directed toward Minors nor are the Fusion Services intended to solicit information of any kind from Minors. If we discover that



a Minor has provided us with Personal Data, we will use commercially reasonable efforts to delete such Minor's Personal Data from our system.

## **How Do We Keep Your Personal Data Safe?**

Fusion wants its Customers and Users to access and use the Site and the Fusion Services with confidence. We maintain appropriate technical, organizational, and physical safeguards designed to protect the Personal Data we process in accordance with our legal and regulatory obligations. Our safeguards include firewalls and access control procedures. Our employees are bound by confidentiality agreements that prevent them from disclosing any Personal Data except as explicitly outlined in Fusion's internal policies and procedures. Under Fusion's practices and policies, access to Personal Data is authorized only for those who have a business need for such access. In addition, our employees are trained on the importance of protecting privacy and on the proper access to, use and disclosure of Personal Data.

Although Fusion endeavors to protect the Personal Data that it collects and stores, no system is 100% secure and Fusion cannot guarantee that its safeguards will prevent every unauthorized attempt to access, use or disclose Personal Data.

To report a security issue, please contact visit <https://www.fusionconnect.com/privacy/> or contact [Fusion's Privacy Officer](#). We will work with you to address any problems.

## **Will Personal Data be transferred outside of the United States?**

For Customers and Users based outside of the United States, your Personal Data may be transferred outside your country. If you are based in the European Economic Area or United Kingdom, Fusion will generally receive your Personal Data in reliance on the UK General Data Protection Regulation ("**UK GDPR**") or the European Union General Data Protection Regulation ("**EU GDPR**") Standard Contractual Clauses.

## **How Long Do We Retain Your Personal Data?**

Fusion will keep your Personal Data for as long as reasonably necessary to fulfill the applicable Business Purpose set out in this Privacy Policy and to comply with the applicable legal and regulatory obligations.

## **Your Links to Non-Fusion Websites and Third Parties**



Please note that this Site may contain links to other websites for your convenience and information. Fusion does not control those sites or their privacy practices, which may differ from those of Fusion. This Privacy Policy cannot and does not apply to external websites. We do not endorse or make any representations about third-party websites. The personal data you choose to give to unrelated third parties is not covered by this Privacy Policy. We encourage you to review the privacy policy of any non-Fusion website before submitting your personal data to that site. Some third parties may choose to share your personal data with Fusion; that sharing is governed by that third party's privacy policy.

## Changes to this Privacy Policy

We may update this Privacy Policy at any time, and we strongly recommend that you periodically review this Privacy Policy for changes. You will be able to see that changes have been made by checking the "Last Updated" date posted. Your continued use of the Site or the Fusion Services after the posting of any amended Privacy Policy shall constitute your agreement and consent to be bound by any such changes. Any changes to this Privacy Policy are effective immediately upon posting by Fusion.

## Rights under the General Data Protection Regulation

Under the UK GDPR and EU GDPR (collectively, the "**Data Protection Laws**"), you may have the right to request access to your Personal Data where your Personal Data is controlled by Fusion as the Data Controller.

- You may have the right to request that your Personal Data controlled by Fusion be corrected.
- You may have the right to request that your Personal Data controlled by Fusion be deleted from Fusion's systems. This process is also referred to as the 'right to be forgotten'. Fusion will comply with this request except where Fusion is required by law or regulation to keep your Personal Data. In such circumstances Fusion will advise you as to this legal or regulatory obligation.
- Where Fusion relies on your consent to process your Personal Data controlled by Fusion, you may have the right to withdraw such consent to further use of your Personal Data.
- In certain circumstances, you may have the right to object to Fusion processing your Personal Data. For example, you may unsubscribe from marketing messages or blogs to which you consented and subscribed by following the unsubscribe link or instructions contained in such messages or blogs.
- In certain circumstances, you may have the right to request that Fusion transfer Personal Data that you have provided to us to a third-party.
- You may have the right to file a complaint with the local Data Protection Regulator



if you believe that Fusion has breached Data Protection Laws when using your Personal Data.

You may request access to Personal Data collected and controlled by Fusion by sending an email to [privacyofficer@fusionconnect.com](mailto:privacyofficer@fusionconnect.com).

## **Rights under the California Consumer Privacy Act (CCPA)**

If you are a California resident, under the California Consumer Privacy Act you have additional rights related to your Personal Data.

**Right to Know.** You have the right to know and see what Personal Data Fusion has collected about you over the preceding 12 months, including:

- The categories of Personal Data Fusion has collected about you;
- The categories of sources from which Personal Data is collected;
- The Business Purposes for collecting your Personal Data;
- The Marketing Purposes for collecting your Personal Data;
- The categories of third parties with whom Fusion has shared your Personal Data; and
- The specific pieces of Personal Data Fusion has collected about you.

**Right to Delete.** You have the right to request that Fusion delete the Personal Data we have collected from you.

Deletion of your Personal Data is not an absolute right, however. There are exceptions under which Fusion may retain your Personal Data and where Fusion is not required to delete your Personal Data.

### **Business Purposes Exception**

Fusion may retain your Personal Data for the following Business Purposes:

- In order to process paperwork in connection with the sale or use of Fusion Services;
- As part of the Business Purposes in servicing a Customer Account;
- To share with an affiliated company that is providing services on behalf of Fusion;
- To improve the Fusion Services currently offered or that may be offered in the future;
- and
- To comply with legal or regulatory inquiries, or responding to court orders.

***You may not opt out of the use of your Personal Data for Business Purposes.***

### **Marketing Purposes**



Fusion may collect Personal Data from you for the following Marketing Purposes:

- For marketing and sales purposes in offering Fusion Services; and
- For third parties with whom Fusion has contracted.

***You may opt-out of the sharing of your Personal Data for Marketing Purposes.***

**Exercising Your California Data Privacy Rights.** To request access to or deletion of your Personal Data, or to exercise any other data rights under the CCPA, you may contact Fusion using any of the following methods:

- Authenticate and exercise your data privacy rights, [click here](#).
- Contact us via our toll free dedicated California Data Privacy line: 1-888-301-1721

**Response Timing and Format.** Fusion will respond to a California consumer request for access or deletion (“Request”) within 45 days of receiving that Request. If Fusion requires more time, we will inform you of the reason and extension period, in writing.

## Contact Information

If you have any questions or complaints, please contact the Fusion Privacy Office:

Fusion Connect, Inc.  
210 Interstate North Parkway  
Suite 300  
Atlanta, GA 30339

Email: [privacyofficer@fusionconnect.com](mailto:privacyofficer@fusionconnect.com)

Phone: 1-888-301-1721

We will address your concern and attempt to resolve any problem.