

AOL Inc. 1050 K Street, NW Suite 340 Washington, DC 20001 United States

August 12, 2010

The Honorable Edward J. Markey
The Honorable Joe Barton
United States House of Representatives
Washington, D.C. 20515

Dear Representative Markey and Representative Barton:

Thank you for your letter of August 5, 2010, concerning the recent series of articles in the <u>Wall Street Journal</u> on internet consumer privacy. AOL Inc. ("AOL") welcomes this opportunity to answer your questions and to provide its views on the public policy challenges raised by the need to ensure consumer privacy as the internet age, with its new and vital forms of commerce, matures. As explained in more detail below, AOL believes that consumer trust is a fundamental building block for our business.

AOL is a leading global Web services company with an extensive suite of brands and offerings. AOL's business spans online content, products and services that we offer to consumers, publishers and advertisers. We are focused on attracting and engaging consumers with high-quality and high-value content on our owned and operated web properties, as well as third-party websites. In this light, AOL.com is a portal that consumers use as a gateway to the vast offerings of the internet, as well as a destination with quality content and services that consumers find valuable.

AOL's services (such as email or AIM) and content (such as AOL.com, PoliticsDaily, or DailyFinance) are offered at <u>no charge</u> to consumers. They are supported entirely by internet advertising. Those services and content are more customized, personalized, and valuable to consumers when they personally register for and regularly sign in to our services. Consumers can set their own preferences (which we may remember through the use of first party cookies, as outlined below) and, subject to the parameters of our privacy policies, we can learn more about consumer preferences within AOL's web properties.

The AOL Advertising network is comprised of a comprehensive collection of web publishers that offers advertisers an enhanced ability to reach audiences most responsive to the advertisements. Our integrated advertising networks use cookies to help serve ads on thousands of website publishers, both large and small, including AOL's owned and operated web properties. These networks enable advertisers to reach interested audiences by, for example, inferring from a

user's visit to an auto site within the network that he or she may be interested in buying a new car – and capturing that insight in a non-personally identifiable format.

To be clear, AOL Advertising's ad networks do not collect personal information from website publishers. Moreover, AOL Advertising contractually requires website publishers in its networks who participate in behavioral advertising to disclose in their privacy policies that cookies are used to establish non-personally identifiable, high-level profiles based on a consumer's actions within the advertising network, and to provide consumers the opportunity to opt-out of such data use. In addition to these AOL protections, browser tools and other commercially available software also allow users to control and manage their privacy preferences.

AOL maintains its dial-up internet access business, for which members pay a fee. Paying members generally receive targeted advertisements in the same manner as users of AOL's web properties, and are afforded similar privacy and marketing preferences. AOL does not deploy technology that is commonly referred to as "deep packet inspection" for advertising.

Below, we set forth answers to your August 5 questions.

1. What specific information about consumers does your company collect, either through your own website or through business relationships with third parties?

The answer to this question is set forth in the AOL Network Privacy Policy, which is enclosed as Attachment A. The section regarding "Collection of your AOL Network Information" sets out the information. The AOL Network Privacy Policy is also available via a link at the bottom of the AOL.com homepage and at the following link: <a href="http://about.aol.com/aolnetwork/aol-pp">http://about.aol.com/aolnetwork/aol-pp</a>.

2. If you have business relationships with third parties, please list the names of those third parties, including analytics firms.

Various companies provide content, products, and services on our sites. These companies fall into general categories. In many cases, our business relationships are subject to confidentiality agreements. However, the standard partnership or vendor agreement contains contractual provisions requiring that data exchanged be treated in accord with the privacy policy under which it is collected.

Agents and contractors help operate the AOL Network. As our Network Privacy Policy notes, "If such agents and contractors have access to personally identifiable information, they are required to protect this information in a manner that is consistent with this Privacy Policy by, for example, not using the information for any purpose other than to carry out the services they are performing for the AOL Network."

Analytics companies help measure and evaluate the traffic on our sites, or the response to our advertisements. These include companies such as Omniture, comScore and Nielsen.

AOL partners with Google to enhance our search offerings.

Certain functionalities available on the service are powered by other companies. For example, AOL partners with AddThis (a ClearSpring company that deploys its sharing widget across AOL

sites and pages to facilitate user content sharing). AOL Lifestream invites users to opt-in to allow data feeds from Facebook, Twitter, Flickr, and the like. AOL also offers anti-virus and anti-spyware services through McAfee, ID Vault, and BetterGuard.

Our Network Privacy Policy refers to AOL Internet Phone Service as an affiliated provider; however, that entity no longer exists.

We sometimes receive information from other companies, gathered under their privacy policies. In general, those business relationships are subject to confidentiality agreements.

Many of AOL's products and services are available free of charge due to our ability to sell advertising. AOL uses ad networks and ad serving companies such as AOL Advertising and ADTECH (owned by AOL) to display ads on AOL's web properties which may also be targeted to users based on non-personally identifiable information we share such as age, gender, or zip code.

AOL Advertising, for its part, is in the business of providing advertising services to numerous third-party publishers.

3. How does your company collect consumer information (e.g., direct consumer input, cookies, beacons, Flash cookies, other surveillance technologies)?

AOL collects information about consumers when they register (which is optional) or interact with AOL services. We may combine our user information with information we obtain from other companies, which is collected under the terms of their privacy policies, as well as public sources, and may be used in combination with a user's AOL information to help us deliver more relevant content and advertisements.

We may partner with advertisers who may share their customer information with AOL (subject to the advertiser's privacy policy) for use in delivering ads to their customers on AOL sites or our advertising network.

Finally, as set forth in our Network Privacy Policy's section regarding Cookies and Web Beacons (see Attachment A), AOL allows customers to have their web experiences optimized through the use of other technologies. As our policy states, cookies and web beacons may be used "to enhance and personalize your experience on the AOL Network, including to operate and improve offerings through the AOL Network; to help authenticate you when you use the AOL Network; to remember your preferences and registration information; to enable a shopping cart; to present and help measure and research the effectiveness of AOL Network offerings, advertisements, and e-mail communications (by determining which Network e-mails you open and act upon); and to customize the content and advertisements provided to you through the AOL Network." From that section, consumers may click on a link and read more information about cookies, web beacons, or similar technologies, where we also address flash cookies.

The <u>Wall Street Journal</u> indicated that their snapshot of AOL.com found 133 "tracking files" comprised of 60 first party cookies, 26 beacons, 46 third party cookies, and one flash cookie. The one flash cookie originated from our partner ClearSpring, the maker of AddThis, a sharing technology widely available across the web.

AOL, in accordance with the Network Advertising Initiative's ("NAI") guidelines, does not allow the use of flash cookies for behavioral advertising.

As we note in our Network Privacy Policy, most first party cookies merely facilitate the provision of basic features, recall preferences, and the like.

The beacons we use are small text files often used simply to count visitors. For example, we use beacons to measure traffic on our websites, with a view toward optimizing our offerings and ensuring the best possible consumer experience. Such data is typically aggregated.

Third party cookies attached by advertising networks for behavioral advertising purposes are part of a complex process. Notably, third party ad cookies identify not the specific user, but only their browser, and only with a unique identifier, not the user's name. Moreover, self-regulatory requirements such as the NAI Self-Regulatory Code of Conduct ("NAI Code") (see <a href="http://networkadvertising.org/networks/2008%20NAI%20Principles final%20for%20Website.pdf">http://networkadvertising.org/networks/2008%20NAI%20Principles final%20for%20Website.pdf</a>), as well as contractual limitations imposed by AOL Advertising in publisher agreements prevent the sharing of personally-identifiable data with the ad network without user consent. Data collected by AOL that is used by AOL Advertising's ad network is non-personally identifiable.

Thus, in most cases of the 133 tracking files found on AOL.com by the <u>Wall Street Journal</u>, the tracking is non-personally identifiable. In some cases, the tracking is merely to remember preferences set by the user. In the case of behavioral targeting cookies, the user may opt out of the link of a unique identifier with their data (as set out in the response to question 15 below). And consumers may always clear their cookies by using tools available in their web browsers.

4. How does your company use the information it collects, both directly or through third parties, if applicable?

The AOL Network Privacy Policy contains a section on "How Your AOL Network Information is Used," which is set forth in Attachment A.

5. Does your posted privacy policy fully explain these data collection and use practices?

Yes, we believe so. AOL is constantly reviewing its policies and disclosures to ensure that all of our data collection and use practices continue to be up-to-date and comprehensive.

6. Does your posted privacy policy identify for consumers all affiliated and unaffiliated entities with which you share or provide access to consumer data, whether through direct disclosure, cookies, or some other means?

Although AOL does not specifically list each and every affiliated and unaffiliated entity that might be responsive to this question in its privacy policy, AOL (1) does prominently disclose its privacy policies, which explain to consumers how their information will be used (see above) and (2) only shares non-personally identifiable information with these entities unless users provide consent to additional sharing.

7. Does your company sell or otherwise monetize the information it collects?

- a. If yes, to which companies does it sell or otherwise disclose personal information it collects?
- b. What were the revenues associated with this sale or monetization for the last 12 months, or the most recent year for which your firm has such data?

No, AOL does not sell or rent lists of names and addresses to third parties. As we note in the AOL Network Privacy Policy, a consumer's information collected by AOL will not be shared with third parties other than as specified in the policy. *See* "How your AOL Member Information is Used" in Attachment A.

- 8. Is your company aware of all third-party tracking devices that may be installed on a user's computer when the user visits your site?
  - a. If yes, what evaluations does your company perform to discover such devices? If no, why not?
  - b. What actions does your company take upon discovery of a previously unknown third party tracking device?

No. AOL manually and automatically inspects most of the third party advertisements and content that appear on our sites prior to publication. There are, however, technological limitations to our efforts to find all such devices.

AOL also seeks to protect users from spyware and malware. We deploy robust business processes and automated scanning tools to detect malicious advertisements before they are served on our ad network. AOL also offers its members free of charge the full version of the McAfee Internet Security Suite (anti-virus, anti-spyware, firewall protection, and the like).

9. Does your company serve different pages, content, or advertisements to visitors, based on information derived from tracking devices? If yes, please explain.

Yes. In addition to receiving ads placed based on the context of the page, demographic data, or location data such as zip code, ads using information derived from tracking devices can be targeted, broadly speaking, in two ways.

First, AOL Advertising engages in ad delivery and reporting processes, which are different from online behavioral advertising and that are defined by the NAI as processes that include "providing an advertisement based on a particular type of browser or time of day; statistical reporting in connection with the activity on a website; and tracking the number of ads served on a particular day to a particular website." This is a process of ensuring that the right ad is matched for greatest effectiveness with the right audience.

Second, AOL Advertising also engages in online behavioral advertising, defined by the NAI as, "... any process used whereby data are collected across multiple web domains owned or operated by different entities to categorize likely consumer interest segments for use in advertising online." A visit to a web page by a user triggers a variety of ad calls to various ad servers. These calls go back and forth until an optimal ad is found for that space of inventory and that browser at that moment. If a targeted ad cannot be found, a generic ad fills in.

Importantly, a user's browser is identified with a unique identifier that passes data back to the

ad network that allows for inferences to be made about that user's interests. This information is summarized in "segments," a variety of which may be listed in a user's ad profile.

10. Does your company target individuals based on their health or financial status?

AOL follows the NAI Code, which requires consumer opt-in consent for the use of sensitive consumer information, including financial account numbers or precise health information. In addition, AOL will not use certain potentially sensitive information to serve personalized ads including certain health conditions (e.g., cancer, mental health conditions, abortion, sexually related areas, and HIV/AIDS), race/ethnicity, religion, and financial status (e.g., credit scores or bankruptcies). AOL may, however, serve ads based on consumers' interest in the general categories of health or finance.

11. Are there any user search or use habits that your company will not use for targeting purposes or tracking? If yes, what are they?

As set forth above, AOL will not use certain potentially sensitive information to serve personalized ads including certain health conditions (e.g., cancer, mental health conditions, abortion, sexually related areas, and HIV/AIDS), race/ethnicity, religion, and financial status (e.g., credit scores or bankruptcies). AOL may, however, serve ads based on consumers' interest in the general categories of health or finance.

12. Has your company conducted a legal analysis of the applicability of communications and consumer privacy laws to the targeting and/or tracking practices utilized by your firm? If yes, please explain what this analysis entailed.

As stated above, AOL is constantly reviewing its privacy policies and disclosures, as well as its advertising policies.

In addition, AOL has long participated in the TRUSTe Privacy Seal Program (www.truste.com), submitting to the TRUSTe self-regulatory process, its oversight and dispute resolution mechanism. We helped shape and adhere to the NAI Code (see <a href="http://networkadvertising.org/networks/2008%20NAI%20Principles final%20for%20Website.pdf">http://networkadvertising.org/networks/2008%20NAI%20Principles final%20for%20Website.pdf</a>) as well as Self-Regulatory Principles for Online Behavioral Advertising (see <a href="http://www.iab.net/public\_policy/behavioral-advertisingprinciples">http://www.iab.net/public\_policy/behavioral-advertisingprinciples</a>) put forth in July of 2009 by a coalition of industry associations including the Interactive Advertising Bureau ("IAB") and the Direct Marketing Association. Adherence to our privacy policies is a requirement for all AOL employees under our Standards of Business Conduct, and we maintain a privacy team of Certified Information Privacy Professionals that provides ongoing guidance to the company to ensure that privacy is addressed in new products, features, services, and transactions.

13. If your company tracks or targets visitors, how does it notify visitors to your company's site of this practice? If it does not provide notification, why not?

We notify consumers through our privacy policies for the AOL network (Attachment A) and, for the AOL service (Attachment B).

In addition, in the instance of new products, features and services, we may provide additional relevant privacy notices.

We also have consumer education initiatives. To that end, AOL has served over a billion public service banner ads to educate users about behavioral advertising and direct them to opt out mechanisms, via the NAI and the IAB.

14. If a user does not want to be tracked or targeted upon visiting your site, how would the user effectuate this preference?

We offer consumers a number of different ways to enhance their privacy.

For registered users of AOL, we offer "Marketing Preferences" that allow users to opt out of receiving marketing from AOL via pop-ups, email, phone, or direct mail.

Particular AOL services and features offer additional customization and control. AOL Search, for example, offers the ability to opt-in to enhanced search or to turn off search history tracking. AIM offers privacy settings to control one's audience.

Users on AOL.com and in the AOL Advertising network can opt out of targeted behavioral advertising by going to the NAI homepage at <a href="http://NetworkAdvertising.org">http://NetworkAdvertising.org</a>, by visiting the AOL Advertising Privacy Policy at <a href="http://advertising.aol.com/privacy">http://advertising.aol.com/privacy</a>, or via the disclosure in the Cookies and Web Beacons section of the AOL Network and AOL Member privacy policies.

AOL has developed and will soon make available a beta version of our AdVisibility profile viewer, which will allow users to see the segments included in their profile. Note that the profile is not a list of where the consumer has been online — it is a summary of segments gathered in a profile, and the profile associated with the user can be deleted at-will by the user by exercising the behavioral targeting opt-out, as well as by clearing the cookies using tools available in the browser.

15. Please explain whether your company provides the ability of consumers to "opt-in" to the use of these practices or "opt-out," including whether they have an option to prevent both collection and use of their data. If your company provides the opportunity to opt-out, how many visitors have chosen this option according to your company's most recent data?

Users on AOL.com and in the AOL Advertising network can opt out of targeted behavioral advertising by visiting (1) the Cookies and Web Beacons section of the AOL Network Privacy Policy; (2) the AOL Advertising Privacy Policy at <a href="http://advertising.aol.com/privacy">http://advertising.aol.com/privacy</a> (see Attachment C); or, (3) the NAI homepage at <a href="http://NetworkAdvertising.org">http://NetworkAdvertising.org</a>. Moreover, consumers have the ability to limit data collection by websites via tools available in their internet browsers.

We do not maintain data on opt-out rates. However, the NAI 2009 Annual Compliance Report estimated that 300,000 unique visitors went through the NAI opt-out process in 2009 (see http://networkadvertising.org/pdfs/NAIComplianceRelease123009.pdf).

Please do not hesitate to contact us if we may provide any additional information or otherwise be of assistance to you.

Sincerely,

Tekedra M. Jefferson

Senior Vice President & Deputy General Counsel

**Public Policy** 

Enclosures (3)

## Attachment A

AOL.com is part of the AOL Network. If you are a registered user of the AOL Network, this Privacy Policy applies to your use of AOL.com and the AOL Network. Click here to <u>learn more</u> about the AOL Network.

#### AOL NETWORK PRIVACY POLICY

Thank you for registering your Screen Name to obtain enhanced access to the network of Web sites and services offered by AOL Inc. ("AOL"). The AOL Network improves your online experience by offering you access to a variety of features, offerings and content. By registering your Screen Name, you gain access to the AOL Network, which consists of AOL Enhanced Websites and Services such as AIM Mail, and other content and offerings from the AOL Network's affiliated providers (collectively the "AOL Network" or "Network").

When you register with and use the AOL Network, you provide the AOL Network with personally identifiable information (your "AOL Network information"). This Policy explains the information practices that apply to your AOL Network information, as well as the choices you can make about the ways this information is used by the AOL Network.

Registering to use your Screen Name with the AOL Network is optional. This Privacy Policy applies only to information AOL collects about you as a user of the AOL Network. This policy does not apply to information about you collected by the AOL Network's affiliated providers, or third party Web sites and offerings linked to or otherwise accessible from the AOL Network. The information collected or received by the AOL Network's affiliated providers and these third parties is subject to their own privacy policies.

## Collection of your AOL Network Information

Your AOL Network information consists of personally identifiable information collected or received about you when you interact with the AOL Network's Web sites, services and offerings as a registered user. Depending on how you use the Network, your AOL Network information may include

- registration-related information (such as name, home or work addresses, e-mail addresses, telephone and fax numbers, birth date or gender);
- information about your visits to AOL Network Web sites and pages, and your responses to the offerings and advertisements presented on these Web sites and pages;
- information about the searches you perform through the AOL Network and how you use the results of those searches;
- information about the AOL Network services or offerings that you use, and how frequently you use them;

- information about how long you have used services from AOL, Inc. prior to registering with the Network;
- transaction-related information (such as credit card or other preferred means of payment, billing or shipping information, or a history of products purchased through the AOL Network);
- · customer service information about you as a AOL Network user or subscriber; or
- other information specifically related to your use of a particular AOL Network service or offering.

Your AOL Network information may be supplemented with additional information from other companies.

Your AOL Network information may also include certain technical information gathered or received when you use the AOL Network. Some of the technical information that may be collected or received includes: the type of browser you are using (e.g., Netscape, Internet Explorer), the type of operating system you are using (e.g., Windows XP or Mac OS), CPU type (e.g. Pentium), your manner of connecting to the Internet (e.g., connection speed through narrowband or broadband access); Internet protocol address; information about the version of service from AOL Inc. that you used prior to registering with the Network; other information about your geographic location; and the domain name of your Internet service provider.

Your AOL Network information may be collected and stored in the United States. Additionally, the AOL Network will use the Screen Name Service, or similar technologies, to authenticate you on the AOL Network and enable you to take advantage of Network offerings. You can learn more about other benefits of the Screen Name Service, including its ability to facilitate your use of Web sites outside the AOL Network, by visiting Screen Name Service.

#### How Your AOL Network information is Used

Your AOL Network information is used

- to operate and improve the Web sites, services and offerings available through the AOL Network;
- to personalize the content and advertisements provided to you;
- to fulfill your requests for products, programs, and services;
- · to communicate with you and respond to your inquiries;
- to conduct research about your use of the AOL Network; and
- to help offer you other products, programs, or services that may be of interest.

Your AOL Network information may be shared with the Network's affiliated providers. You have <u>choices</u> about how your AOL Network information is used, and whether affiliated providers receive personally identifiable information about you as an AOL Network user. Affiliated providers that receive your AOL Network information may use this information according to their applicable privacy policies.

Your AOL Network information will not be shared with third parties unless it is necessary to fulfill a transaction you have requested, in other circumstances in which you have consented to the sharing of your AOL Network information, or except as described in this Privacy Policy. The AOL Network may use your AOL Network information to present offers to you on behalf of business partners and advertisers. These business partners and advertisers receive aggregate data about groups of AOL Network users, but do not receive information that personally identifies you.

If you use AOL Network communications tools to disclose information about yourself publicly (for example, in chat rooms or online message boards made available by the AOL Network), other online users may obtain access to any information you provide. The contents of your online communications, as well as other information about you as an AOL Network user, may be accessed and disclosed in response to legal process (for example, a court order, search warrant or subpoena); in other circumstances in which AOL believes the AOL Network is being used in the commission of a crime; when we have a good faith belief that there is an emergency that poses a threat to the safety of you or another person; or when necessary either to protect the rights or property of AOL, the AOL Network or its affiliated providers, or for us to render the service you have requested.

The AOL Network may use agents and contractors in order to help operate the Network. If such agents and contractors have access to personally identifiable information, they are required to protect this information in a manner that is consistent with this Privacy Policy by, for example, not using the information for any purpose other than to carry out the services they are performing for the AOL Network.

In the event that ownership of the AOL Network was to change as a result of a merger, acquisition or transfer to another company, your AOL Network information may be transferred. If such a transfer results in a material change in the use of your AOL Network information, the AOL Network will provide notice about the choices you have to decline to permit such a transfer.

## Your Choices About Your AOL Network Information

The AOL Network provides you with access to your registration and any billing or shipping information; the ability to edit this information at the My Account area; and the ability to deactivate your registration with the AOL Network. Additionally, some AOL Network services (AOL Search, for example) may offer you the ability to control what information is collected or used when you use these services.

You can <u>make choices</u> about how your AOL Network information may be used by the AOL Network to provide marketing offers to you. In order to do so, please visit the <u>My Account</u> area and review your AOL Network marketing preferences. These preferences do not apply to communications that are directly related to your registration with the AOL Network, or the fulfillment of a specific transaction you have requested (for

example, a service advisory from the AOL Network, or an acknowledgment of a purchase order).

You may also choose whether the AOL Network's affiliated providers receive personally identifiable AOL Network information. This choice does not apply to the sharing of AOL Network information necessary to provide you the basic functionality of the Network (for example, recognizing you as an authenticated user on affiliated providers' Web sites or services). Additionally, the AOL Network may share personally identifiable AOL Network information with one or more of its affiliated providers when that information is necessary to carry out a specific transaction or request you make for an offering from the Network or its affiliated providers, or as otherwise specified at the time you take advantage of that particular Network offering.

Because the choices you make in connection with your AOL Network information may not take effect immediately, it is possible you may receive a communication during the period in which your request is being processed.

### Cookies and Web Beacons

The AOL Network may use <u>cookies</u>, <u>web beacons</u>, <u>or similar technologies</u> in combination with your AOL Network information to enhance and personalize your experience on the AOL Network, including to operate and improve offerings through the AOL Network; to help authenticate you when you use the AOL Network; to remember your preferences and registration information; to enable a shopping cart; to present and help measure and research the effectiveness of AOL Network offerings, advertisements, and e-mail communications (by determining which Network e-mails you open and act upon); and to customize the content and advertisements provided to you through the AOL Network.

The AOL Network and its advertisers may also use ad network providers and other service providers, including AOL subsidiaries such as Advertising.com and TACODA, to help present customized content and advertisements on the AOL Network and other Web sites. These providers use cookies, web beacons, or similar technologies on your computer to help present, better target, and measure the effectiveness of their content and advertisements, using data gathered over time and across their networks of Web pages to determine or predict the characteristics and preferences of their audience. The AOL Network may share certain non-personally identifiable information about you as a Network user (such as user age and zip code) with certain ad network and service providers, including Advertising.com and TACODA, to help them deliver more relevant content and advertisements through their networks. The use of cookies, web beacons, or similar technologies by Advertising.com, TACODA, and other content and ad network providers is subject to their own privacy policies, not the AOL Network's. Click here to learn more about third party content and ad network providers and the choices you have about these technologies.

# Information for AOL and CompuServe Subscribers

Certain AOL Network offerings may be made available to subscribers of the AOL and CompuServe online services, without requiring these subscribers to register with the AOL Network.

# Personal Financial Information

The following notice explains the AOL Network's practices with respect to the use of personal financial information, such as AOL Network portfolios ("AOL Network financial features"). By using AOL Network financial features, you agree to receive future notices required under the Gramm-Leach-Bliley Act through the continuous posting of this Privacy Policy online.

To use the portfolio feature on the AOL Network, for example, you specify the types of stocks and funds you wish to monitor, the names of the particular stocks of interest to you, and their purchase price ("portfolio information"). To give you updated information when you use these features, AOL Network servers automatically collect and store the portfolio information that you provide. Similarly, if you use a Wallet service to facilitate transactions on third party sites, you provide the AOL Network with information including your name, credit card, and shipping addresses ("wallet information").

The AOL Network does not disclose portfolio or wallet information to unaffiliated third parties other than in the limited circumstances permitted by law (for example, in response to legal process), or when you ask us to disclose the information (for example, when you request that the Network share wallet information in order to facilitate a purchase on a third party web site). Nor does the AOL Network share information about the specific types of stocks and funds in your portfolio with the Network's affiliated providers. Any sharing of portfolio or wallet information with the Network's affiliated providers is also subject to your choices. This policy does not apply, however, to financial information that you provide to an affiliated provider or a third party in connection with your use of their sites or offerings.

If you click through a banner advertisement on the portfolio or wallet features, and identify yourself to the advertiser (for example, by placing an order), the advertiser may be able to tell that you use that feature. No portfolio or wallet information is shared with the advertiser unless you request it.

Only employees and contractors who need to know this information in order to provide this service to you are authorized to access portfolio or wallet information.

# Our Commitment to Security

The AOL Network has established safeguards to help prevent unauthorized access to or misuse of your AOL Network information, but cannot guarantee that your personally identifiable information will never be disclosed in a manner inconsistent with this Privacy Policy (for example, as a result of unauthorized acts by third parties that violate applicable law or the policies of the Network and its affiliated providers). To protect your

privacy and security, the AOL Network uses passwords to help verify your identity before granting access or making corrections to any of your AOL Network information.

## **Special Note for Parents**

The AOL Network is intended for a general audience, and children under the age of thirteen are not permitted to register with the AOL Network. If any of the AOL Network's affiliated providers offers a site directed toward children, or knowingly collects information from children, that affiliated provider is required to provide you information about its practices for the handling of children's online data through its privacy policy.

### How to Contact Us

If you have any questions or concerns about the AOL Network's Privacy Policy or its implementation, you may contact us at this email address:

privacyquestions@aol.com

# **Changes to this Privacy Policy and Additional Information**

The AOL Network may update this Privacy Policy from time to time, and so you should review this Policy periodically. If there are significant changes to the AOL Network's information practices, you will be provided with appropriate online notice. You may be provided other privacy-related information in connection with your use of offerings from the AOL Network, as well as for special features and services not described in this Policy that may be introduced in the future.

Your California Privacy Rights: California privacy law allows California residents to obtain specific disclosures about a business's privacy practices if it shares information with other companies for direct marketing purposes. To make a request to the AOL Network under California's privacy law, please send an e-mail to: CAPrivacyInfoAN@aol.com.

European Union Residents: AOL adheres to the EU-US Safe Harbor Privacy Principles of Notice, Choice, Onward Transfer, Security, Data Integrity, Access and Enforcement, and is registered with the <u>U.S. Department of Commerce's Safe Harbor Program</u>. Click <u>here</u> for more details.

#### **TRUSTe**

The AOL Network is a Participant in the TRUSTe Privacy Seal Program. TRUSTe is an independent organization whose mission is to advance privacy and trust in the networked world. As this Web site wants to demonstrate its commitment to your privacy, it has agreed to disclose its information practices and have its privacy practices monitored for compliance by TRUSTe.

If you have questions or concerns regarding this statement, you should first contact us at **PrivacyQuestions@aol.com**. If you do not receive acknowledgment of your inquiry, or if your inquiry has not been satisfactorily addressed, you should then contact TRUSTe at <a href="http://www.truste.org/consumers/watchdog\_complaint.php">http://www.truste.org/consumers/watchdog\_complaint.php</a>. TRUSTe will then serve as a liaison with the Web site to resolve your concerns.

Last Updated 07-13-2009

# Attachment B

At AOL Inc. ("AOL"), our Members' privacy has always been one of our most important values. Please read <u>AOL's Privacy Commitments to Members</u> to understand our key objectives for protecting your privacy and security. Para leer este documento en español haz <u>clic aquí</u>.

This Privacy Policy explains our practices for collecting and handling your personal information as an AOL Member, as well as what choices you have about its use.

We believe that AOL's Privacy Commitments and Privacy Policy should give you confidence whenever you use the AOL Online Service.

# AOL MEMBER PRIVACY POLICY

This policy covers personal information about you as a Member of the AOL Online Service ("the AOL Service," or "Service"), including the personal information we collect through the sites, services and software that we use to provide you our Service. Some of these offerings may provide you with additional information and choices about your privacy, which you should read if you take advantage of these offerings.

The AOL Member Privacy Policy does not apply to other companies' Web sites and services that you may access outside the AOL Service. The personal information collected or received by these other companies is subject to their own privacy policies.

Click the links below to learn about the following topics:

- Collection of Your AOL Member Information
- How Your AOL Member Information Is Used
- Your Choices About Your AOL Member Information
- Cookies and Web Beacons
- Our Commitment to Security
- Personal Financial Information
- Protecting Children
- How to Contact Us
- Keeping You Informed About Changes to this Policy
- Additional Information

# Collection of Your AOL Member Information

Your AOL Member information consists of personally identifiable information collected or received about you when you interact with the AOL Service, including AOL <u>sites and pages</u>, <u>services</u>, and <u>software</u> (collectively AOL Service "offerings"). Depending on how you use the AOL Service, your AOL Member information may include:

 registration-related information (such as name, home or work addresses, e-mail addresses, telephone and fax numbers);

- information about your visits to AOL <u>sites and pages</u>, and your responses to the offerings and advertisements presented on these sites and pages;
- information about the searches you perform through the AOL Service and how you use the results of those searches;
- information about the AOL Service offerings that you use, including AOL premium services, and how frequently you use them;
- information about your AOL preferences (such as a zip code for localization purposes);
- transaction-related information (such as credit card or other preferred means of payment, billing or shipping information, or a history of products purchased through the AOL Service);
- customer service information about you as an AOL Member (such as account history, your or others' complaints, and your interactions with AOL support services online or by phone); or
- other information specifically related to your use of a particular AOL Service offering.

Your AOL Member information may also include certain technical and diagnostic information gathered or received when you use the AOL Service. Some of the technical information that may be collected or received includes: the type of browser you are using (e.g., Netscape, AOL Explorer), the type of operating system you are using (e.g., Windows XP or Mac OS), CPU type (e.g. Pentium), the manner in which you connect to the Internet (e.g., connection speed through narrowband or broadband access); Internet protocol address; other information about your geographic location; or data relating to computer malfunctions or problems occurring when you use your computer with the AOL Service. Additionally, we may collect information about other software on your computer for the limited purpose of protecting your security or improving your online experience.

Your AOL Member information may be supplemented with additional information, including publicly-available information and information from other companies.

The AOL Service uses the Screen Name Service, or similar technologies, to authenticate you and enable you to take advantage of AOL Service offerings. You can learn more about other benefits of the Screen Name Service, including its ability to facilitate your use of Web sites outside the AOL Service, by visiting <u>Screen Name Service</u>.

# How Your AOL Member Information Is Used

Your AOL Member information may be used:

- to operate and improve the AOL Service and enhance your online experience;
- to personalize the content and advertisements you receive;
- to identify or remediate possible threats to your safety, security, privacy, or to your computer's security;
- to fulfill your requests for products, programs, and services;

- to communicate with you and respond to your inquiries;
- to conduct research about your use of the AOL Service; and
- to help offer you other products, programs, or services that may be of interest.

AOL does not rent or sell your AOL Member information (such as name, address, telephone number, screen name and credit card information) to third parties. We may share AOL Member information in order to jointly present you offers with or on behalf of our business partners, but we do not allow these partners to use your AOL Member information for any other purpose. Except for these joint offers, AOL will only share your AOL Member information with third parties to provide products and services you have requested, or when we have your consent

AOL does not read your private online communications when you use AOL Service communications tools (for example, AOL Service e-mail or AOL instant messenger), except in the limited circumstances described in this Privacy Policy. Please remember, however, that if you use these tools to disclose information about yourself publicly (for example, in public chat rooms or online message boards on AOL), other online users may obtain access to any information you provide.

Your AOL Member information, including the contents of your private online communications, may be accessed and disclosed in response to legal process (for example, a court order, search warrant or subpoena); in other circumstances in which AOL believes the AOL Service is being used in the commission of a crime; when we have a good faith belief that there is an emergency that poses a threat to the safety of you or another person; or when necessary either to protect the rights or property of AOL, or for us to render the service you have requested.

AOL may use agents and contractors in order to help operate the AOL Service. We require agents and contractors that have access to AOL Member information to protect this information in a manner consistent with this Privacy Policy, and prohibit them from using the information for any purpose other than to carry out the services they are performing for the AOL Service.

In the event that ownership of the AOL Service was to change as a result of a merger, acquisition, or transfer to another company, your AOL Member information may be transferred. If such a transfer would result in a material change in the use of your AOL Member information, we will provide notice about the choices you have to decline to permit such a transfer.

# Your Choices About Your AOL Member Information

The AOL Service allows you to access your registration, billing or shipping information, and edit this information through AOL Keyword: My Account. Additionally, some AOL Service offerings (AOL Search for example) allow you to control what information is collected or used when you use that offering. Visit AOL Keyword: Settings to learn more.

You can also make choices about how your AOL Member information may be used by the AOL Service to provide marketing offers to you:

- You may choose not to receive marketing offers from AOL by U.S. mail.
- You may choose not to receive marketing offers from AOL by telephone.
- You may choose not to receive marketing offers from AOL by e-mail.
- You may choose not to receive marketing offers through online pop-ups from AOL.

In order to do so, please visit AOL Keyword: <u>Marketing Preferences</u> or AOL Keyword: <u>Choice</u> to review your AOL Service marketing preferences. These preferences do not apply to communications that are related to your AOL Membership, or the fulfillment of a specific transaction you have requested (for example, a service advisory from the AOL Service, or an acknowledgment of a purchase order). Similarly, these preferences do not apply to the sharing of information necessary to provide the basic functionality of the AOL Service, or information necessary to carry out your requests or specific transactions.

Because the choices you make in connection with your AOL Member information may not take effect immediately, it is possible you may receive a communication during the period in which your request is being processed.

#### Cookies and Web Beacons

The AOL Service may use <u>cookies</u>, <u>web beacons</u>, <u>or similar technologies</u> in combination with your AOL Member information to enhance and personalize your experience on the AOL Service, including to operate and improve offerings through the AOL Service; to help authenticate you when you use the AOL Service; to remember your preferences and registration information; to enable a shopping cart; to present and help measure and research the effectiveness of AOL Service offerings, advertisements, and e-mail communications (by determining which AOL Service e-mails you open and act upon); and to customize the content and advertisements provided to you through the AOL Service.

The AOL Service and its advertisers may also use ad network providers and other service providers, including AOL subsidiaries such as Advertising.com and TACODA, to help present customized content and advertisements on the AOL Service and other Web sites. These providers may use cookies, web beacons, or similar technologies on your computer to help present, better target, and measure the effectiveness of their content and advertisements, using data gathered over time and across their networks of Web pages to determine or predict the characteristics and preferences of their audience. The AOL Service may share certain non-personally identifiable information about you as an AOL Service Member (such as age or zip code) with certain ad network and service providers, including Advertising.com and TACODA, to help them deliver more relevant content and advertisements through their networks. The use of cookies, web beacons, or similar technologies by Advertising.com, TACODA, and other content and ad network providers is subject to their own privacy policies, not the AOL Service's. Click here to learn more

about third party content and ad network providers and the choices you have about these technologies

## Our Commitment to Security

There are many ways for you to access the AOL Service or other AOL offerings, including through high speed and wireless connections provided by AOL or other companies. AOL offers you a robust set of tools to help you prevent others from gaining access to your personal information, as well as to help protect against other threats to the security of your online experience. Please visit AOL Keyword: <u>Safety</u> to learn what you can do to help safeguard your safety, security, and privacy.

To help protect the AOL Member information you provide to AOL, we use a variety of safeguards, including

- technical, administrative, and physical controls (such as restricted access facilities, intrusion prevention and detection systems, and dedicated security personnel and incident response teams)
- · encryption and authentication systems
- passwords, and an Account Security Question to help verify your identity when making corrections to your AOL Member information; and
- agreements with contractors and vendors requiring them to protect the confidentiality, safety, and security of AOL Member information

Each and every AOL employee must acknowledge that they understand and will comply with the AOL Privacy Policy. AOL authorizes its employees to obtain access to AOL Member information only to perform their particular functions, and uses technological and other control procedures to help limit such access. Employees who violate our policies and practices are subject to disciplinary action, up to and including termination, or prosecution.

AOL has established these safeguards to help prevent unauthorized access to or misuse of your AOL Member information, but cannot guarantee that your personally identifiable information will never be disclosed in a manner inconsistent with this Privacy Policy (for example, as a result of unauthorized acts by third parties that violate applicable law or the policies of the AOL Service and its affiliates).

Your AOL Member information may be collected and stored in the United States or other countries.

#### **Personal Financial Information**

The following notice explains the AOL Service's practices with respect to the use of personal financial information, such as AOL Portfolios ("AOL Service financial features"). By using AOL Service financial features, you agree to receive future notices

required under the Gramm-Leach-Bliley Act through the continuous posting of this Privacy Policy online.

We collect your personal information to provide certain AOL Service offerings that you request. To use the portfolio feature on the AOL Service, for example, you specify the types of stocks and funds you wish to monitor, the names of the particular stocks of interest to you, and their purchase price ("portfolio information"). To give you updated information when you use these features, AOL Service servers automatically collect and store the portfolio information that you provide. Similarly, if you use a Wallet service to facilitate transactions on third party sites, you provide the AOL Service with information including your name, credit card, and shipping addresses ("wallet information").

The AOL Service does not disclose portfolio or wallet information to third parties other than in the limited circumstances permitted by law (for example, in response to legal process), or when you ask us to disclose the information (for example, when you request that the AOL Service share wallet information in order to facilitate a purchase on a third party web site). This policy does not apply, however, to financial information that you provide to another company in connection with your use of their sites or offerings.

If you click through a banner advertisement on the portfolio or wallet features, and identify yourself to the advertiser (for example, by placing an order), the advertiser may be able to tell that you use that feature. No portfolio or wallet information is shared with the advertiser unless you request it.

Only employees and contractors who need to know this information in order to provide this service to you are authorized to access portfolio or wallet information.

# **Protecting Children**

Young people need special safeguards and privacy protection. We realize they may not understand all the provisions of our policy or be able to make thoughtful decisions about the choices available to adult members. So we have special privacy practices to protect kids using areas on the service specifically designed for them, including the <u>KOL</u> service. We urge all parents to educate their children about online safety and the need to protect their personal information.

In areas on the service designed for children 12 and under, AOL and its partners require verifiable parental consent (for example, by sending in a permission form by regular mail or by fax) to collect or use names, addresses, telephone numbers or other information that identifies a child offline. In addition, for children to use screen names on the AOL service, we require parental (master account) consent at the time the subaccount screen name is created. We do this so that parents are aware of and consent to how their children may use their screen names; for example, using the screen name to request an online newsletter, to post a message on a message board or to participate in a chat room. Please read our important note to parents (Keyword: Note to Parents) to learn more about AOL's practices regarding children's online privacy.

Another way parents can control their child's experience online is <u>AOL's Parental</u> <u>Controls</u> (Keyword: <u>Parental Controls</u>). These simple, flexible tools allow parents to customize content and functionality to their child's maturity level.

We encourage all parents to use their master account to create separate screen names for each child (because one master account may have up to seven screen names). This allows the parent to customize AOL to their child's maturity level and content needs: Kids Only (recommended for children 12 and under); Young Teen (recommended for ages 13-15); or Mature Teen (recommended for ages 16-17).

Using Parental Controls, parents can also choose to activate the <u>AOL Guardian</u> feature to receive regular e-mail updates about their child's online activities using his or her AOL screen name, such as the Web sites that the child visited or attempted to visit; e-mail and Instant Message activity; or contacts in the child's address book and Buddy List.

AOL notifies both the parent's master account and the child's screen name when AOL Guardian is activated. AOL Guardian reports are intended solely for the parent's master account, and are not otherwise used or disclosed by AOL except in the limited circumstances described in this Privacy Policy.

Unsolicited e-mail is a problem for everyone, but it is particularly a problem for children. This includes mail that could contain content you may not want your children to see, or mail that may ask for information you would not want your children to give out.

If you want to minimize the unsolicited e-mail your children receive, you can use Mail Controls (Keyword: Mail Controls) to block all e-mail from the Internet or to select the e-mail addresses from which you wish to allow your children to receive e-mail. Remember that screen names and information volunteered by children and teens in public chat rooms, e-mail exchanges, message boards, the Member Directory, and other online communications are publicly available and may be used by other parties to generate unsolicited e-mail and for other purposes.

#### How to Contact Us

If you have any questions about the AOL Service's Privacy Policy or its implementation, or if you have a concern or policy violation you wish to report, you may contact us at the email address privacyquestions@aol.com, or by visiting Keyword: <u>Privacy Questions.</u>

## Keeping You Informed about Changes to this Policy

The AOL Service may update this Privacy Policy from time to time, and so you should review this Policy periodically. If we make minor changes or clarifications to this Policy, we will give you notice online through AOL, such as through the AOL Service Welcome page or on our main AOL Service Web sites and pages. If the Policy changes are substantial, we will notify you 30 days' in advance of such changes taking effect, such as through e-mails or online pop-up screens. You should sign on to your account regularly

for these and other important announcements. You may be provided additional privacy-related information and choices in connection with your use of other offerings from the AOL Service, as well as for special features and services not described in this Policy that may be introduced in the future.

#### **Additional Information**

Your California Privacy Rights: California privacy law allows California residents to obtain specific disclosures about a business's privacy practices if it shares information with other companies for direct marketing purposes. To make a request to AOL under California's privacy law, please send an e-mail to the following AOL Screen Name: CAPrivacyInfo.

Updated: 07-13-2009

# **Attachment C**

## **AOL Advertising Privacy Policy**

AOL Advertising Inc. ("we," "us," and "our") is a wholly-owned subsidiary of AOL Inc., integrating AOL's leading media properties, targeted marketing technology, and Advertising.com's mass reach into a unified solution for advertisers and publishers. AOL Advertising views the protection of individual privacy as critically important. Our proprietary technologies allow us to deliver relevant, targeted advertising to individuals, but not at the expense of individual privacy. It is our fundamental goal at AOL Advertising to remain the industry leader in Internet-enabled marketing and advertising, while maintaining our commitment to these standards.

This privacy policy describes the kind of information we collect on sites operated by AOL Advertising ("AOL Advertising Sites") and on sites operated by publishers that participate in our advertising network ("Network Participant Sites"), how we use and share that information, and the choices you may have regarding these practices.

AOL Advertising Affiliations
Information Collection and Use
How Collected Information is Used
Product-Specific Practices
Information Sharing
Choices
Security
Children's Privacy
Changes to this Policy
Ouestions, Concerns, and Comments

#### **AOL** Advertising Affiliations

AOL Advertising is committed to responsible online advertising and, as such, is a member of the Network Advertising Initiative (NAI). AOL Advertising complies with the NAI's Self-Regulatory Principles which have been developed in collaboration with the Federal Trade Commission. In accordance with the NAI, we require our clients to create privacy policy statements and to provide users with conspicuous access to their privacy policy statements. Additionally, we require that our clients disclose what information is being collected from users on their sites. Although we cannot monitor every transaction tracked by each of our many clients and match it to each respective client's privacy policy, we periodically monitor the websites of our clients to ensure they are adequately disclosing and updating their privacy statements.

European Union Residents: AOL Advertising adheres to the EU-US Safe Harbor Privacy Principles of Notice, Choice, Onward Transfer, Security, Data Integrity, Access and Enforcement, and is registered with the <u>U.S. Department of Commerce's Safe Harbor Program</u>. Click <u>here</u> for more details.

# Information Collection and Use

## Collection on AOL Advertising Sites

We collect information when you visit AOL Advertising Sites, including information about how you use our sites, general clickstream behavior such as pages viewed, navigation from page to page on AOL Advertising Sites, time spent on each page, and items that visitors click or select ("Usage Information").

We also collect technical information such as the type of browser you are using (e.g., Netscape, Internet Explorer), the type of operating system you are using (e.g., Windows XP or Mac OS), CPU type (e.g. Pentium), your manner of connecting to the Internet (e.g., connection speed through narrowband or broadband access); Internet protocol address; information about your geographic location derived from your Internet protocol address; and the domain name of your Internet service provider (collectively, "Technical Information"). Unless you provide information that identifies you personally, for example by asking us to contact you to discuss our products and services, you are not personally identifiable to us.

AOL Advertising may use different types of technologies to collect information on AOL Advertising Sites, including cookies and web beacons.

If you register to participate in the AOL Advertising network as a publisher or an advertiser, we also collect information that identifies you personally such as your name, contact information, and payment method. We use this information for business purposes such as account maintenance, billing, and to operate the AOL Advertising services. This personally identifiable information may be associated with the Usage Information and Technical Information described above.

Information collected on AOL Advertising Sites may be combined with information collected from other sources.

#### Collection on Network Participant Sites

When you visit any of the websites that participate in our advertising network and view ads from our advertisers, we collect information, including Technical Information and Usage Information about your activities on the site.

In addition, Network Participants Sites may share certain non-personally identifiable information about their users (such as age, gender, and zip code) with AOL Advertising. AOL Advertising requires Network Participant Sites to inform their users about the information they share with third party networks such as AOL Advertising.

AOL Advertising may collect information directly from you on behalf of advertisers on Network Participant Sites (for example, in promotions and sweepstakes or other registration methods). If this information is personally identifiable, we will direct you to additional information about the use of the data (such as a link to the applicable advertiser privacy policy at the time of collection). To refine the targeting of ads that are most appropriate for you, AOL Advertising may access the non-personal information that may have been collected in a registration environment. This non-personal information may be linked with Technical and Usage Information about your visit(s). Personal information such as name, address and phone number is never accessed for this purpose.

Information collected on Network Participant Sites may be combined with information collected from other sources.

AOL Advertising may use different types of technologies to collect information on Network Participant Sites, including cookies and web beacons.

AOL Advertising retains certain information, such as IP address, for a short period to aid in the targeting of ads by location and for fraud detection and prevention. Log files including detailed clickstream data used to create behavioral segments are retained in accordance with NAI guidelines for no longer than 2 years.

#### How Collected Information is Used

AOL Advertising uses the information it collects on AOL Advertising Sites to operate and improve the Web sites, services and offerings available through the AOL Advertising Network, including:

- to customize the content and advertisements provided to you;
- to fulfill requests for products, programs, and services;
- to communicate with you and respond to your inquiries;
- to conduct research about the use of the AOL Advertising Sites; and
- to help offer you other products, programs, or services that may be of interest.

AOL Advertising uses the information collected on Network Participant Sites for marketing and sales efforts, and to better target advertisements to people across the different websites they visit. AOL Advertising may also use non-personally identifiable information to better target content to individuals in an effort to create a personally relevant experience. This information is also used to predict responses to advertisements, and to help determine which ads perform best and which content is most appropriate for different individuals.

#### **Product-Specific Practices**

Further information about the information collection and use practices of specific AOL Advertising product offerings is provided below.

#### AOL Advertising Audience Behaviors

Advertising.com's network includes a collection of websites that have joined in an effort to improve ad delivery while maintaining stringent standards on the usage of user data. Advertising.com anonymously observes consumer behavior (including site visits and search queries) across thousands of websites in this network, and then organizes users into groups based on interests. Advertising.com matches ads to visitors' network browsing behavior; however, Advertising.com does not own or share this behavioral network visitor data.

#### AOL Sponsored Listings

AOL Advertising partners with numerous companies to provide online advertisements in the form of content-targeted sponsored listings (advertising relevant to the theme or content of a webpage). Content-targeted advertising typically relates to what a user is reading on the page.

Some advertisers may use AOL Sponsored Listings' tracking technology to better understand the effectiveness of their marketing programs. This technology includes the use of "redirects" and pixel-based tracking technologies as well as anonymous cookies to understand users' activities.

Information collected by these technologies includes the particular pages a user visits, what types of marketing effort the user responds to, purchase amounts and products purchased, as well as IP address, time of request, and other information made available by the user's browser.

Information captured through AOL Sponsored Listings' technology is utilized by AOL Advertising and by associated clients and other companies to optimize and report on marketing programs.

Advertisers utilizing AOL Sponsored Listings technology may provide personally-identifiable information to AOL Sponsored Listings, which may then be combined with information about purchasing patterns of AOL Sponsored Listings' products and services, its use of the AOL Sponsored Listings technologies, performance of its advertisements, and all other information provided by the advertiser. This information is used to improve the applications provided to advertisers, improve the relevancy of ad results and any other use deemed helpful to AOL Sponsored Listings. AOL Sponsored Listings regularly shares this information with key partners on an individual basis. Furthermore, AOL Sponsored Listings and its partners may use this information to contact the advertiser about additional products and services.

## **Information Sharing**

Except as described in this privacy policy, AOL Advertising does not share personally identifiable information with third parties.

AOL Advertising may use agents and contractors in order to operate our sites, provide products and services to publishers and advertisers, operate our business, and comply with legal and regulatory requirements. If such agents and contractors have access to personally identifiable information, they are required to protect this information in a manner that is consistent with this privacy policy by, for example, not using the information for any purpose other than to carry out the services they are performing for AOL Advertising.

We may also disclose information to a third party who provides substantially similar services as the original service signed up for, if we decide to stop providing such services ourselves. In such situations, we will provide our subscribers with an opportunity to opt-out of such sharing.

In addition to the above, there is also the possibility that AOL Advertising, or part(s) of the company, may one day be purchased by, or merged with, another company. In that the case, the acquiring (or merging) company will have access to your information.

AOL Advertising may share information on individuals as it deems necessary to comply with a court order or to cooperate with government and law enforcement officials.

Non-personally identifiable data may be shared with third-party partners of AOL Advertising on an anonymous basis.

#### Choices

AOL Advertising seeks to offer consumers meaningful privacy choices whenever possible. We believe that providing targeted and relevant content and advertising to Internet users enhances the web-surfing experience. You can opt out of the use of your non-personal information for targeting purposes. By opting out, AOL Advertising will set an "opt-out cookie" on your computer, which will prevent your anonymous data from being matched to any particular machine. If you opt-out, you will continue to receive ads from AOL Advertising; however, it will prevent us delivering ads tailored to your preferences and usage and may prevent us from controlling the frequency with which you may view particular advertisements. You may opt-out of cookies used for data collection and targeting from AOL Advertising. Be advised that if you change computers or browsers, delete your cookies, or use multiple computers or browsers, you will need to repeat this process for each computer and each browser.

### Security

We take appropriate security measures to protect against unauthorized access to or unauthorized alteration, disclosure or destruction of data. This includes physical, electronic, and managerial procedures to protect data integrity, access, and use.

## Children's Privacy

AOL Advertising is very sensitive to the issue of children's privacy. Our websites, products, and services are neither developed for, nor directed at, children, and we do not knowingly collect personal information about children under 13. If you believe your child has provided AOL Advertising with personally identifiable data, or registered at one of AOL Advertising's sites, and you would like to have the data removed, please contact us.

## Changes to this Policy

AOL Advertising may update this privacy policy from time to time, and so you should review this policy periodically. If there are significant changes to our information practices, you will be provided with appropriate online notice. You may be provided other privacy-related information in connection with your use of offerings from AOL Advertising, as well as for special features and services not described in this policy that may be introduced in the future.

### Questions, Concerns, and Comments

For more information, or if you have questions or concerns regarding our Privacy Policy, you may contact us by completing the <u>Privacy Policy Contact Form</u> or you can send correspondence to the following address:

Consumer Advocacy & Privacy AOL Inc. 22000 AOL Way Dulles, VA 20166

Last Updated July 1, 2010