

Nimble, Inc.

PRIVACY POLICY

EFFECTIVE DATE: December 1, 2011

1. INTRODUCTION

1.1. **PURPOSE OF POLICY.** Nimble, Inc. (“us,” “we,” “Nimble” or “Company”) is committed to respecting the privacy rights of its customers, visitors, and other users of the Company Website www.nimble.com and any affiliated sites (the “Site”) and any services, applications, widgets and software made available by Nimble, Inc. (collectively with the Site referred to as “Services”). We created this Privacy Policy (this “Policy”) to give you confidence as you visit and use the Services, and to demonstrate our commitment to fair information practices and the protection of privacy. Accordingly, we abide by the following privacy principles for all the personally identifiable information we collect from you. This Policy is only applicable to the Services, and not to any other websites that you may be able to access from the Site, each of which may have data collection and use practices and policies that differ materially from this Policy. When using any of the Nimble Services, you are consenting to the collection, storage, manipulation, transfer, disclosure and any other uses of your information as described in this Privacy Policy.

If you have any questions concerning this policy, please contact us at privacy@nimble.com. Your privacy is important to us and we will make every effort to resolve your concerns.

1.2. **NOTICE CONCERNING CHILDREN.** PLEASE NOTE: We are a general audience site, and do not direct any of our content specifically at children under 13 years of age. We understand and are committed to respecting the sensitive nature of children’s privacy online. If we learn or have reason to suspect that a Site user is under age 13, we will promptly delete any personal information in that user’s account.

2. INFORMATION COLLECTION PRACTICES

2.1. WHAT BASIC INFORMATION DOES THE COMPANY COLLECT AND USE?

(a) **TRAFFIC DATA COLLECTED.** We automatically track and collect the following categories of information when you visit our Site: (1) IP addresses; (2) domain servers; (3) types of computers accessing the Site; (4) referring/exit websites (5) operating systems (6) Internet Service Providers (ISPs) and (7) types of web browsers used to access the Site (collectively “Traffic Data”). Traffic Data is anonymous information that does not personally identify you but is helpful for marketing purposes or for improving your experience on the Site. We also use “cookies” to customize content specific to your interests, to ensure that you do not see the same advertisement repeatedly, and to store your password so you do not have to re-enter it each time you visit the Site. We may use this information and share it with vendors or advertising partners (collectively “Partners”) and we may contact you based on this information. We may also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

(b) **LOGIN DATA COLLECTED.** We may also collect information regarding your use of the Nimble Site and Services, your login time and duration and your last known login date and time. We may use this information and share it with our Partners and we may contact you based on this information. We may also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

(c) **CONTACT INFORMATION:** In operating the Site and Services, Company may include registration, subscription accounts, online surveys, and other online forms that ask users to provide their names, e-mail addresses, U.S. postal address and other contact information. In registering for the use of Services on this Site, you will provide information such as your name, username, password, email address, postal address and other contact information or other information requested at the time of registration. You acknowledge this information is personal to you and, you by creating a Nimble account, allow Nimble and others to identify you. We may use this information and share it with our Partners and we may contact you based on this information.

(d) **PERSONAL INFORMATION COLLECTED.** In order for you to access certain premium, services and to purchase a subscription to our premium Services that we offer via the Site, we require you to provide us with certain information that personally identifies you (“Personal Information”). Personal Information includes the following categories of information: (1) Contact Data (such as your name, mailing address, and e-mail address); (2) Financial Data (such as your account or credit card number); and (3) Demographic Data (such as your zip code, age, and income). We use this information to contact you about the services on our site in which you have expressed interest. You must provide contact information (such as name, email). We use this information to fill your order for a subscription to Nimble products. If we have trouble processing an order, we will use this information to contact you. When you subscribe to one of Nimble products you will receive a welcome email. As part of registering for the Service, you may receive email newsletters from us. We do not collect personally identifiable information about you except when you specifically provide this information on a voluntary basis. If you communicate with us by e-mail, complete online forms, surveys or contest entries, any information provided in such communication may be collected as Personal Information. We may use this information and share it with our Partners and we may contact you based on this information.

(e) **THIRD PARTY APPLICATIONS OR SERVICES.** Nimble provides Services that allow you to manage your accounts and applications with Third Party Services including Gmail, Twitter, FaceBook, LinkedIn, HubSpot Integration, Mail Chimp Integration and others (collectively “Third Party Services”). By voluntarily electing to link your Nimble Service(s) with Third Party Services, you will share with Nimble and Nimble will store your Third Party Services’ access data including any usernames and passwords used in accessing those Third Party Services. The Nimble Services and Third Party Services accessed through the Nimble Services are used primarily for managing your social media accounts and sharing and distributing your information publicly to the world. Any information shared through use of the Nimble Site or Nimble Services or Third Party Services accessed through Nimble Services will be shared with and stored by Nimble. This information includes any information shared through Third Party Services accessed through Nimble Services, including, but not limited to messages sent via Third Party Services, Third Party Applications Username or IDs, posts, location tags, photos, biographical information, etc. We may track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties. We may also use your Third Party Service or Application Username, IDs or handles and share it with our Partners and we may contact you based on this information. We may also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

(f) **GEOGRAPHICAL INFORMATION.** Nimble may access your geographic location data at the time that you login to Nimble Services. We may use this information and share it with our Partners and we may contact you based on this information. We may also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

2.2. WHAT ADDITIONAL INFORMATION DOES COMPANY COLLECT AND USE?

(a) **AUTOMATIC COLLECTION.** Our servers automatically recognize visitors’ domain names and IP addresses (the number assigned to computers on the Internet), cookie information, traffic data and other information you request. No personal information about you is revealed in this process. Nimble may gather information about the number and frequency of visits to the Site and Services. The Site may also gather anonymous “traffic data” that does not personally identify you, but that may be helpful for marketing purposes or for improving the services we offer. We use this information, which does not identify individual users, to analyze trends, to administer the site, to track users’ movements around the site and to gather demographic information about our user base as a whole. Except as otherwise provided, we do not link this automatically-collected data to personally identifiable information.

(b) **COOKIES.** From time to time, we may use the standard “cookies” feature of major browser applications that allows us to store a small piece of data on your computer about your visit to our Web site. “Cookies” are small text files a website can use to recognize repeat users. Nimble uses cookies to recognize visitors and more quickly provide personalized content or grant you unimpeded access to the website. Information gathered through cookies also helps us measure use of our website. Cookie data allow us to track usage behavior and compile data that we can use to improve the site. This data will be used in aggregate form; no specific users will be tracked. Generally, cookies work by assigning a unique number to the user that has no meaning outside of the Web site that he or she is visiting. You can easily

turn off cookies. Most browsers have a feature that allows the user to refuse cookies or issues a warning when cookies are being sent. However, our site will not function properly without cookies. Enabling cookies ensures a smooth, efficient visit to our website. We may use a third-party tracking service that uses cookies to track non-personally identifiable information about visitors to our site in the aggregate to capture usage and volume statistics to help us improve our site. We have no access or control over these cookies. This privacy statement covers the use of cookies by www.nimble.com only and does not cover the use of cookies by any third party.

3. USE AND SHARING OF INFORMATION

3.1. WHAT DOES COMPANY DO WITH COLLECTED INFORMATION?

(a) **PERSONAL & CONTACT INFORMATION.** We use Contact Data to send you information about our company or our products or services, or promotional material from some of our Partners, or to contact you when necessary. We use your Financial Data to verify your qualifications for certain products or services and to bill you for products and services. We may use your personal information to verify your identity, to check your qualifications, or to follow up with transactions initiated on the Site. We may also use your contact information to send follow-up information regarding Nimble's services, contact you regarding other services Nimble offers, inform you of the availability of a newsletter or hotline information available on our site, any changes to the Site, or to send you additional information about Company. We use your personal information to contact you about the services on our site in which you have expressed interest. We use this information to fill your order for a subscription to Nimble products. If we have trouble processing an order, we will use this information to contact you. When you subscribe to one of Nimble products you will receive a welcome email. As part of registering for the Service, you may receive email newsletters from us. We do not collect personally identifiable information about you except when you specifically provide this information on a voluntary basis. If you communicate with us by e-mail, complete online forms, surveys or contest entries, any information provided in such communication may be collected as Personal Information. We may use this information and share it with our Partners and we may contact you based on this information.

(b) **SHARING OF PERSONAL INFORMATION.** We share certain categories of information we collect from you in the ways described in this Privacy Policy. We may use and share with our Partners the information including contact information such as Name, Phone Number, Address, Email Address, Third Party Application Username, IDs or handles, geographic location and other information you provide to us to improve the Services we provide to you, notify you of changes or updates to our Services, customize your experience in using our Services and Site, customize any advertising and content you see on our Site or in using our Services, research the effectiveness of Services provided and adapt our Site and Services to our Customer's needs. We may share Demographic Data with Partners, advertisers and other third parties only on an aggregate (i.e., non-personally-identifiable) basis. We may share Contact Data with other companies and Partners who may want to send you information about their products or services. We also share Contact Data and Financial Data with our Partners and business partners who assist us by performing core services (such as hosting, billing, fulfillment, or data storage and security) related to our operation of the Site. Those business partners have all agreed to uphold the same standards of security and confidentiality that we have promised to you in this Privacy Policy, and they will only use your Contact Data and other Personal Information to carry out their specific business obligations to Company. In addition, we maintain a procedure for you to request changes to your Personal Information; this procedure is described in Section 7.1, below. If you give your permission during the account registration process, we may share your contact information with our business partners or other companies so that they may send you promotional materials.

(c) **ANONYMOUS INFORMATION.** We use anonymous information to analyze our Site traffic, but we do not examine this information for individually identifying information. In addition, we may use anonymous IP addresses to help diagnose problems with our server, to administer our site, or to display the content according to your preferences. Traffic and transaction information may also be shared with Partners, business partners and advertisers on an aggregate and anonymous basis.

(d) **COMMUNICATION FROM THE SITE.** We communicate with our customers using information provided to us in various ways, which include but are not limited to:

Service-related Announcements

We will send you strictly service-related announcements on rare occasions when it is necessary to do so. For instance, if our service is temporarily suspended for maintenance, we might send you an email. Generally, you may not opt-out of these communications, which are not promotional in nature. If you do not wish to receive them, you have the option to deactivate your account.

Customer Service

Based upon the personally identifiable information you provide us, we will send you a welcoming email to verify your username and password. We will also communicate with you in response to your support inquiries, to provide some of the services you request. We will communicate with you by email.

Newsletters

If you wish to subscribe to our newsletters, we will use your name and email address to send the newsletter to you. Out of respect for your privacy, we provide you a way to unsubscribe in each newsletter. Please see the 'unsubscribe' feature at the bottom of each newsletter. The customer's email list is stored on our system, but is not used by Nimble in any other way other than to occasionally remind invited users to join the account that the account owner has registered for.

Surveys or Contests

From time-to-time we may provide you the opportunity to participate in contests or surveys on our site. If you participate, we will request certain personally identifiable information from you. Participation in these surveys or contests is completely voluntary and you therefore have a choice whether or not to disclose this information. The requested information typically includes contact information and demographic information (such as zip code). We use this information to notify contest winners and to monitor site traffic or personalize the site.

Testimonials

We post testimonials from time to time. We always receive permission to post prior to posting.

(e) **USE OF COOKIES.** We may use cookies to deliver content specific to your interests, to save your password so you don't have to re-enter it each time you visit our site, or for other purposes. Promotions or advertisements displayed on our site may contain cookies. We do not have access to or control over information collected by outside advertisers on our site.

(f) **SERVICE PROVIDERS.** We use other third parties to provide services on our site. When you purchase a service from us, we will share contact information as necessary for the third party to provide that service. These third parties are prohibited from using your personally identifiable information for any other purpose including their own marketing purposes.

(g) **OPTING OUT OF NEWSLETTER.** Upon request, Nimble will allow any user to opt out of our newsletter. You can unsubscribe by following the simple instructions included in each promotional email sent to you in the newsletter. This website may contain links to other sites that are not owned or controlled by Nimble. Please be aware that we are not responsible for the privacy practices of such other sites. This privacy statement applies only to information collected by this website.

(h) **SALE OF INFORMATION.** In order to accommodate changes in our business, we may sell or buy portions of our company or other companies or assets, including the information collected through this Web site. Additionally, if Company or substantially all of its assets are acquired, customer information will be one of the assets transferred to the acquirer.

(i) **ACCESS TO INFORMATION.** If your personally identifiable information changes, or if you no longer desire our service, you may correct, update, delete it by making the change on the Account section page. We reserve the right to disclose your personally identifiable information as required by law and when we believe that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process served on our website.

4. **CONFIDENTIALITY AND SECURITY OF PERSONAL INFORMATION.** Except as otherwise provided in this Privacy Policy, we will keep your Personal Information private and will not share it with third parties, unless such disclosure is required by law or in the good-faith belief that such disclosure is necessary: (a) conform to the edicts of the law or comply with legal process served on Company or its parent company, subsidiaries or affiliates, (b) protect and defend the rights or property of Company or the users of the Site, (c) act under exigent circumstances to protect the safety of the public or users of the Site, or (d) enforce our Terms of Service. Your Personal Information is stored on secure servers that are not accessible by third parties. We provide you with the capability to transmit your Personal Information via secured and encrypted channels if you use a similarly equipped web browser. The Site has security measures in place, including but not limited to the use of a Secure Sockets Layer (SSL) software to prevent the loss, misuse, and alteration of the information that we obtain from you, but we make no assurances about our ability to prevent any such loss, misuse, to you or to any third party arising out of any such loss, misuse, or alteration.

5. **LOST OR STOLEN INFORMATION.** You must promptly notify us if your credit card, user name, or password is lost, stolen, or used without permission. In such an event, we will remove that credit card number, user name, or password from your account and update our records accordingly.

6. **WEBSITE AREAS BEYOND COMPANY'S CONTROL**

6.1. **THIRD PARTY WEBSITES.** The Site may contain links to other websites. If you choose to visit other websites, we are not responsible for the privacy practices or content of those other websites, and it is your responsibility to review the privacy policies at those websites to confirm that you understand and agree with their policies.

7. **CONTACT INFORMATION AND POLICY UPDATES**

7.1. **CONTACTING US.** If you have any questions about this Policy, our practices related to this Site, or if you would like to have us remove your information from our database please feel contact us at the following:

Nimble, Inc.
P.O. Box 3313
Santa Monica, CA 90408-3313
privacy@nimble.com

7.2. **UPDATES AND CHANGES.** We reserve the right, at any time, to add to, change, update, or modify this Policy, simply by posting such change, update, or modification on the Site and without any other notice to you. Any such change, update, or modification will be effective immediately upon posting on the Site. When using any of the Nimble Services, you are consenting to the collection, storage, manipulation, transfer, disclosure and any other uses of your information as described in this Privacy Policy. It is your responsibility to review this Policy from time to time to ensure that you desire to with our Service.