Privacy Policy

EFFECTIVE DATE: May 1, 2015

1. INTRODUCTION

1.1. PURPOSE OF POLICY. This privacy policy applies to www.nimble.com owned and operated by Nimble, Inc. 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 personal information we collect from you. 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.

Nimble, Inc. has been awarded TRUSTe's Privacy Seal signifying that this privacy policy and practices have been reviewed by TRUSTe for compliance with TRUSTe's Program Requirements and the TRUSTed Cloud Program Requirements including transparency, accountability and choice regarding the collection and use of your personal information. TRUSTe's mission, as an independent third party, is to accelerate online trust among consumers and organizations globally through its leading privacy trustmark and innovative trust solutions. If you have questions or complaints regarding our privacy policy or practices, please contact us at privacy@nimble.com. If you are not satisfied with our response you can contact TRUSTe here.

Nimble complies with the U.S. – E.U. Safe Harbor Framework and the U.S. Swiss Safe Harbor framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from European Union member countries and Switzerland. Nimble has certified that it adheres to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program, and to view Nimble's certification, please visit http://www.export.gov/safeharbor/.

The TRUSTe program covers our collection, use and disclosure of information we collect through our website www.nimble.com and our service accessible behind the log-in. The use of information collected through our Services shall be limited to the purpose of providing the Services for which the Customer has engaged Nimble.

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. INFORMATION RELATED TO DATA COLLECTED FOR OUR CUSTOMERS. Nimble, Inc. collects information under the direction of its Customers and has no direct relationship with the individuals whose personal data it processes. If you are a client of one of our Customers and would no longer like to be contacted by one of our Customers that use our service, please contact the Customer that you interact with directly. We may transfer personal information to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our Customers.

2.2. ACCESS AND RETENTION OF DATA CONTROLLED BY OUR CUSTOMERS. Nimble, Inc. has no direct relationship with the individuals whose personal data it processes. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate data should direct his query to the Nimble, Inc.'s Customer (the data controller). If the Customer requests Nimble, Inc. to remove the data, we will respond to their request within 30 days. We will retain personal data we process on behalf of our Customers for as long as needed to provide services to our Customer. Nimble, Inc. will retain and use this personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

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

a) LOGIN DATA COLLECTED. We 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 also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

b) 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.

c) 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 personal 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.

d) 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. You may also provide personal information about other people, such as their name, date of birth, employment and gender. This information is only used for the sole purpose of completing your request or for whatever reason it may have been provided

e) GEOGRAPHICAL INFORMATION. Nimble may access your geographic location data at the time that you login to Nimble Services. We may also track and analyze non-identifying and aggregate usage and volume statistical information from you and provide such information to third parties.

2.4. WHAT ADDITIONAL INFORMATION DOES COMPANY COLLECT AND USE?

a) LOG FILES. As is true of most web sites, we gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically collected log information with other information we collect about you. We do this to improve services we offer you, to improve marketing, analytics, or site functionality.

b) TRACKING TECHNOLOGIES. Technologies such as: cookies, beacons, tags and scripts are used by Nimble, Inc. and our partners, e.g. marketing partners, affiliates, or analytics or service providers, e.g. online customer support provider, etc. These technologies are used in analyzing trends, administering the site, tracking users' movements around the site and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis. We use cookies for our shopping cart, to remember users' settings (e.g. language preference), user analysis and for authentication. Users can control the use of cookies at the individual browser level. If you reject cookies, you may still use our site, but your ability to use some features or areas of our site may be limited.

c) LOCAL STORAGE OBJECTS (FLASH/HTML5). We use Local Storage Objects (LSOs) such as HTML5 or Flash to store content information and preferences. Third parties with whom we partner to provide certain features on our site or to display advertising based upon your Web browsing activity use LSOs such as HTML or Flash to collect, store and analyze information. Various browsers may offer their own management tools for removing HTML5 LSOs. To manage Flash LSOs please click here.

d) AD NETWORKS. We partner with a third party ad network to either display advertising on our Web site or to manage our advertising on other sites. Our ad network partner uses cookies and Web beacons to collect non-personal information about your activities on this and other Web sites to provide you targeted advertising based upon your interests. If you wish to not have this information used for the purpose of serving you targeted ads, you may opt-out by clicking here, or if located in the European Union click here. Please note this does not opt you out of being served advertising. You will continue to receive generic ads.

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 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 Nimble. 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 personal 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. If you do not want to receive promotional material or newsletters from us please follow the unsubscribe mechanism available in those messages or contact us at unsubscribe@nimble.com.

b) SHARING OF PERSONAL INFORMATION. We share certain categories of information we collect from you in the ways described in this Privacy Policy. We will share your personal information with third parties only in the ways that are described in this privacy policy. We may provide your personal information to companies that provide services to help us with our business activities such as sales, marketing and customer service (hereinafter "Partners"). These companies are authorized to use your personal information only as necessary to provide these services to us.

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 Nimble. In addition, we maintain a procedure for you to request changes to your Personal Information; this procedure is described in Section 8.1 below.

c) 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 personal-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 or contact us at unsubscribe@nimble.com. 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 personal–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. If you wish to update or delete your testimonial, you can contact us at privacy@nimble.com.

Import Contacts

You can import contacts from your Outlook or other email account address book to invite them to become members of our site. We collect the username and password for the email account you wish to import your contacts from and will only use it for that purpose.

Public Member Directory

We will list you in our publicly accessible member directory. If you wish to request removal of your information from our directory, you can contact us at privacy@nimble.com.

Public Profiles

The profile you create on our site will publically accessible unless otherwise indicated. You may change the privacy settings of your profile through your account portal. To remove unauthorized profiles, please send an email to privacy@nimble.com

Single Sign-On

You can log in to our site using sign-in services such as Gmail, FacebookP or an Open ID provider. These services will authenticate your identity and provide you the option to share certain personal information with us such as your name and email address to pre-populate our sign up form. Services like Facebook Connect give you the option to post information about your activities on this Web site to your profile page to share with others within your networks.

d) LINKS TO THIRD PARTY SITES. This website may contact 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 policy applies only to information collected by this website.

e) LEGAL DISCLOSURE. We may also disclose your personal information as required by law, such as to comply with a subpoena, or similar legal process when we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or respond to a government request, to any other third party with your prior consent to do so. If Nimble is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on our Web site of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

f) ACCESS TO INFORMATION. If your personal 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 or by emailing our Customer Care at care@nimble.com or by contacting us by telephone or postal mail at the contact information listed below. We will respond to your request to access within 30 days.

g) DATA RETENTION. We will retain your information for as long as your account is active or as needed to provide you services. If you wish to cancel your account or request that we no longer use your information to provide you services contact our Customer Care at care@nimble.com. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

h) PUBLIC FORUMS. Our Web site offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal information from our blog or community forum, contact us at care@nimble.com. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

i) SUPPLEMENTATION OF INFORMATION. In order to provide to enhance our services to you, we may on occasion supplement the personal information you submitted to us with information from third party sources. To enrich our Profiles of individual customers, we tie this information to the personal-information they have provided to us.

4. CONFIDENTIALITY AND SECURITY.

4.1. SECURITY. The security of your personal information is important to us. When you enter sensitive information such as log in credentials, Geo-location Data or a credit card number on our order

forms, we encrypt the transmission of that information using secure socket layer technology (SSL). We follow generally accepted standards to protect the personal information submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security. If you have any questions about security on our Web site, you can contact us at privacy@nimble.com.

5. 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 Nimble 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.

6. 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.

7. SOCIAL MEDIA FEATURES. Our Web site includes Social Media Features, such as the FaceBook button. These Features may collect your IP address, which page you are visiting on our site, and may set a cookie to enable the Feature to function properly. Social Media Features are either hosted by a third party or hosted directly on our Site. Your interactions with these Features are governed by the privacy policy of the company providing it.

8. CONTACT INFORMATION AND POLICY UPDATES

   8.1. 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 free to contact us at the following:

   Nimble, Inc.
   2043 Colorado Avenue, Suite B
   Santa Monica, CA 90404
   privacy@nimble.com

   8.2. UPDATES AND CHANGES. We may update this privacy policy to reflect changes to our information practices. If we make any material changes we will notify you by email (sent to the e-mail address specified in your account) or by means of a notice on this Site prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.