

## Safe Harbor Privacy Policy

### Overview

Brighterion, Inc. is recognized as the leader in adaptive analytics offering products for real-time fraud prevention, predictive intelligence, risk management, AML (Anti-Money Laundering) /KYC compliance, and homeland security intelligence.

Brighterion Incorporated respect your privacy and comply with the Safe Harbor privacy principles as set forth by the U.S. Department of Commerce regarding the collection, storage, use, transfer and other processing of Consumer Personal Data transferred between the European Economic Area ("EEA") or Switzerland and the United States.

Brighterion receives data from Acquirers, Issuers, banks, Processors, financial institutions and other entities to help them prevent fraud, predict risk and delinquency, detect money laundering and comply with international regulations. Brighterion does not receive data directly from consumers. This policy sets forth the manner in which such data is used and secured by Brighterion. This policy does not describe how such data may be used by our clients who received the data directly from the consumer and sent it to us. Consumers concerned about the use of their data should review the privacy policies of the companies with which they do business directly in addition to this policy.

Brighterion, Inc. recognizes that the European Community has established a data protection regime pursuant to Directive 95/46/EC, which applies to the European Economic Area ("EEA") and restricts companies in the EEA in transferring personal data about individuals in the EEA to the United States, unless there is "adequate protection" for such personal data when it is received in the United States. To create such "adequate protection," Brighterion, Inc. adheres to the Safe Harbor Privacy Principles published by US Department of Commerce ("Safe Harbor Principles") with respect to personal data about individuals in the EEA that we receive from our customers and other business partners. Brighterion's Safe Harbor Certification also extends to data that we receive directly through Brighterion's publicly accessible websites via secure form submission. More information on the Safe Harbor Principles and Brighterion's scope of participation in both the U.S. – EU Safe Harbor Framework and the U.S. – Swiss Safe Harbor Framework is available at [http://export.gov/safeharbor/eg\\_main\\_018236.asp](http://export.gov/safeharbor/eg_main_018236.asp).

### Adherence to Seven Safe Harbor Principles

Client Personal Data processed or stored by Brighterion, Inc. may be subject to contractual agreements with our clients that require more stringent privacy and security safeguards than the requirements in the Safe Harbor Agreement. At a minimum, however, Brighterion, Inc. handles Client Personal Data in accordance with our Safe Harbor Privacy Policy, which is based upon the seven principles identified in the Safe Harbor Privacy Framework.

This Notice addresses data subjects residing in the EEA ("EEA Persons") whose data we may receive from one of our customers, suppliers or other business partners in the EEA e.g., referral partners, integration partners, etc. When Brighterion, Inc. receives Client Personal Data for processing pursuant to instructions of clients or their partners, we are acting as an agent for our client and do not provide

notice to individuals regarding the collection and use of their personal data. Our clients remain responsible for providing notice, if and to the extent they believe such notice is necessary under applicable EU law.

### **Business Purposes for the Collection and Use of Personal Data**

Brighterion does not receive data directly from consumers. Generally, Brighterion's clients are processors or merchants selling goods. Brighterion receives consumer data indirectly via its clients. Brighterion's clients may provide data relating to financial transactions.

### **Use of the data received.**

Brighterion processes the data received from its clients using its proprietary risk management platform and external data sources to design custom models, detect money laundering, predict risk or prevent fraud. The results of Brighterion's analysis are made available to the client that sent the data to Brighterion. The client may use Brighterion's case management to review historical data related to a customer or a merchant. Transactional data is stored by Brighterion on behalf of its clients for periods of time specified in its client contracts.

With the written consent of the client, individual elements of the data that were used in a transaction identified by a client as suspicious may be stored by Brighterion and used for further analysis. In addition, Brighterion may apply advanced analytics to the data received from clients to identify patterns or anomalies useful in preventing fraud, predicting risk and delinquency, detect money laundering and complying with international regulations.

Brighterion may make stored data available to government officials in response to a subpoena or other comparable lawful and compulsory request. Except as described herein, Brighterion does not make the data received available to any other third parties.

### **Principles of the U.S. – E.U. Safe Harbor Framework.**

These principles regarding data privacy included in the Directive are addressed below.

#### **Disclosure of Information**

BRIGHTERION does not sell, share, or disclose any information provided to us.

#### **Notice**

Brighterion encourages its clients to provide their customers with notice of Brighterion's role in processing the transaction data.

#### **Choice**

Brighterion encourages its clients to disclose that the data provided will be processed by Brighterion to prevent fraud, predict risk and delinquency, detect money laundering and comply with international regulations.

## **Onward Transfers**

Brighterion does not make any onward transfers of the data it receives to any third-party companies. The data can only be transferred back to the entity from which it was received.

## **Security**

Brighterion takes all necessary precautions to protect the Data from loss, misuse and unauthorized access, disclosure, alteration and destruction.

Brighterion applies the highest data level security. We have physical and system security. We use firewalls and data encryption and apply strict procedures to protect the data we receive from unauthorized access or misuse. Only keys employees have access to data

## **Integrity**

Brighterion takes reasonable steps to ensure that the Consumer Personal Data the company processes are (i) relevant for the purposes for which they are to be used, (ii) reliable for their intended use, and (iii) accurate, complete and current.

## **Access**

Individuals may contact us either directly or through one of our clients, and after appropriate verification of their identity, can reasonably direct the correction or removal of data relating to them in our databases.

## **Enforcement**

Brighterion conducts an annual self-assessment to ensure compliance with this privacy policy and its data security obligations. If we change this privacy policy, we will post the changes on the Privacy Policy page so that you will always know what information we collect and how we use it. We encourage you to check our website frequently for updates.

## **Amendments**

This privacy policy may be amended from time to time consistent with the requirements of the Safe Harbor. Brighterion will post any revised policy on this website.

## **Enforcement and Oversight**

Brighterion has established procedures for periodically verifying implementation of and compliance with the Safe Harbor principles. Brighterion conducts an annual self-assessment of its Consumer Personal

Data practices to verify that the attestations and assertions the company makes about its privacy practices are true and that the company's privacy practices have been implemented as represented.

In compliance with the Safe Harbor Principles, Brighterion commits to resolve complaints about your privacy and our collection or use of your personal information. European Union citizens with inquiries or complaints regarding this privacy policy should first contact Brighterion at: [corp@brighterion.com](mailto:corp@brighterion.com) and identify "Privacy Compliance" in the subject line, or

### **Privacy Compliance**

Brighterion, Inc.  
150 Spear Street, 10<sup>th</sup> Floor  
San Francisco, CA, 94105  
+1 (415) 986-5600

Brighterion has further committed to refer unresolved privacy complaints under the Safe Harbor Principles to an independent dispute resolution mechanism, the BBB EU Safe Harbor, operated by the Council of Better Business Bureaus. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed by Brighterion, please visit the BBB EU SAFE HARBOR web site at [www.bbb.org/us/safe-harbor-complaints](http://www.bbb.org/us/safe-harbor-complaints) for more information and to file a complaint.