



## Privacy Policy

East Creek Networks, LLC dba East Creek Networks, (“East Creek Networks”, “ECN” “we,” “our,” or “us”) understands that Customers care about how their personal information (“Personal Information”) is collected, used, shared, stored and destroyed. This Privacy Policy applies to visitors and users of East Creek Networks’ website, [www.eastcreeknetworks.com](http://www.eastcreeknetworks.com) (“Site”), and applicants, current and former residential and commercial/business customers of our internet access services and all other services to include but not limited to VoIP and Streaming services through 3rd party provider “MyBundleTV” (individually, a “Service” and collectively, “Services”) residing in the United States. All such visitors, users, applicants, current and former residential and commercial/business customers are collectively, “Customers,” “you,” and “your.”

By using the Service(s) as defined in the East Creek Networks Agreement for Residential Services or by accessing the East Creek Networks Site or wireless applications (“Apps”) in any manner, Customer understands, acknowledges and agrees to the practices and policies outlined in this Privacy Policy. Customer’s use of the Service(s) is at all times subject to the East Creek Networks Terms of Use Agreement for Residential Services (“Service Agreement”) and East Creek Networks and Company-Wide Acceptable Use Policy (“AUP”) that incorporate this Privacy Policy by reference. Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in the Service Agreement.

East Creek Networks Services are designed and targeted to U.S. audiences and are governed by and operated in accordance with the laws of the U.S. If Customer is not a U.S. citizen or does not reside in the U.S., Customer voluntarily consents to the collection, transfer, use, disclosure and retention of Customer Personal Information in the U.S. Customer also agrees to waive any claims that may arise under Customer’s own national laws.

When a Customer uses the Service, the Personal Information (as defined below) is transmitted over a fiber network or via another transmission standard that may be subject to interception by unauthorized third parties who seek to do you harm. While East Creek Networks takes reasonable measures to reduce the risk that unauthorized third parties will be able to intercept Personal Information Customer sends and receives through the Service, East Creek Networks cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.

East Creek Networks does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If Customer is under 13, please do not attempt to register for the Services or send any Personal Information about yourself to East Creek Networks. If we learn that we have inadvertently collected Personal Information from a child under age 13, East Creek Networks will delete that information as quickly as possible to the extent technically feasible. If Customer believes that its child under 13 may have provided East Creek Networks Personal Information, please contact East Creek Networks at [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com).

### **YOUR CALIFORNIA PRIVACY RIGHTS**

Generally, California residents that have a business relationship with East Creek Networks are entitled by the “Shine the Light Act” (“Act”) to request information identifying the categories of Personal Information that East Creek Networks shared with our Affiliates and/or other third parties for their marketing purposes over the preceding year, and provide contact information for such Affiliates and/or third parties unless East Creek Networks meets certain exceptions in the Act. This Privacy Policy and Site meet those exceptions. Importantly, East Creek Networks does not target or knowingly provide Services to California residents. If you are a person residing in California and you believe that you have an established business relationship with East Creek Networks and have questions regarding our policy regarding the Act, you must send your written questions via email or postal mail following the instructions below.

East Creek Networks will not accept requests via the telephone or facsimile. East Creek Networks will not respond to requests that are not labeled or sent properly, or do not have complete information.

- For all requests, include Customer’s full name, street address, city, state and zip code.
- In an email request, Customer must state “Re: Your California Privacy Rights” in the subject line and send Customer email to [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com)
- In a postal request, Customer must send a letter or postcard to:  
East Creek Networks



P.O. Box 1780  
Vero Beach, FL 32961  
Attention: Your California Privacy Rights

## **1. What types of Customer information does East Creek Networks collect and why?**

East Creek Networks collects various types of information about Customers and Customers' use of the Service via the East Creek Networks Site, Help Desk and call centers, postal mail, remote kiosks, the East Creek Networks Facebook Page and other social network platforms or by other means.

### **Definition of Personal Information.**

Personal Information is the information Customer provides to East Creek Networks voluntarily or passively through Customer's use of the Service and/or the East Creek Networks Site, and which is directly associated with or that is linked or reasonably linkable to an identified or identifiable person, household, computer or device. For the purposes of this Privacy Policy, we also define Personal Information as information related to our commercial/business customers and their end users. Personal Information also includes Customer proprietary network information ("CPNI") which is created by virtue of your relationship with East Creek Networks VoIP services or other telephony services. CPNI includes any information that relates to the telephony services purchased (including specific calls you make and receive), quantity, technical configuration, type, destination, location, and amount of use of our VoIP service, such as call detail, logs, and specifics regarding your VoIP account (such as billing information). Please note that by law, CPNI does not include a customer's name, postal address, or telephone number.

The following are the different ways and reasons we collect Customer Personal Information:

**Registration process, billing, and administration.** We collect Customer name, email address, phone number (wireless and wireline), billing address and service address, and the nature of any of Customer devices or other property making use of the Service. We will also use Personal Information for the installation, troubleshooting, maintenance of the Services, and servicing of equipment.

We may also collect and use additional Personal Information that is deemed to be sensitive for billing, collection and identity verification purposes, such as credit card account number or other financial account information, Social Security Number, EIN and driver's license information. Another type of Sensitive Personal Information we may collect and use for delivering and customizing the Service and/or troubleshooting a Customer's specific geographic location.

### **Social Network Platforms.**

East Creek Networks collects Personal Information via its Facebook and Instagram platforms from Customers that have provided such data to East Creek Networks based on the Customer's own privacy and Ad preferences selected on the social networking platform. If a Customer contacts East Creek Networks via that platform or interacts with an advertisement on the platform, the types of Personal Information that East Creek Networks collects and the Customer allows includes account name, handle, or profile picture. East Creek Networks may also collect individual and aggregate data about visitors to and users of its platforms as part of its analytic and internal review process, such as keywords used by a Customer or the medium the Customer used to access an Ad.

## **2. Website Information, Use of Cookies and other Similar Tracking Technology**

Some forms of Customer information as described below will be classified as Personal Information if required by Applicable Law or if combined with other forms of Personal Information as defined herein.

When you visit East Creek Networks' Site, we will collect information on our server logs from Customer's browser or device, which may include Customer IP address, unique device identifier, "cookie" information, the type of browser and/or device you're using to access the Service, and the page or feature Customer requested. "Cookies" and "web beacons" are text file identifiers East Creek Networks transfers to Customer's browser or device that allow us to recognize Customer's browser or device and tell us how and when pages and features on the East Creek Networks Site are visited, by how many people, and other activity on the Site. Customer can change the preferences on Customer's browser or device to prevent or limit a device's acceptance of cookies, web beacons or other similar technology, but this may prevent Customer from taking advantage of some of the features on the East Creek Networks Site, or accessing certain functions and conveniences. If Customer clicks on a link to a third party website or service, such third party may also transmit cookies to Customer.



East Creek Networks also uses Personal Information and Non-Personal Information to enhance our Site and Service offerings. For example, such information can tell us how often visitors use a particular feature of the Site and which products and services are most interesting to current and potential customers. We use this information to make the Site useful and interesting to as many users as possible and to enhance and refine our Service offerings.

East Creek Networks will continue to conduct analytics on Site performance; Customer may not opt out of this use of cookies or other Personal Information or Non-Personal Information. Technology is improving every day and to improve East Creek Networks' operations and functions we may introduce new technologies and monitoring techniques without advance notice or consent from Customer. We may also use third party providers to conduct such internal analyses.

This Privacy Policy does not cover the use of cookies or other such tracking technology by any third parties, and East Creek Networks is not responsible for their privacy policies and practices.

East Creek Networks may also combine Customer Personal Information with additional Personal Information obtained from East Creek Networks Facebook Pages or other social network platforms, its Affiliates, its Operational Service Providers (third party owned companies that provide or perform services on East Creek Networks' behalf, to help serve Customer better and to perform functions in order to support East Creek Networks businesses and operations), or other companies, such as credit bureaus, background check firms, analytic and marketing research companies.

#### **Network Information.**

East Creek Networks also collects Network Information, information about Customer access to, and use of, the East Creek Networks Network, which may or may not be directly associated with or reasonably linked or linkable to a particular person, household, computer or device. We use Network Information to monitor, enhance and customize the performance of the East Creek Networks Network. For example, East Creek Networks may collect information about the performance of the East Creek Networks Equipment installed on Customer property or at Customer Premises, when Customer is using the Service(s) and performance statistics on Customer's account, the various devices and equipment Customer is using to access the Service(s), the amount of data Customer is transmitting and receiving, the content of the data Customer are transmitting and receiving, the websites Customer is visiting, and any other information that is transmitted over the East Creek Networks Network. East Creek Networks may also aggregate Network Information from multiple subscribers and East Creek Networks will share such aggregated Non-Personal Information about the overall performance of the East Creek Networks Service and network with other third parties. Aggregated information does not identify a Customer or a specific individual, household, computer or device.

East Creek Networks will collect but not monitor the content of the websites viewed or email communications as part of East Creek Networks' standard network management. East Creek Networks will monitor content if there is a third party claim of copyright infringement against Customer or a request from an authorized government entity. Generally, East Creek Networks will only monitor and preserve the following Network Information:

- When Customer is using the Service;
- How Customer is using the Service, such as monitoring traffic patterns regarding websites visited, amount of data being sent or received, or other activity;
- The amount of data Customer is transmitting and receiving through the Service; and
- General information regarding the performance of the East Creek Networks Equipment installed on Customer property or Customer Premises, and its interaction with the rest of the East Creek Networks Network. However, East Creek Networks reserves the right to, and may, monitor, access, review and preserve any Network Information and/or content in the following situations:
  - In response to an inquiry from Customer or another authorized user on Customer's account regarding Customer or his/her use of the Service or problems Customer or they are experiencing using the Service;
  - If East Creek Networks has reason to believe Customer is using the Service in violation of Customer's Service Agreement or any Applicable Law;
  - If East Creek Networks has reason to believe Customer's use of the Service is negatively affecting other Customers; or
  - When East Creek Networks is required by law or legal process to do so, or when East Creek Networks has a good faith belief that East Creek Networks is required by Applicable Law or legal process to do so.



### 3. How is Personal Information used for marketing and advertising purposes?

East Creek Networks will use Personal Information to send Customer marketing and advertising messages related to East Creek Networks' Service and the East Creek Networks Site using Customer's email address, postal address, telephone number (for voice, texts, and pre-recorded calls), and/or IP Address. East Creek Networks may deliver a marketing or advertising message based on Customer visits to the East Creek Networks Site, which will be general advertising or "Contextual Advertising," which is advertising based on the subject matter or the content of the specific website page or subject matter. East Creek Networks may also send Customer "First Party Advertising," which is advertising that is customized or personalized based on a history of Customer's use of our Service(s) (possibly combined with information from our Facebook fan page or other social network platforms). First Party Advertising is based solely on a combination of information East Creek Networks collected from Customer – not from Customer's visits to other websites across the Internet.

Customers may opt out of First Party Advertising but not Contextual Advertising. No traditional Personal Information is used to deliver Contextual Advertising; it automatically will appear based on the content or webpage Customer is viewing. And Customer may continue to receive general advertising if Customer opts-out of First Party Advertising, it will not be customized or personalized for Customers.

East Creek Networks also allows third-party advertising companies to display ads using cookies or other tracking mechanisms when you visit our websites. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a "network" of advertising providers. As described herein, you have choices available to you regarding the use of your Personal Information for such Network Advertising. In addition, some browsers have incorporated "Do Not Track" mechanisms. Most of these mechanisms, when turned on, send a signal to the website or online service indicating that the user does not wish to be tracked online. However, because the providers of "Do Not Track" and similar signals do not yet operate according to common, industry-accepted standards, we currently do not respond to those signals. For more information about Do Not Track mechanisms, see <http://allaboutdnt.com>.

For information about how to opt out of Networking Advertising, see <https://optout.networkadvertising.org/?c=1>

### 4. Links to other websites or online services.

The East Creek Networks Site and/or Facebook Pages (or other social networking platforms) may contain a variety of content and functionality and may provide links to other third party websites or online services. Despite such links, this Privacy Policy applies only to East Creek Networks. The presence of a link does not constitute or imply East Creek Networks' endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. East Creek Networks encourages Customers to be aware and informed when Customers leave East Creek Networks Site and Facebook Pages, or any other social networking platforms.

### 5. Will East Creek Networks share Customer Personal Information?

Customer's Personal Information will only be disclosed to third parties as listed in this Privacy Policy. East Creek Networks reserves the right to fully use, disclose and process any Non-Personal Information collected from Customer in any manner as well as any information Customer makes public via East Creek Networks Services or the East Creek Networks Site.

East Creek Networks will share Customer Personal Information with other third parties as described in this section for the following reasons:

- **To Our Affiliates.** East Creek Networks may rely on various Affiliates in order to provide the Service to Customers. These are companies that are related to East Creek Networks by common ownership or control. East Creek Networks may share Personal Information and Non-Personal Information with any of its Affiliates for business, operational, promotional and/or marketing and advertising purposes.
- **To Operational Service Providers.** East Creek Networks and its Affiliates contract with other companies and people to perform tasks or services on East Creek Networks' behalf and need to share Customer Personal Information to provide products or services to Customers. For example, East Creek Networks' may use a payment processing company to receive and process Customer's ACH or credit card transactions for East Creek Networks. East Creek Networks may contract with third parties to assist East Creek Networks in optimizing East Creek Networks' network. Unless East Creek Networks tells Customer differently, East Creek Networks does not grant



its Operational Service Providers any right to use the Personal Information East Creek Networks shares with them beyond what is necessary to assist East Creek Networks for business purposes.

- **For Business Transfers/Restructuring.** East Creek Networks may choose to buy or sell assets, or
- East Creek Networks may sell assets or be sold. In these types of transactions, Customer Personal Information is typically one of the business assets that would be disclosed and transferred. Also, if East Creek Networks (or East Creek Networks' assets) are acquired, or East Creek Networks goes out of business, enters bankruptcy, or goes through some other change of control, including restructuring, reorganization or financing arrangements, Personal Information would be one of the assets disclosed, transferred to or acquired by a third party.
- **For Protection of East Creek Networks, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety:** East Creek Networks reserves the right to access, read, preserve, and disclose any Personal Information East Creek Networks has access to if East Creek Networks believes doing so will implement and/or enforce our Service Agreement, East Creek Networks Website Terms of Use Agreement, Privacy Policy or any legal document; protect the East Creek Networks Network, East Creek Networks Site(s), and company assets; protect the interests, rights, property, and/or safety of the East Creek Networks or our Affiliates, employees and officers/directors, shareholders, Operational Service Providers, Customers, agents, representatives, third party licensors or suppliers, or the general public.
- **When Required by Law or in Response to Legal Process:** East Creek Networks reserves the right to access, read, preserve, and disclose any Personal Information to which East Creek Networks has access if East Creek Networks is required by Applicable Law or legal process to do so, or if East Creek Networks has a good faith belief that East Creek Networks is required by Applicable Law or legal process to do so.

## 6. Is Customer Personal Information secure?

East Creek Networks endeavors to protect the privacy of Customer's account and other Personal Information using reasonable administrative, technical and physical security measures. However, East Creek Networks cannot and will not guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of Personal Information at any time. Customer's account is protected by a password for Customer privacy and security. It is Customer's responsibility to prevent unauthorized access to Customer's account and Personal Information by selecting and protecting Customer's password and/or other sign-on mechanism appropriately and limiting access to Customer's computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer understands, acknowledges and agrees that Customer is solely responsible for any use of East Creek Networks Services via Customer's username and password, whether the use is authorized by the Customer or not.

Additionally, if Customer contacts East Creek Networks, we will ask Customer for verification of Customer's identification and account. East Creek Networks will not send an email or text, or make a call, nor should Customer respond to any email, text communication or phone call asking for any sensitive or confidential Personal Information, such as social security number, bank account or credit card account number, or a driver's license number. If Customer receives an email or text requesting any such information from East Creek Networks or someone that claims they are with East Creek Networks please contact our Privacy Administrator immediately: [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com).

## 7. What Personal Information can Customers access, modify and/or delete?

Generally, Customer may access the following Personal Information in Customer's account:

- Full name
- Username and password
- Email address
- Telephone number
- Billing and Service address
- Account and billing information (including products and services purchased, technical support tickets, and services agreements)

By contacting East Creek Networks at [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com), or via any other online access East Creek Networks may create to enable Customers to view and modify Customer account settings, Customer may access, and, in some cases, edit the Personal Information listed above. For example, you may update or correct the bulleted Personal Information listed above and East



Creek Networks may retain the old email, billing and/or Service addresses for security and verification purposes. Customer may not delete the Personal Information listed above as such information is necessary to provide and bill for the Service(s).

When Customer updates Personal Information, however, we may maintain a copy of the unrevised information in East Creek Networks records for internal security reasons and record-keeping for up to eighteen (18) months. Some information may remain in East Creek Networks' records after it is modified, amended or deleted by Customer or East Creek Networks. East Creek Networks may use any aggregated data derived from or incorporating Customer's Personal Information after Customer updates or deletes it, but not in a manner that would identify Customer personally. East Creek Networks may also maintain Personal Information regarding Customer and Customer's use of the Service after Customer is no longer a East Creek Networks Customer as required by East Creek Networks' business practices, by law, and/or tax reporting purposes. We generally retain Personal Information for eighteen (18) months after you terminate or let your Service(s) expire.

Customers may delete Personal Information collected via social media platforms that is not used for providing or billing for the Service(s), or is used for First Party advertising or marketing purposes.

The information Customer can view, update, and delete may also change. If Customer has any questions about viewing or updating Personal Information East Creek Networks has on file about Customer, please contact East Creek Networks at [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com).

## **8. What third party disclosure choices do Customers have?**

Customers can always choose not to disclose Personal Information to East Creek Networks; however, certain Personal Information is necessary for East Creek Networks to provide the Service(s) to Customer. Customer may not opt out of sharing Personal Information for business or operational purposes but may opt out of any sharing for certain marketing or advertising purposes.

Customers may opt out of email marketing and advertising from East Creek Networks or its Affiliates using the "Unsubscribe" mechanism in each email. Customers understand, acknowledge and agree that East Creek Networks has already secured a Customer's prior express consent to send non-commercial messages to a wireless device or a wireline residential phone using an autodialer when customer provides a telephone number when subscribing to the Service(s). Before East Creek Networks sends Customers a text or a pre-recorded or artificial voice call that contains advertising or marketing information, East Creek Networks will secure Customer's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Customers further understand, acknowledge and agree that any commercial texts or pre-recorded/artificial voice telemarketing calls may be sent using an autodialer and receipt of such calls are not conditioned on your purchase of the Service. Customers may opt out of receiving commercial or non-commercial text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message.

Customers may opt out of receiving pre-recorded/artificial voice calls by the opt-out instructions in the call. Customer can also request to be added to East Creek Networks' company-specific Do Not Call list to opt out of advertising and marketing calls of all types. However, Customers will continue to receive calls related to debt-collection and Customer's current Service(s), including outage alerts. Customers may also opt out of First Party Advertising, but not Contextual Advertising, as detailed in the "How is Personal Information used for marketing and advertising purposes?" section above.

Customer may not opt out of East Creek Networks' use of cookies or other similar technology, or use of Customer's Personal Information and Non-Personal Information for ECN's internal analytics used to monitor activity on the East Creek Networks Site, measure East Creek Networks service performance, or to operate and protect the East Creek Networks Network.

## **9. Will this Privacy Policy ever change?**

Yes, East Creek Networks is constantly working to improve the Service(s), so East Creek Networks will need to update this Privacy Policy from time to time as East Creek Networks' business practices change and service offerings increase, and/or there are changes in Applicable Law. Additionally, East Creek Networks will also make stylistic, organizational and/or grammatical changes to present East Creek Networks privacy practices in a user friendly easy to read manner. East Creek Networks will alert Customers to any such changes by placing a notice on the East Creek Networks Site with the effective date of the revised Privacy Policy, and/or by sending Customers an email, or by some other means to the extent required by law. Please note that if Customers have not provided East Creek Networks with Customer's email address or Customer has not updated Customer contact information, those legal notices will still govern Customer use of the Service(s), and Customer is still responsible for reading and understanding all notices posted on the East Creek Networks Site. Customer's continued use of the Service or the East Creek Networks Site after



notice of any changes have been provided will indicate Customer's acceptance of such changes, except where further steps are required by Applicable Law.

Use of Customer's Personal Information is primarily governed by the Privacy Policy in effect at the time Customer subscribed to the Service or visited the East Creek Networks Website. If East Creek Networks elects to use or to disclose Personal Information that identifies East Creek Networks as an individual in a manner that is materially different than that stated in the Privacy Policy in effect at the time you subscribed to the Service or visited the East Creek Networks Site, East Creek Networks will provide Customer with an opportunity to consent to such use or disclosure. Depending on the circumstances, that consent may include an opt-out.

**10. What if you have questions or comments about this Privacy Policy?**

If you have any questions or concerns regarding East Creek Networks privacy practices and policies, please contact ECN at [support@eastcreeknetworks.com](mailto:support@eastcreeknetworks.com)