PULSEPOINT CCPA **FAQ**

Dear Partner,

At PulsePoint data privacy, transparency and consumer choice are amongst our highest priorities and we are working hard to be ready for the California Consumer Privacy Act (CCPA) (see below for more details about the CCPA).

As PulsePoint has previously implemented steps for compliance with the EU's General Data Protection Regulation ("GDPR") and is a long time member of the Network Advertising Initiative(NAI) (http://www.networkadvertising.org), and adheres to the industry self-regulatory guidelines of the (i) NAI's Code of Conduct; (ii) the Digital Advertising Alliance (http://aboutads.info), (iii) the European Digital Advertising Alliance (http://youronlinechoices.com), and (iv) the policies of the IAB EU Transparency & Consent Framework (See http://advertisingconsent.eu) we are in an excellent position to meet the requirements of the CCPA as of January 1, 2020.

WHAT DOES THIS MEAN TO PULSEPOINT CUSTOMERS

1. Contextual advertising is not affected as it does not use California resident "Personal Information." For example, targeting with PulsePoint's Condition Pages is not affected.
2. Use of cookies, HCP and other targeting will continue unless PulsePoint receives an Opt-Out from a verified California resident of the "sale"/use of their Data. PulsePoint will not use Personal Information to target California residents who have opted out with PulsePoint.
3. PulsePoint is working with the IAB, DAA and other industry organizations to implement technical specifications, tools, frameworks and processes, as necessary for CCPA compliance.
4. PulsePoint will continue to have ads served with the AdChoices Opt-out icon for an easy way for California residents and others to opt-out of the use of their Personal Information.
5. PulsePoint's use of any protected health information (PHI) will continue to be used in accordance with HIPAA, as required.
6. PulsePoint will continue to follow NAI, DAA and other industry guidelines related to privacy, transparency and choice.
7. PulsePoint will act as your service provider with regard to any California resident Personal Information which permits use of the information under a limited exception to the CCPA PulsePoint has added an addendum to its Data Privacy Agreement and no further action is needed by you at this time.

DETAILS OF WHAT PULSEPOINT IS DOING TO COMPLY WITH CCPA:

1. PulsePoint has updated its web-based Opt-Out Tool for the CCPA to leverage the existing NAI Consumer Opt-Out platform, which already allows for the setting of opt-outs and is located . http://pulsepoints-new-website.webflow.io/privacy-policy/platform#consumer-choice
2. PulsePoint provides California and other users with links to be able to access, correct, update or delete their Personal Information through links on its Privacy Policy located at: https://pulsepoint.com/privacy-policy/platform .

3. PulsePoint supports and is actively participating in the IAB CCPA Compliance Framework and IAB Technical Specifications for CCPA Compliance Framework and plans sign the IAB Limited Service Provider Agreement and to implement, when finalized, the IAB technical specifications which will provide for a Yes/No signal: from the Digital Property indicating whether it provided "explicit notice" and the opportunity to opt-out pursuant to the CCPA.
4. PulsePoint is planning to implement the DAA's latest web and app-based tools to support the CCPA Do Not Sell opt-out requests through an opt out cookie or other technology.
5. PulsePoint has updated its Website and Platform Privacy Policies for CCPA, as necessary: https://www.pulsepoint.com/privacy-policy
6. PulsePoint has implemented an addendum to its Data Processing Agreement to supplement its agreements with suppliers, publishers, demand partners, advertisers and others (collectively the "Customer") to allow PulsePoint to act as the Customer's "Service Provider" (as defined in the CCPA). Disclosures of Personal Information to Service Providers are not considered a "sale" and thus are not prohibited when a consumer exercises the right to opt out under the CCPA.

PulsePoint Supply Data Processing Agreement and Addendum is located at:
https://docs.pulsepoint.com/display/guidelines/Supply+Data+Processing+Agreement

Demand/Advertiser Data Processing Agreement and Addendum is located at:
https://docs.pulsepoint.com/display/guidelines/Demand+Data+Processing+Agreement

WHAT IS THE CCPA:

The California Consumer Privacy Act of 2018 ("CCPA") is California's consumer privacy law that applies to certain businesses which collect "Personal Information" from California residents. The new law takes effect on January 1, 2020 **however enforcement by the Attorney General will begin no sooner than July 1, 2020.**

The CCPA provides consumers who reside in California, among other things:

I. **The right to opt out** of the "Sale" of their "Personal Information." Personal Information is broadly defined in the CCPA as any information relating to an identified or identifiable person – see examples below. Publicly available information is NOT Personal Information.
II. **The right to request disclosure of Personal Information collected; and**
III. **The right to request deletion of Personal Information.**

WHAT THE CCPA IS NOT:

1. The CCPA is **NOT** the same as GDPR. While there are many differences between the CCPA and GDPR (and many similarities), the most relevant difference is that the core requirement of the CCPA is to enable an **opt-out** from sales of "Personal Information"/data to third parties (with "sale" broadly defined) and does **NOT** require the narrower and more specific obligation of the GDPR to require the **Opt-in** consent from a consumer before placing cookies in their browser or otherwise processing personal data for targeted advertising.

2. The CCPA does **NOT** replace the Health Insurance Portability and Accountability Act ("HIPAA) or apply to protected health information ("PHI"). HIPAA covered entities and business associates are specifically exempted under the CCPA and require both HIPAA compliance (for PHI) and CCPA compliance for Personal Information that isn't PHI.
3. The CCPA does **NOT** affect contextual targeting, i.e. targeting based solely on the contextualization of the Web page without use of Personal Information. Contextual targeting alone is not covered by the CCPA.

The defined term "**Personal Information**" roughly lines up with "personal data" under GDPR. However, CCPA also includes some major differences highlighted below.

Examples of personal data include:

Identity

- Name
- Home address
- Work address
- Telephone number
- Mobile number
- Email address
- Passport number
- National ID card
- Social Security Number (or equivalent)
- Driver's license
- Physical, physiological, or genetic information
- Medical information
- Cultural identity

Finance

- Bank details / account numbers
- Tax file number
- Credit/Debit card numbers

Online Artifacts

- **Social media posts**
- **IP address**
- **Location / GEO/ GPS data**
- **Cookies**
- **Browser history;**
- **Search history;**
- **Information regarding a consumer's interaction with a Web site, application or advertisement.**

For questions about PulsePoint and the CCPA please email: CCPA@pulsepoint.com

Disclaimer: The information on this FAQ is a guide and does not constitute legal advice. Please consult your own legal professionals if you seek advice on specific interpretations and requirements of the CCPA.