

Pixalate's Compliance Practices Regarding the Collection, Use, and Retention of Personal Data

Effective 19 May 2021

Pixalate is aware of the 16 July 2020 ruling by the European Court of Justice (ECJ), and the 8 September 2020 opinion by the Swiss Federal Data Protection and Information Commissioner (FDPIC), invalidating the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework. For the reasons set forth herein, these rulings do not change our ability to offer, and our clients' ability to continue using, our services in compliance with applicable law, including the European Union ("**EU**")'s General Data Protection Regulation ("**GDPR**").

Although Pixalate remains committed to its compliance with the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, as detailed below we do not rely upon these frameworks as our legal bases for collection, use, retention, processing and/or transfer of personal data that originated in the European Economic Area ("**EEA**"), Switzerland, or the United Kingdom ("**UK**") to the United States ("**U.S.**"). Instead, Pixalate relies upon the [Standard Contractual Clauses](#) ("**SCCs**") approved by the European Commission in Decision 2004/915/EC.

Standard Contractual Clauses

By incorporating the [SCCs](#) into a contract established between the parties transferring personal data, such data is considered adequately protected when transferred outside of the EEA, Switzerland, or the UK. Pixalate relies upon – and adheres to – the SCCs to ensure adequate protection of any personal data of any EEA, Swiss, or UK data subject that is transferred to a country outside of the EEA, Switzerland, or the UK, including the U.S.

Process for Complaints or Inquiries Regarding Our Privacy Practices

Pixalate commits to resolve complaints about our collection or use of your personal data reasonably and expeditiously. Residents of the EEA, Switzerland, or the UK with inquiries or complaints regarding this Privacy Policy should first contact us via email at privacy@pixalate.com, or via mail at:

Pixalate Europe Limited
20 North Audley Street
London, W1K 6WE, United Kingdom
Attn: Legal Affairs Department

Pixalate has further committed to refer unresolved privacy complaints to [JAMS](#). If you do not receive timely acknowledgement from Pixalate of your inquiry or complaint, or if your inquiry or complaint is not addressed satisfactorily, please visit <https://www.jamsadr.com/eu-us-privacy-shield> for more information.

A binding arbitration option may also be made available to you in order to address complaints not resolved by any other means, with any such arbitration to be conducted in accordance with the UK Arbitration Act 1996 by the International Chamber of Commerce ("**ICC**") under its 2021 Arbitration Rules and Expedited Procedure Provisions. These rules and provisions are available on the [ICC website](#) or by sending an email to info@iccwbo.uk. Pixalate is subject to the investigatory and enforcement powers of the United States Federal Trade Commission.

EU-U.S. and Swiss-U.S. Privacy Shield

As noted above, Pixalate continues to comply with – and fulfill its obligations under – the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from EEA member countries and Switzerland (the "**Principles**"). To learn current information about the Privacy Shield program, please visit the following

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URL: <https://www.privacyshield.gov/Program-Overview>. To view our Privacy Shield certification, please visit the following URL: <https://www.privacyshield.gov/list>.

We are Committed to Data Protection, Conduct Privacy Impact Assessments and Undergo Annual Audit Procedures Tied to COBIT

We hold [Media Ratings Council \("MRC"\) accreditation](#) for sophisticated invalid traffic (SIVT) detection and filtration across the spectrum of digital advertising environments and creative types, including desktop, mobile, and Connected TV/OTT devices. We have also earned [MRC accreditation](#) for multiple Connected TV/OTT and Server-Side Ad Insertion (SSAI) measurement metrics.

In connection with our MRC accreditations, an independent auditing firm performs testing procedures annually, including information technology ("*IT*") security procedures pursuant to COBIT. We also leverage the Information Systems Audit and Control Association (ISACA)'s Privacy Principles for GDPR Compliance, which are aligned with COBIT and GDPR Article 35.

We have Updated Our Privacy Policy to Provide Greater Transparency

Effective 19 May 2021, we updated our [Privacy Policy](#). Our updated policy sets forth, and provides links to [supplemental information](#) regarding, the types of data we collect and the technologies utilized to collect such data. If you have any questions about our Privacy Policy, or our GDPR compliance efforts, you may contact our Data Protection Officer (DPO) by writing to privacy@pixalate.com.