



## Privacy Policy

*Last update: Saturday, August 25<sup>th</sup>, 2009*

ServerTune.com, Inc. respects the privacy and security of its customers and users of its web site. ServerTune strives to provide you with a personalized Internet experience that delivers to you the information, products and services that you need. In order to achieve this goal, ServerTune sometimes collects information during your visits to our web site. We will not disclose this information to any person or organization outside ServerTune, except as described in this Privacy Policy. This Privacy Policy is not intended to and does not create any contractual or other legal rights in or on behalf of any party.

We have prepared this Privacy Policy to enable you to understand which personal identifying information of yours is collected, how and when we might use your information, how we protect your information, who has access to your information, and how you can correct any inaccuracies in the information.

### Information We Collect

ServerTune collects certain information from and about its users three ways: (i) from our web server logs, (ii) with cookies and (iii) directly from the user.

Web server logs: When you visit our web site, ServerTune may collect information to administer the site and analyze its usage. ServerTune may collect information such as:

- your Internet protocol address.
- the type of browser or computer you use.
- the number of links you click within our web site.
- the state or country from which you accessed our web site.
- the date and time of your visit.
- the name of your Internet service provider.
- the Web page from which you linked to our web site, and
- the pages you viewed on our web site.

Cookies: ServerTune's web site use cookies (i.e., small bits of text that our servers place into a file on your computer's hard drive). We use cookies to save your preferences and login information, and provide personalized functionality. You can reject cookies by changing your browser settings, but be aware that this will disable some of the functionality on ServerTune's web site.

Personal information users give us: On some pages of our web site, users can register to purchase products or services, receive personalized content and participate in surveys or forums. When you register, ServerTune may ask you for some personal information.

If you're purchasing products or services, we may also request financial information such as credit card or bank account information. Any financial information we collect is used only to bill you for the products and services you purchased. If you purchase by credit card, this information may be forwarded to your credit card provider. For other types of registrations, we will ask for your name, address, e-mail address or telephone number. We may then contact you with information about ServerTune's products and services.

As a security measure and to ensure that our web site and computer network remain available to all customers, ServerTune may use software programs to monitor network traffic or to identify unauthorized attempts to upload or change information, or otherwise cause damage. These software programs may also collect information regarding your use of our web site and computer network.

You may also be asked to disclose personal information to us so that we can provide technical support assistance and information to you. For example, we may collect personal information from you (such as an e-mail address, system information and problem descriptions) in order to provide online technical support and troubleshooting. If you choose to correspond with us through electronic communication (e.g. email, online chat or instant messaging), we may retain a copy of the electronic communication together with your email address and our responses. We provide the same protections for these electronic communications that we employ in the maintenance of information received by mail and telephone.

Finally, some pages of the ServerTune's web site may make chat rooms, forums, message boards, news groups or instant messaging available to you. Please remember that any information disclosed in these areas is public. You should exercise caution when disclosing personal information in these areas. Don't disclose information in these public forums that might be considered confidential – such as financial information, social security numbers, passwords or email addresses. Users should be aware that when they voluntarily disclose personally identifiable information on the bulletin boards or in the chat areas, that information and any substantive information disclosed in the communication can be collected and used by third parties. This could result in unsolicited messages from others who post on such sites and are beyond the control of ServerTune.

## **How We Use Your Information**

ServerTune uses the information we collect to notify you about your account and to notify you about changes to the terms and conditions governing your use of our web site, products and services. We may also use the information we collect to notify you about other products and services we think you will

find valuable and about special offers. You may notify us of your desire not to receive notifications relating to new products and services and special offers by “opting-out” as provided for below.

ServerTune may also provide aggregate information about our customers, this web site’s traffic patterns and related web site usage information to our affiliates and reputable third parties, but this information will not include personally identifying data. We take measures to select product or service providers that are responsible and afford similar privacy protections to their customers. However, we do not make any representations about the practices and policies of these companies.

If you don't want to receive promotional materials from ServerTune or our marketing partners, you may opt out at any time. You may "opt out" by clicking on the box marked "I DO NOT WISH TO RECEIVE SPECIAL COMMUNICATIONS FROM ServerTune" when you register for an account or at any time afterwards by contacting us at customerservice[AT]ServerTune.com. Upon properly opting-out, ServerTune will take reasonable efforts to delete a user's personal information from its database. However, please note that it may be impossible to entirely delete a user's information because some residual information may reside on backups or records of deletions.

## **How We Protect Your Information**

ServerTune uses technical security measures to prevent the loss, misuse, alteration or unauthorized disclosure of information under our control.

When we ask customers or users to provide financial information (such as a credit card number) that data is protected using Secure Sockets Layer (“SSL”) technology. However, please note that electronic communication (e.g. email, online chat or instant messaging) that you may send to us may not be secure unless we advise you in advance that security measures will be in place prior to your transmitting the information. For that reason, we ask that you do not send confidential information such as financial information, social security numbers or passwords to us through unsecured electronic communication.

## **Access to Your Information**

ServerTune will share or disclosure your personal data in four ways:

- as required by law, in a matter of public safety or policy, or as compelled by a court of law.
- with other affiliates or partners of ServerTune (as described above).
- with agents and contractors who use such information on behalf of ServerTune or in connection with administering or delivering products and services on behalf of ServerTune; and
- as needed in connection with the transfer of business assets.

## **Links to Other Web sites**

ServerTune’s web site contains links to sites maintained by other companies that are not affiliated with ServerTune. We are not responsible for the privacy practices or the content of those sites, and we

encourage you to use caution when visiting them. In particular, we recommend you view the privacy policy posted on each site.

### **How to Correct Inaccuracies**

If you've registered with our web site, you can access and update your information online at Orbit. Otherwise, you may contact us at [customerservice@ServerTune.com](mailto:customerservice@ServerTune.com).

Privacy Policy Changes ServerTune hereby reserves the right to amend, alter, modify, replace or suspend this Privacy Policy, from time to time, in its sole discretion. All such changes to this Privacy Policy will be effective when posted on ServerTune's web site.

If you have any comments or questions regarding this Privacy Policy please contact us at [customerservice@ServerTune.com](mailto:customerservice@ServerTune.com).