

**GRIZZLY BROADBAND LLC**  
**Privacy Policy and Your California Privacy Rights**

Updated and Effective date: June 27, 2018

Grizzly Broadband LLC (“Grizzly BB,” “we,” “our,” or “us”) understands that residential and business Customers, visitors and users (collectively, “Users,” “you,” or “your”) care about how your personally identifiable information (“Personal Information”), as defined below, is collected, used and shared. Grizzly BB takes Users’ privacy seriously. (We may use the term Customers separately from Users, where appropriate.) Our Privacy Policy explains how we collect, use, disclose, and dispose of your Personal Information through the Grizzly BB website (the “Site”) and any of our services, including Cybernet 1 broadband Internet access service, voice over IP services, Hamilton Computer Repair, and other related services purchased by you (collectively, the “Services”). This Privacy Policy together with the [Grizzly BB Service Terms and Conditions Agreement, Confirmation of Sale, Dedicated Internet Access Service Level Agreement, Website & General Services Terms and Conditions Agreement and DMCA Copyright Infringement Notification Process](#), and the [Open Internet Policy](#) (collectively, “Service Agreements”) govern your use of the Site and Services and our collection, use, disclosure, and disposal of your information.

***By using or accessing our Site and Services in any manner, User acknowledges that User accepts the practices and policies outlined in this Privacy Policy. If you disagree with the way we collect, use, disclose, and dispose of Personal Information, do not use the Site or any of the Services.***

Any capitalized terms not defined in this Privacy Policy will have the same meaning as defined in our Service Agreements.

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

***When User uses the Site and Services, the Personal Information User sends and receives is transmitted over a wireless network, and may be subject to interception by unauthorized third parties who seek to do you harm. While it is Grizzly BB’s objective to take reasonable measures to reduce the risk that unauthorized third parties will be able to intercept the information User sends and receives through the Site and Services, Grizzly BB cannot and does not make any guarantee that transmissions over the Internet are 100% secure or error-free.***

Grizzly BB does not knowingly collect, solicit or use Personal Information from anyone under the age of 13. If User is under age 13, please do not attempt to register for the Services or send any Personal Information about yourself to Grizzly BB. If Grizzly BB learns that we have collected Personal Information from a child under the age of 13, we will delete that information as quickly as possible to the extent technically feasible. If you believe that your child under age 13 may have provided Grizzly BB Personal Information, please contact Grizzly BB at [frontdesk@cybernet1.us](mailto:frontdesk@cybernet1.us).

## **Your California Privacy Rights**

Generally, California residents are entitled by law to ask Grizzly BB for a notice identifying the categories of Personal Information that Grizzly BB shared with its Affiliates and/or other third parties for their marketing purposes the preceding year, and provide contact information for such Affiliates and/or third parties unless Grizzly BB meets certain exceptions in the law. This Privacy Policy and Site meet those exceptions. Therefore, if User resides in California and User has an established business relationship with Grizzly BB, User may request information about Grizzly BB's opt-out and out-in policies of sharing User Personal Information with other companies (including our Affiliates) for their marketing purposes. Please send User's written request via email or postal mail following the instructions below. **Grizzly BB will not accept requests via the telephone or facsimile or respond to requests that are not labeled or sent properly, or do not have complete information.**

- For all requests, include User's full name, street address, city, state and zip code.
- In an email request, User must state "**Re: Your California Privacy Rights**" in the subject line and send User email to [frontdesk@cybernet1.us](mailto:frontdesk@cybernet1.us)
- In a postal request, User must send a letter or postcard to:

Grizzly Broadband d/b/a Cybernet 1  
222 N 2<sup>nd</sup> Street  
Hamilton, MT 59840  
Attention: Your California Privacy Rights

## **What Information does Grizzly BB collect and how does Grizzly BB use this Information?**

Generally, Grizzly BB collects and uses Personal Information internally in connection with providing the Site and Services to User, including to personalize, evaluate and improve the Site and Services, to contact User, to respond to and fulfill User requests, and to analyze how User uses the Site and Services.

Grizzly BB collects and uses various types of information about Users and Users' use of the Site and Services via various features and registration pages, Help Desk and call centers, postal mail, remote kiosks, the Grizzly BB Facebook Page or other social network platforms, or by other means. Such information is generally classified as Personal Information or Non-Personal Information.

### ***Personal Information***

Personal Information is the information User provides to Grizzly BB voluntarily or passively through User use of the Site and/or Services, and information which is directly associated with or reasonably linked to a specific person, computer or device. For example, we collect and use Personal Information through the registration process, when the equipment to provide the Service is installed, maintained or upgraded at User's premises, and when User contacts Grizzly BB regarding the Site or Services. Through User account settings, Grizzly BB collects and uses Personal Information such as User name, email address, landline and/or wireless telephone number, postal address, billing address (if different) and billing information (such as credit/debit card account number or other financial account

information), service address, and the nature of any of User devices or other property making use of the Services. Personal Information also includes customer proprietary network information (“CPNI”) which is collected and used to provide VoIP services to you. CPNI includes any information that relates to the 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. User may be required to provide certain Personal Information to assist Grizzly BB in improving User’s Service or troubleshooting problems User is experiencing with the Site or Service, User computer or device, or otherwise to improve the quality of the Services.

Grizzly BB will communicate with User if User has provided Grizzly BB the means to do so such as submission of a User’s postal address, email address or phone number. Grizzly BB will mail, email, call or text User about User’s use of the Services or product improvements or upgrades, and other transactional information about User’s service.

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

Some forms of Non-Personal Information as described below will be classified as Personal Information if required by applicable law or when such information is directly associated with or reasonably linked to a specific person, computer or device, or is combined with other forms of Personal Information.

### ***Non-Personal Information***

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

When you visit Grizzly BB’s Site, Grizzly BB will collect various types of Non-Personal Information, such as information on Grizzly BB server logs from User’s browser or device, which may include User IP Address, unique device identifier, “cookie” information, the type of browser and/or device you are using to access the Services, and the page or feature User requested. (IP Address and device identifiers are traditionally classified as Non-Personal Information, unless Grizzly is required to do so otherwise under applicable law.) “Cookies” and “web beacons” are text file identifiers Grizzly BB transfers to User’s browser or device that allow Grizzly BB to recognize User’s browser or device and tell Grizzly BB how and when pages and features on the Grizzly BB Site are visited, by how many people, and other activity on the Site.

Users can change the preferences on User’s browser or device to prevent or limit User’s device’s acceptance of cookies, web beacons or other similar technology, but this may prevent Users from taking advantage of some of the features on the Grizzly BB Site, or accessing certain functions and conveniences. This Privacy Policy does not cover the use of cookies or other such tracking technology by any third parties, and Grizzly BB is not responsible for their privacy policies and practices.

Grizzly BB also uses Personal Information and Non-Personal Information to enhance the Grizzly BB Site and Services: such as how often visitors use a particular feature or activity; which products and services are most interesting to current and potential Users; ways to make the Site useful and interesting

to as many Users as possible; and to enhance and refine Grizzly BB's Services. Grizzly BB will continue to conduct analytics on Grizzly BB Site and Services performance. Users may not opt-out of this use of cookies, Personal Information and Non-Personal Information.

Technology is improving every day and to improve Grizzly BB's operations and functions Grizzly BB may introduce new technologies and monitoring techniques without advance notice or consent from User. Grizzly BB may also use third party providers to conduct such internal functions and analyses.

### ***Network Information***

Grizzly BB also collects and uses Grizzly BB Network Information, information about User access to, and use of, the Grizzly BB Network, which may or may not be directly associated with or reasonably linked to a specific person, computer or device. For example, Grizzly may collect use information about the performance of the our equipment installed on User property or at User premises, when User is using the Services, the various devices User is using to access the Services, the amount of data User is transmitting and receiving, the content of the data User are transmitting and receiving, the websites User is visiting, and any other information that is transmitted over the Grizzly BB Network. Grizzly BB may also aggregate Grizzly BB Network Information from multiple Users and share such aggregated Non-Personal information about the overall performance of the Grizzly BB Services and Grizzly BB Network with our Affiliates and other third parties. Aggregated information does not identify a specific individual, computer or device.

We use Network Information to monitor and enhance the performance of the Grizzly BB Network. Grizzly BB will not monitor the content of the websites viewed or email communications as part of Grizzly BB's standard network management unless there is a complaint or an issue regarding the Services. Generally, Grizzly BB will monitor and preserve the following Grizzly BB Network Information:

- When Customer is using the Services;
- How Customer is using the Services, 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 Services; and
- General information regarding the performance of our equipment installed on Customer's property or at Customer's premises, and its interaction with the rest of the Grizzly BB Network.

However, Grizzly BB reserves the right to, and may, monitor, access, review and preserve any Grizzly BB Network Information and/or content in the following situations:

- In response to an inquiry from Customer or an another Authorized User on Customer's account regarding Customer or their use of the Services or problems Customer or they are experiencing using the Services;
- If Grizzly BB has reason to believe Customer is using the Services in violation of Customer's Service Agreement or any applicable statutes, rules, ordinances or regulations;

- If Grizzly BB has reason to believe Customer use of the Service is negatively affecting other Customers; or
- When Grizzly BB is required by law or legal process to do so, or when Grizzly BB has a good faith belief that Grizzly is required by law or legal process to do so.

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

Grizzly BB will use Personal Information to send User marketing and advertising messages related to Grizzly BB's Services and Site using User's email address, postal address, or telephone number (for voice, texts, and pre-recorded calls). Grizzly BB may deliver a marketing or advertising message based on User visits to the Grizzly BB Site, which is general advertising or "Contextual Advertising," defined as advertising based on the subject matter or the content of the specific website page or subject matter. Grizzly BB may also send User "First Party Advertising," which is advertising that is customized or personalized based on a history of User's use of our Site or Services (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 Grizzly BB collects from User – not from User's visits to other websites across the Internet.

**User may opt-out of First Party Advertising but not Contextual Advertising. No Personal Information is used to deliver Contextual Advertising; it automatically will appear based on the content or webpage User is viewing and thus is based on the context of that visit. User may continue to receive general advertising if User opts-out of First Party Advertising, it will not be customized or personalized for User.**

Grizzly BB does not provide third party "Network Advertising," which is advertising based on User's overall Internet usage across different third party websites or online services. Multiple third party websites and online services are involved in this tailored or personalized advertising process, in essence a "network" of advertising providers.

**Because Grizzly BB does not provide network ads, Grizzly BB does not recognize the "Do Not Track" settings on various Internet browsers. Grizzly BB does not engage or allow third parties to track you across the Internet and across time for advertising purposes.**

### **Links to other websites or online services**

The Grizzly BB Site and/or our 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 Grizzly BB and our Affiliates. The presence of a link does not constitute or imply Grizzly BB's endorsement, recommendation, or sponsorship of the content, goods, services, business or privacy practices on such websites or online services. Grizzly BB encourages Users to be aware and informed when Users leave Grizzly BB's Site and Grizzly BB's Facebook Pages, or any other social networking platforms.

### **Will Grizzly BB share User Personal Information?**

User's Personal Information will only be disclosed to third parties (including Grizzly BB's Affiliates) as listed in this Privacy Policy, or if Grizzly BB has received your consent at the time Grizzly

BB will collect and use your Personal Information or prior to the disclosure of any Personal Information. Grizzly BB reserves the right to fully use, disclose and process any Non-Personal Information collected from User in any manner as well as any information User makes public via Grizzly BB's Site or Services.

Grizzly BB will not rent, sell or disclose Personal Information to anyone not related to Grizzly BB for marketing or promotional purposes, unless in connection with a potential or actual sale, merger or a corporate restructuring by or of Grizzly BB. (See "For Business Transfers" below for more information.) Grizzly BB will share User Personal Information with its Affiliates and with other third parties as described in this section for the following reasons:

- **To Our Affiliates.** Grizzly BB relies on various Affiliates in order to provide the Services to Users. Grizzly may share Personal Information and Non-Personal Information with any of its Affiliates for business, operational, promotional and/or Grizzly BB's own marketing and advertising purposes.
- **To Operational Service Providers:** Grizzly BB and its Affiliates contract with other companies and people to perform tasks or services on Grizzly BB's behalf and need to share Customer Personal Information to provide products or services to Customers. For example, Grizzly BB may use an independent payment processing company to receive and process Customer's ACH or credit/debit card transactions, or with third parties to assist Grizzly BB in optimizing the Grizzly BB Network. Unless Grizzly BB tells Customer differently, Grizzly BB does not grant its Operational Service Providers any right to use the Personal Information Grizzly BB shares with them beyond what is necessary to assist Grizzly BB.
- **For Business Transfers/Restructuring:** Grizzly BB may choose to buy or sell assets, or Grizzly BB may sell assets or be sold. In these types of transactions, User Personal Information is typically one of the business assets that would be disclosed and transferred. Also, if Grizzly BB (or Grizzly BB's assets) are acquired, or Grizzly BB goes out of business, enters bankruptcy, or goes through some other change of control, including restructuring, re-organization or financing arrangements, Personal Information could be one of the assets disclosed, transferred to or acquired by a third party.
- **For Protection of Grizzly BB, and Our Affiliates, Employees, Operational Service Providers, Users and Subscribers and Public Safety:** Grizzly BB reserves the right to access, read, preserve, and disclose any Personal Information to implement and/or enforce the Service Agreements, protect the Grizzly BB Network, Site, and other company assets; protect the interests, rights, property, and/or safety of Grizzly BB or our Affiliates, employees and officers/directors, Operational Service Providers, Users and Subscribers, agents, representatives, third party licensors or suppliers, or the general public.
- **When Required by Law or in Response to Legal Process:** Grizzly BB reserves the right to access, read, preserve, and disclose any Personal Information to which Grizzly BB has access if Grizzly BB is required by law or legal process to do so, or if Grizzly has a good faith belief that Grizzly BB is required by law or legal process to do so.

### **Is User Personal Information secure?**

Grizzly BB endeavors to protect the privacy of User's account and other Personal Information Grizzly BB holds using reasonable administrative, technical and physical security measures. We dispose of your Personal Information in a secure manner related to how sensitive or confidential the Personal Information is. However, Grizzly BB cannot and does 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 password and/or other sign-on mechanism appropriately and limiting access to Customer computer, tablet or device and browser by signing off after Customer has finished accessing Customer's account. Customer is required to notify us immediately if Customer's password or account has been disclosed to a person whose name does not appear on Customer's account, even if you have allowed such disclosure. Customer understands, acknowledges and agrees that Customer is solely responsible for any use of Grizzly BB Services via Customer's username and password.

Additionally, if Customer contacts Grizzly BB, Grizzly BB will ask Customer for verification of Customer's identification and account. **Grizzly BB will not send an email or text, nor should Customer respond to any email or text communications 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 from Grizzly BB requesting any such information or someone that claims they are with Grizzly BB or our Affiliates please contact our [Privacy Administrator](#) immediately: [privacy@grizzlybb.com](mailto:privacy@grizzlybb.com) For Grizzly's BB Hamilton Repair Services as detailed in our Service Agreements, the code that allows Grizzly BB to access Customer's computer desktop to help you resolve technical problems is limited only for that specific session. Grizzly BB is not able to access Customer's computer without Customer's knowledge, affirmative consent and involvement.

### **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;
- Postal Address;
- Email address;
- Telephone number;
- Billing and Service address; and
- Account and billing information.

By contacting Grizzly BB at [frontdesk@cybernet1.us](mailto:frontdesk@cybernet1.us) or through any online access portal Grizzly BB may create to enable Customers to view and modify Customer account settings, Customer may access, and, in some cases, edit or delete the Personal Information listed above. For example, Grizzly BB may retain historic email, billing and/or service addresses for security and verification purposes.

Customer may not delete such information; even when the Services have expired or terminated Grizzly BB will retain certain Personal Information indefinitely for legal and regulatory purposes.

If you are a VoIP Customer, you may only access your CPNI after we have verified and authenticated your identify via your submission of a password, PIN, and /or a security question.

When Customer updates Personal Information, however, Grizzly BB may maintain a copy of the unrevised information in Grizzly BB's records for internal security reasons and recordkeeping. Some information may remain in Grizzly BB's records after it is modified, amended or deleted from active status by Customer or Grizzly BB. Grizzly BB 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. Grizzly BB may also maintain Personal Information as required by Grizzly BB's business practices, by law, and/or tax reporting purposes regarding Customer and Customer's use of the Services after Customer is no longer a Grizzly BB customer.

The information Customer can access, update, and delete may also change. If Customer has any questions about viewing or updating information Grizzly BB has on file about Customer, please contact Grizzly BB at [frontdesk@cybernet1.us](mailto:frontdesk@cybernet1.us).

### **What third party disclosure choices do Users have?**

User can always choose not to disclose Personal Information to Grizzly BB; however, certain Personal Information is necessary for Grizzly BB to provide the Services to User or to access certain parts of the Site. Users may opt out of sharing Personal Information with our Affiliates only for marketing or advertising purposes, but not for business or operational purposes.

User may opt out of email marketing and advertising from Grizzly BB or its Affiliates using the "Unsubscribe" mechanism in each email. Before Grizzly BB sends User a text for any reason, or sends User a pre-recorded call that contains advertising or marketing information, Grizzly BB will secure User's prior written express consent, which can be given via a voice recording, email, text message, postal mail, or telephone key press. Non-telemarketing pre-recorded calls do not require User's prior express consent in writing, unless they are sent to a wireless device. User understands, acknowledges and agrees that such texts and pre-recorded telemarketing calls may be sent using an autodialer and are not conditioned on your purchase of the Services. User may opt out of receiving text messages any time by replying "STOP" or "UNSUBSCRIBE" to the text message. User may opt out of receiving pre-recorded calls by the opt-out instructions in the call. However, User will continue to receive calls related to debt-collection and User's current service. User may also opt-out of First Party Advertising, but not Contextual Advertising, as detailed in the "Use of Personal Information for Marketing or Advertising Purposes" section above.

User may not opt out of Grizzly BB's use of cookies or other similar technology, or use of User's Personal Information and Non-Personal Information for Grizzly BB's internal analytics used to monitor activity on Grizzly BB's Site, measure Grizzly BB Services' performance, or to operate and protect the Grizzly BB Network.

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

Yes, because Grizzly BB is constantly working to improve and introduce new features or products in our Services, we will need to update this Privacy Policy from time to time as our business practices change and service offerings increase, and/or there are changes in local, state or federal laws. Additionally, Grizzly BB will also make stylistic, organizational and/or grammatical changes to present Grizzly BB privacy practices in a user friendly easy to read manner. Grizzly BB will alert Users to any such changes by placing a notice on [Cybernet1.com](http://Cybernet1.com) with the effective date of the revised Privacy Policy, and/or by sending Users an email, or by some other means to the extent required by law. Users are always responsible for reading and understanding all notices posted on Grizzly BB's Site, whether their contact information is updated or not. User's continued use of the Services or Site after notice of any changes have been provided will indicate User's acceptance of such changes, except where further steps are required by applicable law.

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

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

If you have any questions or concerns regarding Grizzly BB's privacy practices and policies, please contact Grizzly BB at [frontdesk@cybernet1.com](mailto:frontdesk@cybernet1.com).

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