

Audible Magic Corporation
CopySense Network Appliance Privacy Policy

COLLECTION OF INFORMATION:

In the course of using the Audible Magic CopySense Appliance, information about the use of Peer-to-Peer technology on your network is gathered by the appliance. This information includes but is not limited to Protocols, Bytes, IP Addresses, Ports, Dates and Times of Transfers.

In addition, in order to intelligently block copyrighted material; the CopySense technology on the Appliance may access a remote database of registered copyrighted content. This access provides the Appliance the ability to intelligently block copyrighted file transfers. The CopySense Appliance never transfers actual data from the file transfers – it only calculates and transmits measurements used to match against the remote database. These measurements are not capable of being used to recreate the original file.

Based upon this information, the Appliance acts autonomously and without user intervention to execute the rules designated for the appliance.

TRANSMISSION AND INTERNAL USE OF INFORMATION:

From time to time, as Audible Magic deems necessary, certain data will be collected from each Appliance. The information collected is for statistical purposes and collected in order to help Audible Magic determine trends in Peer-to-Peer technology; improve the efficiency and/or accuracy of the Appliance and to help Audible Magic conduct tests on the quality of its operation.

EXTERNAL USE OF INFORMATION:

Audible Magic may disclose to third parties the P2P transaction information collected. This information is generally disclosed in the aggregate and may include but is not limited to titles of copyrighted works, file types, bytes transferred and time of day. This information, whether aggregated or otherwise, will not include personal information related to an identified person such as name, e-mail or postal address or other contact information and in no case will the information contain data that will identify the specific CopySense Appliance customer or their users. Audible Magic will only disclose the name of the CopySense Appliance customer or their identifying information with that customer's express written consent.

Audible Magic collects and maintains typical business information about your organization as necessary for communication and to conduct and maintain our business relationship with your organization. Audible Magic does not rent, sell, or share any information about your organization with third parties or nonaffiliated companies except, with your organization's permission, to provide products or services requested by your organization.

Any other release of information to third parties will occur only with your organization's permission subject to the following exceptions:

- Audible Magic will release information to respond to governmental requests, subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims.
- Audible Magic will release information in the event of a merger with a third party or an acquisition by a third party or similar change of control of Audible Magic.

CHANGES TO THIS POLICY:

Audible Magic may decide to change this Privacy Policy from time to time. In the event of a change, Audible Magic will provide notice to your organization so you are always aware of the information Audible Magic collects, how it is used, and under what circumstances it is disclosed.