

## Privacy Policy

Your privacy is important to Mpire Media Pty Ltd (ABN 66 126 813 214), our subsidiaries and affiliates (“**nxus**”, “**we**”, “**us**” or “**our**”). nxus is committed to protecting your privacy and complying with its obligations under the *Privacy Act 1988* (Cth).

The terms, “Account Details”, “Our Materials”, “Service” and “Users”, as used in this Privacy Policy, are defined in the Terms of Service available at <https://nxus.mobi>.

If the term “**you**” or “**your**” is used in this policy without referring to a specific category of person, it is deemed to refer to all individuals who interact with us. Otherwise, the term “**you**” or “**your**” should be read as referring to the category of individual as specified.

This policy governs nxus’s collection, storage, use and disclosure of your personal information and covers the choices you can make about the way your information is collected.

We collect personal information from:

- (a) individuals who visit our websites (“**Visitors**”), including <https://www.nxus.mobi> and <https://mpire.nxus.mobi> (“**Websites**”);
- (b) licensees of the Service (including their approved sub-licensees) and their Users (together, “**Customers**”); and
- (c) internet users who receive or interact with applications and services of Customers (“**End-Users**”).

By visiting our Websites, using the Service and Our Materials, engaging with integrated applications or services, or otherwise providing nxus with your personal information, you consent to your personal information being collected, stored, used and disclosed as set out in this policy or as otherwise disclosed by us at the time of collection. Pursuant to clause 3.6 of the Terms of Service, Customers (and not us) are responsible for seeking the consent of End-Users to the collection, storage, use and disclosure of their personal information by us for the purposes set out in this policy.

nxus has no direct contractual relationship with End-Users, or with any other individuals whose personal data we may process on our Customers’ behalf. Our Service may be used by our Customers to collect and analyse such personal data and, accordingly, we process such data under the direction of our Customers.

The Websites may contain links to other websites that are not owned, operated or controlled by us. As such, we are not responsible for the information on these sites, or their privacy policies.

We may update this policy from time to time. You can find the most current version on our Websites.

## **1. What kinds of personal information do we collect?**

### Visitors and Customers

The personal information we collect and hold about Visitors and Customers will depend on the nature of your interaction with us, but may include the following types of information:

- (a) name, physical address and contact information such as phone numbers and email addresses, including of people within your organisation, if applicable;
- (b) your transaction history;
- (c) credit card details or other payment details that you have made to us or that have been made on your behalf;
- (d) your user name and hashed password to access your account you may have with us;
- (e) any other personal information which you supply to us, including information on your gender, age, activities, interests, personal descriptions.

### End-Users

We also collect the following personal information about End-Users via our web application firewall (“WAF”), beacons, application programming interface (“API”) or software development kit (“SDK”):

- (a) internet addresses (i.e. IP address);
- (b) device identification number;
- (c) cookie identification number.

## **2. What kinds of non-personal information do we collect?**

We use data collection services called “cookies” and data collected by other technologies that allow us to track Visitors’ use of the Websites and Customers’ and End-Users’ activity on the Service. The technical data is used to determine visitor traffic, trends, remember your preferences, deliver personalised content

to you while you are using the Websites and to improve our Service and Our Materials.

We may also share aggregated, non-personally identifiable information publicly, for example, to show trends about the general use of the Websites and Service.

We also collect the following non-personal information about End-Users when you click on an advertising link in which our Service is used:

- (a) the number of downloads, impressions, clicks and installs in respect of the relevant mobile device application;
- (b) mobile device use;
- (c) data regarding in-app events.

### **3. How do we collect personal information?**

#### Visitors and Customers

nxus collects personal information from Visitors and Customers directly, if you choose to provide it through one of the following means:

- (a) when you register to access the Service;
- (b) when you complete a survey or questionnaire; and
- (c) cookies when you access and use the Websites.

We endeavour to only collect personal information about an individual from that individual. There are some circumstances when we may need to collect your personal information from third parties, such as financial institutions. We may also collect personal information from publicly available records.

We may hold your personal information in electronic or hard copy form, or a combination of both.

#### End-Users

nxus also collects personal (and non-personal) information about End-Users when you engage with a platform or service integrated with our Service. This involves, among other things:

- (a) the tracking of behaviour of End-Users across a number of campaign variables to identify potentially fraudulent traffic; and
- (b) the tracking of an End-User's journey from the first click on an advertisement, through to the achievement of the Customer's (or their sub-licensee's) goal such as a purchase or install (conversion).

#### **4. How do we use your personal information?**

##### Visitors and Customers

nxus uses the personal information (which is not sensitive information) of Visitors and Customers it collects for the purposes for which it was provided to nxus and for related secondary purposes, to carry out nxus's business purposes, to fulfil its legal obligations, other related purposes or as permitted or required by law.

In particular, nxus may use your personal information to:

- (a) verify your identity;
- (b) provide products and services that you have requested, and respond to your enquiries;
- (c) recommend products and services that may be of interest to you, based on your transaction history and preferences;
- (d) manage your Account Details and provide you with customer support;
- (e) provide you with information about our events or our services that may interest you, and more generally, to maintain our relationship with you;
- (f) send promotional offers and marketing material to you;
- (g) maintain a database of registered users and Customers of the Service;
- (h) enhance your experience of the Websites and the Service and make the Websites easier for you to use, including remembering your preferences and personalising your experience on the Websites and in the Service;
- (i) plan our product and service development in accordance with the needs of our customers;
- (j) facilitate our business operations.

You do not have to provide personal information to us if you do not wish to, but if you do not do so, it may affect our ability to provide you with our goods and services and with information about them.

##### End-Users

nxus may use End-Users' personal information to:

- (a) identify and mitigate potentially fraudulent traffic in relation to any product or service that you engage in which our Service is used;
- (b) produce anonymised data and aggregated data;

- (c) improve and maintain our services, the Websites and the Service. By way of example, such data may be used to support the diagnosis of server problems, to identify and create new service offerings and features and to improve our service offerings.

## **5. How do we use sensitive information?**

Sensitive information is a type of personal information that includes information about an individual's criminal record, racial or ethnic origin or sexual orientation or practices. We will only use your sensitive information for the purpose for which you have provided it to us and to the extent that it is reasonably necessary for us to provide the Websites and Service.

## **6. Who do we disclose your personal information to?**

Generally, nxus will not disclose your personal information to any other third parties unless you have consented to such disclosure. Such consent may be given expressly or it may be implied by conduct.

In particular your personal information may occasionally be disclosed to:

- (a) our directors, officers, employees and related entities (including entities located overseas), for the purpose of our business and marketing purposes only;
- (b) third party contractors or service providers that we use in the ordinary course of our business to assist with the delivery of our products and services (on a confidential basis and such service providers will be limited in their use of the information to the purpose of our business only);
- (c) specialist advisers who have been engaged to provide us with legal, administrative, financial, insurance, research, marketing or other services; and
- (d) any other person authorised, implicitly or expressly, when the personal information is provided to or collected by us.

Some of nxus's related entities, or third party service providers to whom we may disclose your personal information, may be located in countries and regions outside Australia or may hold your data on servers located outside of Australia, including in the United States of America and Europe. We will endeavour to take reasonable steps to ensure that these parties handle such information in a manner that is consistent with the Australian Privacy Principles and this privacy policy.

nxus reserves the right to disclose any personal information (including sensitive information) to law enforcement or other government officials where we reasonably believe that this may be necessary or appropriate, or where it will

prevent or lessen a serious and imminent threat to somebody's safety, life or health.

nexus will never sell, trade, lease or rent your personal information to third parties.

## **7. Direct marketing communications**

We want to send you marketing and promotional communications only if you want to receive them from us. If you prefer not to receive these communications from us, please let us know by completing the form [here](#).

If we send you any marketing or promotional communications by email, you can also click on the "unsubscribe" link at the bottom of the message.

## **8. Our Commitment to Data Security**

nexus takes the security of your personal information very seriously. We take reasonable steps to protect the personal information we hold, whether in electronic or other form, from misuse, interference and loss and from unauthorised access, modification or disclosure.

nexus may retain any personal information you provide during the use of the Websites and Service, for as long as you remain an active Customer of the Service or user of the Websites, or until you tell us that you no longer wish for us to retain such information and otherwise to the extent permitted by applicable law. We will take reasonable steps to destroy or permanently de-identify personal information we hold if it is no longer needed for nexus's business purposes and it is permissible by law to do so. If requested or authorised to do so, we may shorten the retention period.

We may also retain and use your personal information to fulfil our legal obligations, resolve disputes, enforce any agreements to which we are a party, and protect the legal rights and legitimate interests of others and ourselves.

## **9. Access to personal information**

You may request access to personal information that nexus holds about you in writing by using the contact details below. nexus will process such requests within a reasonable time and may charge a fee for providing access, which will cover the costs of verifying the application and retrieving the information requested. If nexus denies an access request, it will provide reasons for doing so.

## **10. Opt-out for End-Users**

End-Users can opt-out of the Service's tracking abilities by e-mailing their request together with their device identifier to [privacy@nexus.mobi](mailto:privacy@nexus.mobi). If the End-User chooses to opt-out, we will stop tracking data from the End-User's specific device associated with the device identifier provided.

## **11. Correction of personal information**

nxus will take reasonable steps to ensure that any personal information we hold about you is accurate, complete and up to date. If there are any changes to your personal information, please let us know using the contact details below.

If you request us to, we will take reasonable steps to correct the personal information we hold about you so that it is accurate, complete and up to date, or will provide reasons for not doing so.

## **12. Complaints**

If you wish to make a complaint about a breach of this Privacy Policy, or the Australian Privacy Principles, you can contact nxus using the contact details below. You will need to provide sufficient details regarding your complaint, as well as any supporting evidence and information.

Your complaint will be reviewed by our Privacy Officer, who will investigate the issue and determine the steps that nxus will take to resolve your complaint. nxus will contact you if it requires any further information from you and will notify you in writing of the outcome of the investigation.

If you are not satisfied with nxus's determination, you can contact nxus to discuss your concerns or contact the Australian Privacy Commissioner through its website at [www.oaic.gov.au](http://www.oaic.gov.au).

## **13. Contact Details**

If you have any questions of feedback about our privacy policy, or the way in which we handle your personal information, please contact us using the following details:

**Address:** 10/16 Brodie Hall Drive, Bentley, WA 6102

**Attention:** Privacy Officer

**Email:** [privacy@nxus.mobi](mailto:privacy@nxus.mobi)