

Viasat Sponsored Access Privacy Notice

Last Update: September 9, 2021

Viasat, Inc., and its subsidiaries and affiliates (collectively, “**Viasat**,” “**we**,” “**us**,” or “**our**”) is a leading communications company delivering satellite broadband solutions and related services to consumers. This Privacy Notice (“**Notice**”) explains our data practices for the Sponsored Access services (collectively, the “**Services**”) that we make available to consumers.

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WHO WE ARE AND SCOPE OF THIS NOTICE

Viasat, Inc. is headquartered in the United States with affiliates in locations around the world. Except where we state otherwise in this Notice, Viasat, Inc. is a data controller under applicable data protection law for the personal information collected under this Notice, which means that we are responsible for deciding how we hold and use, or process, your personal information.

- Viasat Brasil Servicos de Comunicações LTDA located in São Paulo, Brazil is also a data controller for Services offered by Viasat in Brazil.
- Viasat Tecnología, S.A. de C.V. with an office located at Montes Urales 754, piso 3, colonia Lomas de Chapultepec, alcaldía Miguel Hidalgo, C.P. 11000, in Mexico City, Mexico, is also a data controller for Services offered by Viasat in Mexico.

The Services covered by this Notice include our Sponsored Access services that provide internet access based on your interaction with curated content and advertising, as described in the Viasat Sponsored Access Terms of Service (the specific branding may vary based on your location). Your use of the Services may be subject to other terms and disclosures provided by us and our partners, including within any terms of service made available to you by us or third parties. This Notice covers personal information that we collect from end users of the Services.

When you access Third Party Services (defined in the *Third-Party Terms and Links to Other Sites* section below) in connection with the Services, including those of an airline or other travel entity or a Sponsored Access promotion partner (a “**Promoter**”), their policies and terms and conditions govern those third-party services and practices.

INFORMATION WE COLLECT

You provide us with information directly, such as when you register to use the Services. We also collect information about you and your activity when you use our Services, as authorized by and in accordance with applicable laws, including through the device(s) that you use to access the Services. We also may collect information about you from third parties, such as an airline on which you are flying and our external business partners.

The types of information that we collect depend on how you use the Services and interact with us. You have certain rights over how we use your personal information, which we describe in the *Manage Your Data* section below, though we require certain information to fulfil the requested or earned activity.

- **Information You Provide**

Viasat collects personal information from you when you use our Services, request information from us, or otherwise contact us. The personal information we collect includes information about you that you may choose to provide, including demographic information such as gender, age range, and nationality, travel-related information, airline loyalty membership status, and interests or hobbies. Where the Services include a registration feature, we also may collect from you your first and last name, email address, phone number, physical address, and airline frequent flyer or loyalty program number. We may combine the information you provide to us with information from and about you that we receive from third parties, including our airline, travel, and business partners and vendors, or information that we automatically collect when you use the Services, such as your Services usage history.

- **Information Collected Automatically**

When you use our Services, we collect information that we need to enable the Services, as well as information about your use of our Services and how our Services perform.

For example, to deliver the Sponsored Access services to you, we collect a unique identifier associated with the device that you use to access the Services. This identifier is a modified version of your device MAC address that is collected through the internet access service provided by your airline or other service on which you are traveling, or by us, and Viasat does not link or otherwise associate this identifier to your MAC address or device as part of our provision of Sponsored Access.

When you use the Services, we may collect information on your device and browser type, operating system, your interactions with Promoters available through the Services, your Services session duration, and data regarding network-connected hardware (e.g., computer or mobile device). This includes your device Internet Protocol (IP) address and device MAC address, and software version. We use the information described in this section to provide the Services, including to optimize, troubleshoot, measure, and monitor the performance of, and improve, the Services.

Viasat also may process information relating to your use of the internet access services, including data consumed, hours of usage, the amount of time it takes to load a page, clicks to available links, and other data that helps us to track and understand how users experience our Services, as well as information about the websites you visit when using the Services. This information helps us, for instance, to improve the performance and user experience of our Services, including to optimize, troubleshoot, measure, and monitor the performance of our network and Services.

COOKIES AND SIMILAR TECHNOLOGY

Cookies are very small text files that companies place on your device when you visit or use some sites, applications, or other web-based services to help identify a computer, browser, or device. We use cookies, web beacons, Internet log files, and similar tracking technologies (collectively, “**Cookies**”), including ours and from third-party providers, to allow our Services to function; maintain your preferences and settings;

provide enhanced features; conduct analytics and collect usage data related to our Services; combat fraud; and prevent violations of our Terms of Service; and to provide you with relevant content and advertising based on your prior use of the Services.

If you choose to provide us with information, it may be linked to the information collected by cookies and similar technologies including advertising cookies. Our system may not respond to Do Not Track requests or headers from some or all browsers. The *Manage Your Data* section below provides additional information about our use of cookies and similar technologies and your ability to manage cookies. You may also use the cookie preference tool, where available, or visit the cookie notice posted on the Service for more information.

- *Cookies*

Cookies are used to identify a computer, browser, or device. Certain cookies are necessary for the Services to function and others let us provide you with an enhanced experience. You can disable cookies on your device or set your browser to alert you when we or others send cookies to your device, but disabling cookies may affect your ability to use certain Services. For more information, including details of specific cookies we use within the Service, see the cookie preference tool (where available) or visit the cookie notice made available on the Service you are visiting. You can find more information and make choices about third-party cookie providers in the following sections of this Privacy Notice: *When We Share Information* and *Manage Your Data*.

- *Flash Cookies*

We may use flash cookies, also known as “local shared objects.” You can clear flash cookies already on your device by adjusting the flash local storage setting on your device to zero. You may also prevent entities from placing flash cookies on your device by adjusting your preferences using the Adobe privacy settings at <https://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html>.

- *Web Beacons*

A web beacon is an electronic image or tag that helps us deliver cookies, count users who have visited certain pages or viewed certain advertisements or mailings, and conduct analytics for our Services and communications.

- *Internet Log Files*

We may collect Internet log files when you use the Services. These log files can include IP addresses, MAC addresses or other device IDs, depending on your network configuration. Depending on the Service you use or the activity you engage in, we associate these log files with your information.

OUR LAWFUL BASES FOR PROCESSING

We’re required in certain locations to disclose our lawful basis for processing the personal information we collect. The lawful basis will depend on the specific information and the context in which we collect it. We normally will collect personal information from you only (i) where we need the information to provide you with the Services you have agreed to and to perform a contract with you, or in anticipation of entering into a contract with you, including our Terms of Service; (ii) where the processing is in our or a third party’s legitimate interests and not overridden by your rights, freedoms or interests; or (iii) where we have your consent. In some cases, we may also have a legal obligation to collect personal information from you or may otherwise need the information to protect your vital interests or those of another person, for example, if there is evidence of fraud or criminal activity.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is required or not, as well as of the possible consequences if you do not provide the information.

If we collect and use your personal information in reliance on our legitimate interests (or those of any third party such as the airline or other service on which you are traveling), this interest will normally be to operate the Services, to communicate with you as necessary to provide the Services to you, and for our legitimate commercial interest, for instance, when responding to your queries, improving the Services, undertaking marketing, fulfilling obligations to third parties with whom we have commercial relationships (such as the airline on which you are flying), or to detect or prevent illegal activities or fraud. We may have other legitimate interests and, if appropriate, we will notify you at the relevant time about such legitimate interests. Our reliance on legitimate interests will not affect your rights, freedoms or interests.

HOW WE USE INFORMATION

We use the information we collect from and about you within the Services for a variety of purposes including to: provide the Services; fulfill our Terms of Service; analyze and improve our Services and our business; communicate with you; respond to questions or technical problems; develop internal marketing and demographic studies; provide you with customized content and advertising; provide support and security for our products; and as more fully described in this Privacy Notice.

We use the information we collect from and about you for business purposes including to:

- Provide the Services or to fulfill an agreement with you;
- Enhance your experience with the Services, and develop new products or services;
- Respond to your inquiries or otherwise contact and communicate with you;
- Provide technical and other support, including to optimize, troubleshoot, measure and monitor the performance of our Services, including measuring service levels and identifying loading trends and websites that are statistically significant to our user population in order to deliver internet traffic more efficiently;
- Address issues with the Services or our business;
- Protect the security or integrity of the Services and our business, protect and defend our legal rights, prevent fraud, and meet our legal obligations;
- Conduct internal marketing and demographic studies;
- Analyze our users, in combination with other data, to assess our user base and use of the Services; and
- To develop or deliver other products or services in collaboration with the airline or other service on which you are traveling

We also use the information for the following commercial or marketing purposes:

- To market our Services and related services to you;
- Provide you with customized content and advertising on the Services, on behalf of Viasat or our business partners;
- To contact you with information and promotional materials from Viasat or on behalf of our partners and affiliates; and /or

We also use information we collect from and about you to:

- Participate in other processing that we inform you about when you provide your information or when you consent to such processing; and
- As permitted by law.

WHEN WE SHARE INFORMATION

As detailed in this Privacy Notice, we share your information with our vendors that provide support and other services in connection with the Services; advertising service providers and advertising partners that enable us to conduct and display advertising on the Services; and with third parties for collaborative offerings, legal and safety purposes, in connection with the sale or transfer of a Viasat business or asset, for use in aggregate or anonymous form, and for other purposes with your permission.

- Vendors

We use vendors to perform services on our behalf. These vendors provide business, professional, marketing, or technical support to us, help us operate our business and Services, or administer activities in connection with our business and the Services on our behalf. These vendors are not permitted to use or share your personal information for their own or a third party's commercial purposes.

- Affiliates

We share your information with our affiliated companies, including our parent company and subsidiaries, to help us operate our business and the Services.

- Advertising

We use third-party advertising to support our Services, such as ad networks, data exchanges, traffic management service providers, and marketing analytics service providers. These providers may use their own technologies to collect information and track activity relating to your Service use. This information, along with information that we share with them, enables us or our providers to recognize you or your device and to serve ads to you or your device. This includes, as relevant, your device type and device user agent string; IP address; device ID; types of pages, content and ads viewed on the device; frequency of and time spent during your visit; and information about your use of a site or Service (e.g., whether your use of the Services results in a purchase).

We (and sometimes our providers) collect or share this information when you use our Services, or click on site content or an ad. This information: (1) allows us to be paid when you choose to engage with an ad or content placed on the Services; (2) helps prevent you from repeatedly seeing the same ads; (3) helps select and display targeted ads or other content on your computer or device that may be of particular interest to you; (4) helps with measuring and analyzing the effectiveness of the ads, popularity of content, and traffic in our Services; and (5) helps us improve our Services.

We do not share information about the websites you browse when using our WiFi broadband service with Sponsored Access advertising providers or partners.

You can learn more about managing how we and our providers use your information in the *Manage Your Communications and Data* section below; and, as applicable for the Service, by using our cookie preference tool, where available, or visiting the cookie notice posted on the Service.

- Third Parties

We share your information with third parties as described in this Privacy Notice, including as follows:

Collaborative Relationships: When we offer services or promotions in collaboration with a third party who will receive your information for its own operational or commercial use, we will inform you of that at the time of collection and you may choose whether to participate in the offering.

Legal & Safety: We may share your information to protect the security of our Services, servers, network systems, databases, and business and in connection with an investigation of fraud, intellectual property infringements, interference with our rights, property or users, or other activity that is illegal or may expose you or us to legal liability, including as required or requested by outside auditors or advisors, and law

enforcement or other government officials. We also may share your information with third parties, including law enforcement or regulators, when we have reason to believe that a disclosure is necessary to address potential or actual injury or interference with our rights, property, operations, users, or others who may be harmed or may suffer loss or damage, or when we believe that it is necessary to protect our rights, investigate, or enforce our policies, terms, combat fraud, or comply with a judicial proceeding, court order, or legal process served on Viasat. We also may share your information when we have reason to believe it is necessary to investigate or enforce our policies, terms, or other legal document or contract related to the Services or rights of a third party.

Sale or Transfer of Business or Assets: We may sell or purchase assets during the normal course of our business. We may disclose information about you and transfer that information to another entity as part of a potential or actual acquisition or merger of Viasat or any of our assets. If we bring or are defending a reorganization, bankruptcy, or similar event, such information may be considered our asset and sold or transferred to third parties.

Aggregate or Anonymous Information: We may share aggregate or anonymous information with third parties for their marketing or analytics uses. When we do, we take steps to ensure that this information cannot be used to identify you.

As Disclosed to You: We may share your information with your consent and/or as disclosed to you at the time of collection.

MANAGE YOUR DATA

We provide options for you to manage the ads you receive, and how we use your information. This includes access to opt out options and, depending on your location, making a data access or deletion request or exercising your right to object to our use of your personal information, or other rights.

- **Account Information**

For Services that include an account feature, you may update or change your account contact and billing information by reaching us at the contact information below. Viasat will make good faith efforts to make requested changes in our then-active databases as soon as practicable, but it is not always possible to completely change, remove, or delete all of your information or public postings from our databases and residual and/or cached data may remain archived thereafter. If you would like to opt-out of receiving direct marketing communications from us, you may do so by following any instructions included in the communication or by contacting us at the contact information provided below.

- **Interest-Based Ads**

Using your device, you may adjust your privacy and advertising settings to control whether you want to receive advertising based on your interests. To opt out from the use of your online activities for interest-based activities by participating providers, please visit the Network Advertising Initiative at http://www.networkadvertising.org/managing/opt_out.asp or the Digital Advertising Alliance at <http://www.aboutads.info/> to select the applicable networks. For visitors from the UK, EU, EEA or Switzerland, visit Your Online Choices at <http://www.youronlinechoices.eu/>.

- **Your Data Protection Rights**

You have certain rights under applicable data protection law that relate to our processing of your personal information.

If you wish to access, rectify, update or request deletion or cancellation of your personal information, you can do so at any time by contacting us using the contact details provided in the *Contact Us* section below. You can also object to, or ask us to restrict, the processing of your personal information, or request portability of your personal information. We may require certain information to confirm your identity before we act on your request.

Similarly, if we have collected and processed your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, and it will not affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.

You can exercise all of the rights described above by contacting us using the contact details provided under the *Contact Us* section below. We will respond to your request in the manner and time period that complies with applicable law.

Depending on your location, you have the right to complain to a data protection authority about our collection and use of your personal information. Please contact your local data protection authority for more information. We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws.

YOUR CALIFORNIA PRIVACY RIGHTS

Consumers residing in California are afforded certain rights with respect to their personal data under the “Shine the Light” Law (California Civil Code section 1798.83) and the California Consumer Privacy Act or “CCPA” (California Civil Code Section 1798.100 et seq).

Shine the Light

California Civil Code Section 1798.83, known as Shine the Light, requires us to disclose that California customers may request information concerning whether a business has disclosed personal data (as defined in the Shine the Light law) to any third parties for their direct marketing purposes. We do not disclose your personal data (as defined in the Shine the Light law) to non-affiliated companies for their direct marketing purposes without your consent. If you have questions or wish to make a request for more information on our disclosures to third parties, contact us at privacy@viasat.com.

California Consumer Privacy Act

The CCPA gives you specific notice and personal information rights as a California resident.

- *Categories of Information Collected, Disclosed, and Sold*

This section describes the types of personal information (as defined in the CCPA) that Viasat collects, uses, and discloses to third parties in connection with the Services in the preceding 12 months. We describe the business and commercial purposes for collecting this information in the How We Use Information Collected section above. Viasat does not knowingly collect, and therefore does not sell, the personal data of minors.

Personal Information Categories under CCPA	Personal Information Sources	Personal Information Disclosure or Sale
Identifiers (name, contact information, unique identifiers, IP address, etc.)	<ul style="list-style-type: none"> • You (including from your device) • Airline/travel entity 	We disclosed your personal information in the past 12 months as described in the Information Sharing and Disclosure section above. We do not sell your personal information.
Characteristics of protected classifications under California or federal law (age, gender)	<ul style="list-style-type: none"> • You 	
Commercial Information (your usage history and preferences; purchase	<ul style="list-style-type: none"> • You • Promoters 	

history)		
Internet/Electronic Activity (your online interactions with the Services)	<ul style="list-style-type: none"> You (including from your device) 	
Profile Inferences (<i>inferences we draw from your information and activity through the Services to help create a personalized profile so we can better identify services that may be of interest</i>)	<ul style="list-style-type: none"> You Airline/travel entity Promoters 	

- *Your Rights*

To make an access or deletion request, you can send an email to privacy@viasat.com or call 1-855-463-9333. We will take steps to verify your identity before we respond to your request, which may include asking for additional information that we will use only to process the request.

Access Request. You may make up to two requests per year for information as to:

- The categories of personal information that we've collected and sold about you, or shared for a business or commercial purpose with our service providers;
- The sources from which we've collected such personal information;
- The third parties with whom we've shared that personal information and to whom we've sold that information;
- The business or commercial purpose for collecting or selling that personal information; and
- The specific pieces of personal information we've collected about you.

Deletion Request. You may request that we delete the personal information that we've collected from or about you, although there are some reasons we will need to retain information, such as to complete a transaction for you, provide the Services, detect and protect against fraudulent and illegal activity, maintain for internal purposes, comply with a legal obligation, or exercise our rights.

We will respond to your access and deletion requests within 45 days, unless we require additional time, in which case we will let you know. If you exercise any of your rights in this section, we will not discriminate against you, such as by denying you access to our services or restricting your access to products or services of a certain price or quality. If you designate an authorized agent to act on your behalf with regard to a CCPA request, we will request that you provide us with legal authorization indicating your consent to have the authorized agent's representation. Examples of acceptable forms of legal authorization would be a fully executed Power of Attorney, a notarized affidavit or any other legally executed document that indicates the authority to represent you as it pertains to your CCPA request.

Opt-Out Request. You have the right to opt out of Viasat's sale of your personal information to third parties for their commercial purposes. We have not sold your personal information in the preceding 12 months.

DATA RETENTION

We retain personal information we collect from you where we have an ongoing legitimate business need to do so (for example, to provide you with a service you have requested or to comply with applicable legal, tax or accounting requirements). When we no longer have an ongoing legitimate business need to process your personal information, we will either delete or anonymize it or, if this is not possible (for example, because your personal information has been stored in backup archives), then we will securely store your personal information and isolate it from any further processing until deletion is possible.

DATA SECURITY

We follow generally accepted industry standards and maintain appropriate safeguards to help protect the security, integrity, and privacy of the information we collect about you. These security measures are designed to protect against the accidental or unlawful destruction, loss, misuse, alteration, and unauthorized disclosure of, or access to, the information under our control. No system is 100% secure, however, and we cannot guarantee our security measures.

CHILDREN'S PRIVACY

We do not knowingly collect personal information from children under 13 years old (or older, if applicable law provides for different protections). If you believe we may have inadvertently processed personal information of a child, please contact us using the contact details provided in the *Contact Us* section below.

INTERNATIONAL DATA TRANSFERS

We and our vendors may process, transfer, and store the information we collect about you for the purpose of providing the Services you have requested. Your information may be transferred to the United States and other countries that may not have data protection laws equivalent to the country where you reside.

When your information is in another country, it may be accessed by the courts, law enforcement, and national security authorities pursuant to the laws of that country. If you reside in the United Kingdom (UK), European Union (EU), European Economic Area (EEA), or Switzerland, we have taken appropriate safeguards, including implementing standard contractual clauses adopted by the EU for certain processing, to transfer personal information from the UK, EU, EEA, or Switzerland to countries located outside of these locations. This includes transfers to our affiliates and vendors to the extent that they are necessary to provide you with the Services, or where the transfer is necessary by virtue of a contract executed in your interest between Viasat and our service providers.

When required by applicable laws, we will request appropriate consent from you for international data transfers. Further details can be provided upon request using the contact details provided under the *Contact Us* section below.

THIRD-PARTY TERMS AND LINKS TO OTHER SITES

Our Sponsored Access service includes hyperlinks to, or include on or in connection with, websites, locations, platforms, applications or services operated by third parties such as Promoters ("**Third Party Service(s)**"), and you can use the Services to navigate to view and use Third-Party Services. These Third-Party Services may use their own Cookies to independently collect information about you and may solicit information from you, even though some of these other products or services may be co-branded with us. Any information you disclose after navigating to a Third-Party Service will be subject to such service's privacy policy, and not this Notice.

CONTACT US

If you have any questions about this Notice or our processing of your information, to reach our Data Protection Officer, or to exercise your rights described in this Notice, please contact us at privacy@viasat.com. If you are located in the UK, EU, EEA or Switzerland, please indicate that in your correspondence; you may also have the right to complain to a data protection authority. We do not respond to support requests or other non-privacy related correspondence at this point of contact.

CHANGES TO THIS PRIVACY NOTICE

We reserve the right to make changes to this Privacy Notice. Please check back from time to time to ensure that you are aware of these changes. If we change this Privacy Notice in a material way, we will provide

appropriate notice to you and, as appropriate, provide additional choices regarding such change. As permitted by applicable law, your continued use of the Services means that you accept these changes.

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