



## NEW VIANT / ADELPHIC AD PLATFORM PRIVACY POLICY

This privacy policy (“Privacy Policy” or “Policy”) was last updated on January 6, 2023.

Viant Technology is a digital media company comprised of a family of companies that includes Viant Technology Inc, Viant Technology LLC, Viant US LLC and Adelphic LLC (“Adelphic”), (collectively, “Viant,” “we,” or “us”). Viant is the owner of a cloud-based demand side advertising platform and provides services to advertising agencies, advertisers and other companies (our “Clients”) that allow them to plan and execute digital media advertising campaigns and measure and analyze the performance of those campaigns (the “Viant Services” or “Services”).

### 1. SCOPE

This Privacy Policy describes how we collect, use, disclose and otherwise process personal information, personally identifiable information or personal data as defined by data privacy laws applicable to our Service activities (“Personal Data”) in connection with the operation of the Viant Services, but excluding logged in users of the Services. This Policy only applies to the Viant Services. It does not apply to our websites, such as <https://www.viantinc.com/> and <https://www.adelphic.com/>, any services operated by Myspace LLC, such as <https://myspace.com/> or to the Services’ end user interface used by our Clients to access and use the Services. This Policy is supplemented by our [Enterprise-wide Privacy Notice](#).

We may use Personal Data to create non-Personal Data and we may use and disclose non-Personal Data without restriction, subject to applicable law. To the extent we combine non-Personal Data with Personal Data that is subject to this Privacy Policy, we will treat the combined data as Personal Data under this Policy.

Please note that when we act as a vendor (e.g., a service provider/processor) – acting on behalf of our Clients or in connection with Personal Data business partners like media publishers, data providers, supply side technology platforms and ad exchanges, and mobile app attribution companies (collectively such business partners, “Ad Partners”) send us – we may collect, use, and disclose the relevant Personal Data under the Clients’ or Ad Partners’ instruction, where they are the sole controller of that Personal Data. There may also be instances in our provision of the Viant Services where we act as an independent controller or co-controller of Personal Data. Our Clients’ or Ad Partners’ privacy policies, and not this policy, will apply to how they process their Personal Data as a controller, and we are not responsible for their processing of Personal Data or their privacy policies. In addition, where we are processing Personal Data for a Client or Ad Partner in a non-controller capacity, the Client or Ad Partner, and not Viant, controls that processing and the Clients’ or Ad Partners’ privacy policy, not this policy, governs that processing by us for them.

Please read this entire Policy carefully. This Policy contains links that you can click on to get further information or exercise the options you have about your Personal Data. To make this Policy more reader-friendly, we use everyday words such as use, disclose, and storage to describe what we do with your Personal Data.

Some of the key topics you may be interested in include (click to navigate to that section):

- [Personal Data We Collect](#)
- [How We Use and Disclose Your Personal Data](#)
- [Children’s Information](#)
- [How We Secure Your Personal Data](#)
- [How Long We Keep Your Personal Data](#)
- [Additional Information For Certain U.S. Residents](#)
- [This Policy May Change](#)
- [Contact Information](#)

## 2. PERSONAL DATA WE COLLECT

We generally collect online and offline Personal Data of consumers of digital media (“you” or “Users”), including about your interests and habits, when Users provide it to us, through web tracking technologies in both desktop and mobile environments, from connected television (“CTV”) devices, podcasters, and from our Clients and Ad Partners. We may also collect Personal Data about Users provided to us by our affiliate company Myspace, subject to its privacy policy and opt-out program. We use Personal Data and other information to support our Services, including to create audience segments that we make available to our Clients to enable them to deliver targeted, interest-based, as well as contextual, advertising, to measure the effectiveness of ads (“measurement”) and ensure that you do not see a particular ad too many times (known as “frequency capping”), and to conduct analytics and research. The Viant Services deliver contextual and targeted advertising messages from our Clients to Users on computers, mobile phones, tablets, CTVs and similar devices and enable us to report back to our Clients about the effectiveness of their advertising campaigns.

### A. Personal Data We Collect Directly From You

Our Services do not function in a manner whereby Users submit their Personal Data directly to us through the Services. As you browse the Internet, use a mobile device, CTV, or other online media, you may visit web pages, mobile applications, CTV channels or applications, or other online media sites of our Clients and Ad Partners. In those circumstances this Policy does not apply. See the privacy policies or notices at the point you directly interact with our Clients and Ad Partners or our [Website Privacy Policy](#) or our [Enterprise-wide Privacy Notice](#) with respect to your direct interactions with us.

### B. Personal Data We Collect Automatically and Your Choices

#### 1. Personal Data We Collect Automatically

The Viant Services collect information about Users' devices and device activities, such as about the ads that we or a third party deliver onto your device. Sometimes we do this as an independent controller, a co-controller, or as a service provider / processor. As you browse the Internet, use a mobile device, CTV, or other online media, you may visit web pages, mobile applications, CTV channels or applications, or other online media ("Media") the publishers of which ("Publisher(s)") make use of the Viant Services in order to place advertisements. We are not responsible for the Media or the practices of their Publishers. Consult their privacy policies and notices. However, when you visit Media that interact with our Services, the Publisher may cause your browser, device, or CTV (or applications or platforms on any of them) to request the Viant system to bid on and/or cause to be placed advertisements on them, and Viant may collect data about this request or bid for advertisements, sometimes referred to as "bidstream data." Once the advertisement is presented on your device, we may collect information from the Publisher, or agents of the Publisher (such as a supply side platform), about your device, the interaction you have with the advertisement, the pages or media on which such Viant Services are utilized (sometimes referred to as "exposure data"). Exposure data may include usage information, such as impressions, clicks, page interactions, user activity, viewing duration, and date and time of interaction, as well as information about your device, such as information about the general geographical location from which you are viewing an advertisement, device type, and device IDs made available by the browser or device. For example, we may collect your device's IP address if you are using a browser, mobile advertising ID (e.g., IDFA, MAID, and Google AdID) if data is being collected from a mobile device, and if the advertising identifiers made available by the CTV if your device is a CTV. Viant may also receive Personal Data from third parties that enables advertisement optimization, independent of or in combination with the data collected directly by Viant, such as audience interest segments and product categories. We may also obtain the precise geolocation (e.g., latitude and longitude coordinates) of User devices and may use that information to assist our Clients with targeting and measuring ad campaigns.

## **2. Cookies and other Web Technologies**

In operating the Viant Services, we and our ad partners use technologies such as "cookies," which are small text files that our Service serves to browsers when accessing the Media services of Publishers, or when you visit the websites of or otherwise engage with our Clients and/or Ad Partners. When you visit again, the cookie allows that service to recognize your browser. Cookies may store user preferences and other information. You can reset your browser to refuse all cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies. We may also use "pixels." A pixel, also known as a pixel tag or web beacon, is a small snippet of code embedded in a website. Pixels allow a website to transfer or collect information through a graphic image request. Pixels can be used to count site visitations and conversions, gather broad-based user interest data, transmit to and receive information from third parties, deliver, read and write to cookies and for other purposes connected to the provision of advertising, analytics or other services. Our, and third party, cookies, pixels, and other tracking technologies collect and store data such as audience segments, help provide additional functionality to the Viant Services, and help us analyze usage more accurately. Our cookies and other web technologies may track Users across time and third-party services.

We may also use an advertising identifier created by your mobile operating system to store information on our servers and later retrieve it to provide the Viant Services. The Android Advertising ID and Apple iOS' IDFA are examples of advertising identifiers. For more information about advertising identifiers, please check the settings of your mobile device.

You have certain choices over these technologies and related practices as described in the next subsection.

### **3. Your Choices Regarding Online Technologies and Certain Related Practices**

#### ***Industry Group Opt-outs:***

We participate in the Digital Advertising Alliance (DAA) and adhere to the DAA's Self-Regulatory Program for Online Behavioral Advertising by respecting the DAA's consumer choice tool for you to opt out of interest-based advertising. Through our affiliate Adelphic, we are also a member of the Network Advertising Initiative ("NAI"), adhere to the NAI Code of Conduct, and respect NAI's consumer choice tool for you to opt out of interest-based advertising.

If you would like more information about interest-based advertising, to know your choices with respect to it, and to learn how to opt out of having your browsers used for certain types of advertising purposes, you can visit the DAA's WebChoices tool at <https://optout.aboutads.info> and the NAI Choices page at <http://www.networkadvertising.org/choices/>. To learn how to opt out in mobile apps download the DAA AppChoices application available for iOS and Android at <http://www.aboutads.info/appchoices>) and visit the NAI's Mobile Choices page at <http://www.networkadvertising.org/mobile-choice>. To opt-out of interest-based advertising using email address, visit the NAI's choice tool at <https://optout.networkadvertising.org/optout/email?c=1>. Because the various web browsers and mobile devices you use have different identifiers, you will need to opt-out of each environment separately.

These tools enable you to opt out from receiving certain types of interest-based advertising from many of our Clients and Ad Partners that participate in those programs. We are not responsible for the accuracy of any DAA or NAI statements or how any party other than us acts in connection with those program opt-out signals. If you block or clear cookies these opt-out signals may be ineffective, and you will need to opt-out on every device you use.

We collect and use data from Google services and other third-party services while serving Users advertisements and when retargeting Users with advertisements for the same product across different websites or applications. More information on Google's advertising cookies may be found at <https://policies.google.com/technologies/partner-sites>.

#### ***Viant Specific Opt-out:***

In addition to you having the ability to utilize the NAI and DAA interest-based advertising opt-out tools as discussed in the prior paragraph, we offer a Viant "opt-out cookie" which will signal to us not to collect Personal Data for targeted advertising on that device via our own cookies.

However, if your cookies are deleted or you use a different browser or device, your opt-out will no longer be effective and you will need to opt out again. Browsers, browser settings, or other software or features that block or delete, or do not support, cookies may prevent our cookie-based opt-out from operating correctly, and certain privacy software may delete the opt-out cookie or cause it to function incorrectly.

You may install our opt-out cookie by clicking the link below in each browser in which you want to opt-out:

### **[Viant Cookie Install or Opt-Out](#)**

Residents of certain U.S. states can exercise broader Do Not Sell/Share/Target and Limit opt-outs. View our Section 2 of our [Enterprise-wide Privacy Notice](#) for more information if you would like to exercise such opt-outs.

### ***Device-based Opt-out for Mobile Applications:***

To opt-out of interest-based advertising for the mobile applications on your current device, the method of opting out depends on the type of device you have. In some cases, for older devices, it may be necessary for you to provide your device ID to opt out. Please visit the NAI's Mobile Choices Page located at <https://www.networkadvertising.org/mobile-choices> for detailed instructions on how to use the advertising choice mechanisms for various devices.

### ***Device-based Opt-out for CTV:***

For information about opting out from interest-based advertising on a CTV device (i.e., smart televisions, and/or digital media streaming devices), visit the NAI Internet Connected TV Choices page, located <https://www.networkadvertising.org/internet-connected-tv-choices/>.

### ***Device-based Opt-outs for Browsers:***

Although most web browsers automatically accept cookies, many browsers' settings can be set to decline cookies or alert you when a website is attempting to place a cookie on your computer. Please note that when you use cookie control tools, you will have to change your settings for each browser and device you use, and your limitation on cookies can limit the functionality of online services you use, including our services. Use the help function on your browser to learn more.

We do not currently support the Do Not Track browser option. However, for information on how we treat global privacy controls and online privacy preference signals, see Section 2 of our [Enterprise-wide Privacy Notice](#).

### ***U.S. Consumer Rights Opt-outs:***

Residents of certain U.S. states have certain additional opt-out and other rights as more fully explained [here](#).

### **C. Personal Data We Collect About You From Our Clients, Affiliates and Ad Partners**

Our Clients, Ad Partners, and affiliates disclose Personal Data to us such as browser cookie IDs, mobile device IDs, IP address, device type, operating system, email address, or mobile ID (e.g., Apple IDFA or Android advertising ID), location-based data such as Wi-Fi, cell tower, GPS or diagnostic location information, household address, contextual information, consumer activity information, and demographic information including age, gender and zip code.

## **3. HOW WE USE AND DISCLOSE YOUR PERSONAL DATA**

### **Providing the Viant Services**

We use the Personal Data we collect as part of the Viant Services to perform a variety of tasks, such as frequency capping the number of times a specific advertisement is presented to the same User, providing an advertisement to only certain types of Users, or providing a report to a Client on the number of its advertisements that were clicked, and we may disclose Personal Data to Clients, Ad Partners, vendors, and other companies that we conduct business with as permitted by law, both as a controller and a non-controller (e.g., service provider / processor), depending on the context. We also combine Personal Data collected across multiple sites, devices, and mobile apps to create interest segments that help us target future advertisements based upon those inferred interests. We do so by establishing connections between a User's devices and to provide advertising across devices, including by cookie matching and linking devices to common data or activities, sometimes based on assumptions. Cross-device connections allow Viant to infer that a single user or household is accessing advertisements served or measured by Viant from multiple devices and to synchronize or target advertising messages and/or measure the performance of advertisements across those devices.

Personal Data we obtain from third parties (including our affiliates) about you may be appended to information that we otherwise have about you, including for the purposes of targeting advertisements. For example, we match versions of mobile IDs to data that we have made pseudonymous about you that resides in our platform in order, for instance, to target advertising to you based on your device activity, inferred interests and location information.

We and our Clients use your appended data to create interest-based segments. An interest-based segment is a user or group of users categorized on the basis of preferences or interests inferred from the data we and/or our Clients collect and receive that are used as a basis for displaying advertisements and other content intended to be more relevant and useful to the user or users. These interest-based segments include financial, non-sensitive health and political related interest-based segments as part of our services, including general interest-based segments such as "Health::Medical Centers" and "Finance::Insurance," and custom interest-based segments such as "Health::Dieting::Acai Berry" and "Health::Contact Lens." The following is a list of our general financial, health and political related interest-based segments, and samples of custom segments in those categories:

- [Health : Dieting](#)
- [Health : Health Information](#)
- [Health : Health Insurance](#)
- [Health : Medical Centers](#)
- [Health : Pharmaceuticals & Prescription Drugs](#)
- [Political Campaign Standard Segments](#)
- [Political Campaign Representative Sample of Custom Segments](#)

We do not use interest-based segments to determine credit worthiness or for insurance underwriting or employment eligibility purposes.

In the process of serving an advertisement to a device, we may decide to serve an ad based on one or more audience segments associated with that device, and the audience segment we believe may be associated with that device. Where Viant is able to use this and other information to infer that one browser or device likely belongs to the same User or household, the Viant Services may consider those browsers and devices “linked” for purposes of ad serving and interest-based advertising. This linking process is sometimes referred to as creating a device graph. As noted in Section 2(B) above, consumers have certain choices regarding these activities.

The Viant Services use Personal Data for advertising purposes, including to create audience segments that are targeted to Users’ inferred interests. This information is typically associated with the advertising identifier referenced above and is used by us, our Clients and Ad Partners, including advertisers and Publishers, to deliver non-targeted and targeted advertising. As described above, you can opt out of receiving targeted advertisements as described in Section 2.B.

In providing the Viant Services, we may disclose your Personal Data to our service providers and Ad Partners that we engage or otherwise work with to help us provide and manage the Viant Services, for example to ensure network and information security, provide a more personalized experience, serve and measure ads, and analyze usage of the Viant Services. Our service providers and Ad Partners are located in the United States and other countries and we share your Personal Data with them consistent with this Policy.

We may also disclose your Personal Data to our Clients in relation to our provision of Viant Services to them, as well as to Publishers in connection with Client bids and ads. As discussed above, we are not responsible for our Clients’ or Publishers’ processing of Personal Data or their privacy policies. Our Clients and the Publishers we work with are located in the United States and other countries and we disclose Personal Data with them consistent with this Policy.

In addition, as more fully set forth in Section 1 of our [Enterprise-wide Privacy Notice](#). Without limiting the generality of the forgoing, the purposes for our use and disclosure of Personal Data include:

- Providing the Online Services
- To Respond to Your Requests
- Advertising and Marketing

- Auditing, Reporting, Corporate Governance, and Internal Operations
- Change of Ownership
- To Protect our Interests and Comply with Law
- Other Compatible Purposes

We may disclose your Personal Data within our Viant group for uses consistent with this Policy, such as to help operate the Viant Services.

## **4. CHILDREN’S INFORMATION**

Our Services are intended for a general audience and not directed to children less than 13 years of age. We do not intend to collect personal information as defined by the U.S. Children’s Online Privacy Protection Act (“COPPA”) (“Children’s Personal Information”) in a manner not permitted by COPPA. If you believe we have collected Children’s Personal Information in a manner not permitted by COPPA, please contact us at [privacy@viantinc.com](mailto:privacy@viantinc.com) and we will take action consistent with COPPA and other applicable laws.

## **5. HOW WE SECURE YOUR PERSONAL DATA**

We use a variety of reasonable technical and organizational measures designed to protect Personal Data from unauthorized access, use or disclosure.

## **6. HOW LONG WE KEEP YOUR PERSONAL DATA**

We store Personal Data for so long as we maintain a legal or business purpose to do so. However, we limit the retention of data we use for creating tailored advertising audience segments to up to approximately 18 months. Personal Data may be aggregated, de-identified or anonymized and such shall no longer be Personal Data except as required by applicable law.

## **7. ADDITIONAL INFORMATION FOR CERTAIN U.S. RESIDENTS**

We provide additional information and choices for residents of certain U.S. states. View Section 2 of our [Enterprise-wide Privacy Notice](#) for more information. To the extent that there is a conflict between this Policy and our Enterprise-wide Privacy Notice, the Enterprise-wide Privacy Notice will control.

## **8. THIS PRIVACY POLICY MAY CHANGE**

Viant will maintain Personal Data collected under this Policy in accordance with this Policy. If Viant decides to change this Policy, we will post the changes on the Viant Services and revise the “Last Updated” date above. If we make any changes to this Policy that materially affect our practices with regard to the Personal Data under a prior version of the Policy, we will continue to



apply the prior version to the applicable previously collected Personal Data unless you otherwise consent. Any changes to this Policy will become effective as to new collection upon our posting of a revised Policy on the Viant Services. Use of the Viant Services following such changes constitutes your acceptance of the revised Privacy Policy that is in effect.

## **9. CONTACT INFORMATION**

For questions or concerns relating to privacy, please call us at 1-888-655-1873.