

Cogeco Data Services Inc. Privacy Policy Statement

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Version: 1.1

Preface

Cogeco Data Services Inc.* is committed to keeping the Personal Information of its customers accurate, confidential, secure and private. This Privacy Policy has been designed to inform officers, employees, contractors, agents and customers of Cogeco Data Services Inc. of our commitment to and recognition of our obligation to meet the spirit and terms of all applicable privacy legislation including the federal **Personal Information Protection and Electronic Documents Act (PIPEDA)**.

Contents

This Privacy Policy describes the principles Cogeco Data Services Inc. will use to protect the privacy of Personal Information of customers in its possession or control. It addresses the reasons why such information is collected, how it is used, how its confidentiality is protected and outlines the customers' rights in respect of this information. This Privacy Policy incorporates and expands the 10 principles for the protection of Personal Information, as established by the Canadian Standards Association (CSA) and as adopted and amended by PIPEDA.

For the purposes of this Privacy Policy, "Personal Information" means information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization. Personal information does not include information that has been aggregated such that an individual's information cannot be identified.

In this Privacy Policy, "Cogeco Data Services Inc.", "we", "us" or "our" means Cogeco Data Services Inc., and "customer", "you", or "your" means the individual who is a customer or prospective customer whose Personal Information is in our possession or control. However, this Privacy Policy does not apply to information about business customers who carry on business as corporations, partnerships or other forms of association. Cogeco Data Services Inc. does, however, protect the confidentiality of such information in accordance with the law, regulatory codes, guidelines, rulings and directives of the Canadian Radio-television and Telecommunications Commission (the "CRTC") and contractual arrangements.

By accepting service from us, visiting or using the Cogeco Data Services Inc. Website or the One Zone™ Website (collectively "our Websites"), or otherwise providing us with your Personal Information, you are accepting the practices described in this Privacy Policy, as they may be amended by us from time to time. The terms in this Privacy Policy may be changed from time to time, so you should review it for changes periodically on our Websites at

http://www.cogecodata.com/privacy_policy.pdf and

http://www.onezone.ca/privacy_policy.pdf

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1. Accountability

Cogeco Data Services Inc. is accountable for the protection of all Personal Information within the organization's possession or control, including any Personal Information that has been transferred to a third party for processing purposes. Cogeco Data Services Inc. may engage employees, contractors or other companies or third parties to perform services for Cogeco Data Services Inc. that involve access to Personal Information. Such third parties engaged for processing purposes may be located outside of Canada. Cogeco Data Services Inc. shall use contractual or other means to provide a comparable level of protection of this information while the information is being processed by such third parties.

Our Chief Privacy Officer is accountable for Cogeco Data Services Inc.'s compliance with this Privacy Policy. The Privacy Officer may be contacted at:

10 Belfield Road
Toronto, ON M9W 1G1
Tel: 416.847.0713
Fax: 416.245.4412

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2. Identifying Purposes

Cogeco Data Services Inc. will identify the purposes for which it collects Personal Information at or before the time the information is collected, such as when you apply for service from us. If Cogeco Data Services Inc. identifies other purposes for which any Personal Information we have collected from you may be used, Cogeco Data Services Inc. will seek your consent before such use. You may refuse permission for Cogeco Data Services Inc. to use your Personal Information for any new purpose unless the new purpose is required or permitted by law or regulatory authorities. However, refusal to provide such consent may prevent us from providing you with some services since we require a minimum amount of Personal Information about you to provide telecommunication services to you.

At a minimum, Cogeco Data Services Inc. collects Personal Information from customers for the following purposes:

- To identify or contact customers, respond to customer inquiries and otherwise maintain business relations with customers;
- To deliver and maintain telecommunication services;
- To bill and collect payment;
- To establish credit worthiness;
- For legal, regulatory and telecommunications market operation requirements;
- To help prevent or investigate fraud, theft of service or other breaches of the law;



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- To provide customers with information about Cogeco Data Services Inc. products and services and the telecommunications industry;
- To request customer participation in surveys or contests; and
- To notify customers about promotions, events or causes sponsored by Cogeco Data Services Inc., its agents or its parent company, Cogeco Cable Inc.

Cogeco Data Services Inc. may monitor and/or record any telephone conversation with you for quality assurance and training purposes.

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3. **Consent, Limiting Use, Disclosure and Retention**

Cogeco Data Services Inc. will obtain your consent before, or when, it collects, uses or discloses your Personal Information, except as otherwise permitted or required by law or regulatory authorities. Your consent to the collection, use and disclosure of your Personal Information may be either express or implied, depending on the circumstances, the purposes for which such Personal Information is being collected and the sensitivity of the information. Consent may be obtained directly from you or from a third party that has obtained your consent to disclose your Personal Information to Cogeco Data Services Inc. For example, consent may also be given by an authorized representative such as a legal guardian or person with power of attorney.

Cogeco Data Services Inc. will not use or disclose your Personal Information for purposes other than those for which it was collected except with your consent or as permitted or required by law or regulatory authorities.

Subject to certain legal and contractual restrictions and reasonable notice, you can refuse or withdraw your consent to the collection, use or disclosure of your Personal Information at any time. However, refusal to provide such consent, or withdrawal of such consent, may prevent us from providing you with services since we require a minimum amount of Personal Information about you to provide telecommunication services to you. Cogeco Data Services Inc. will explain the implications of such withdrawal or refusal to provide such consent.

Cogeco Data Services Inc. will not, as a condition of supplying you with a product or service, require you to consent to the collection, use or disclosure of information beyond that required to fulfill the specified, legitimate purpose.

Your information may also be shared or disclosed to other agencies or organizations as required or permitted by law or regulatory authorities.

In accordance with applicable laws, Cogeco Data Services Inc. will not disclose any consumer information (which may include Personal Information) to any of its affiliates or third parties without the consumer's written consent except where consumer information is required to be disclosed:

- (a) for billing or processing purposes;
- (b) for law enforcement purposes;
- (c) for the purpose of complying with a legal requirement; or
- (d) to fulfill the purposes for which it was collected.

Cogeco Data Services Inc. will retain Personal Information only for so long as is necessary to fulfill the purpose for which it was collected and to meet our legal and contractual obligations. We will establish retention periods for closed accounts, after which the Personal Information in such accounts will be destroyed.

Cogeco Data Services Inc. will not trade, rent or sell your Personal Information. However, in the course of a business transaction, such as a proposed sale of Cogeco Data



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Services Inc.'s business or assets (or a part thereof), or a merger or amalgamation of Cogeco Data Services Inc. with another company, we may disclose your Personal Information to third parties such as prospective purchasers of Cogeco Data Services Inc.'s shares, business or assets, and to their lawyers, accountants, financial advisors, agents and other representatives as necessary for the purposes of such transaction.

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4. **Limiting Collection**

Cogeco Data Services Inc. shall limit the amount and type of Personal Information it collects to that which is necessary for the purposes identified, and shall collect such information by fair and lawful means.

The types of Personal Information that Cogeco Data Services Inc. usually collects from individual customers include:

- Customer name and address (mailing and service address) and other contact information (i.e. home and work telephone numbers and e-mail addresses);
- Customer transactions with Cogeco Data Services Inc. (i.e. account number, account balances, payment history, and account activity);
- General financial information (i.e. credit card number);
- Identifying information (i.e. date of birth); and
- Information we receive from you through your correspondence or communications with us.

Depending on the circumstances, we may collect some or all of the Personal Information listed above from individual customers.

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5. **Accuracy**

Cogeco Data Services Inc. maintains procedures to ensure all Personal Information we collect and use is kept as accurate, complete and up to date as necessary for the purpose for which it is to be used. However, we rely on you to disclose all material information to us and to inform us of any errors or changes in such information.

Individuals may challenge the accuracy and completeness of Personal Information about them and have it amended, as appropriate, as set out in Section 8 below.

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6. **Safeguards**

In fulfilling its responsibilities with respect to the confidentiality of Personal Information, Cogeco Data Services Inc. will employ a number of safeguards, appropriate to the sensitivity of the specific information, to protect Personal Information against loss or theft, as well as unauthorized access, disclosure, copying, use, or modification. Such safeguards will include physical measures, organizational measures and technological measures, such as locked filing cabinets, restricted access to offices, security clearances, limiting access on a "need to know" basis, use of passwords and encryption. Procedures for implementing these measures will be communicated to all employees and relevant third parties to ensure compliance.

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7. **Openness**

This Privacy Policy is effective as of the Effective Date set forth at the beginning of this Privacy Policy. Cogeco Data Services Inc. will from time to time review and revise its Privacy Policy. Cogeco Data Services Inc. will make changes to its Privacy Policy available to its customers by such means as our Websites.

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8. Individual Access

Upon request and with satisfactory proof of the customer's identity, any customer of Cogeco Data Services Inc. may obtain information regarding the type, use and disclosure, of his, or her, Personal Information that Cogeco Data Services Inc. has in its possession or control. Any customer may request that his, or her, Personal Information be amended for purposes of accuracy and completeness. Cogeco Data Services Inc. may require the customer to provide such request in writing. We may also charge a nominal fee for responding to such requests, and, if so, will advise you in advance of such costs. This right of access, however, is not absolute. For instance, Cogeco Data Services Inc. may refuse to provide you with access to your Personal Information where such refusal is permitted or required by law or regulatory authorities.

Customers can make their requests by contacting Cogeco Data Services Inc. by telephone at 416-599-3282 and our customer service representatives will assist them.

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9. Challenging Compliance

Any customer of Cogeco Data Services Inc. may challenge Cogeco Data Services Inc.'s compliance with this Privacy Policy by contacting Cogeco Data Services Inc.'s customer service representatives at the number set out above. Cogeco Data Services Inc. will investigate and respond to customer complaints and questions. If the customer is not satisfied with the way Cogeco Data Services Inc.'s customer service representatives have responded to a complaint, the customer may address these concerns, in writing, to the Chief Privacy Officer at the address set forth in Section 1.

If the Chief Privacy Officer does not resolve the issue to the customer's satisfaction, the customer may contact the Privacy Commissioner of Canada.

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10. Cogeco Data Services Inc. Website and the One Zone Site

(a) Visiting the Cogeco Data Services Inc. Website and the One Zone Site

Cogeco Data Services Inc. may collect Personal Information that you voluntarily provide to us when you visit our Websites. Personal Information provided by visitors to our Websites will be collected, used and disclosed in the same manner as information collected by other means, and in a manner consistent with this Privacy Policy. Since this Privacy Policy may be amended from time to time, we recommend that you check the latest version of our Privacy Policy each time you visit our Websites.

(b) Security

Personal Information submitted through our Websites is encrypted through the use of a 128-bit SSL extended validation certificate to secure it and facilitate its arrival unread and unaltered at Cogeco Data Services Inc.'s servers. However, users should be aware that any Personal Information transmitted outside of our Websites has the potential to be intercepted. Cogeco Data Services Inc. is not responsible for the interception, collection, use or alteration of data transmitted over the Internet. By accepting this Privacy Policy, you agree to assume full responsibility for securing any Personal Information prior to transmission over our Websites or over the One Zone service.

(c) Automatic Data Collection

As is the case with Websites generally, when visitors access our Websites, the site software automatically collects the internet protocol (IP) address of the computer through which the user is connected to the Internet. Our Websites also automatically collect information about the user's Internet browser software, operating system, the date and time of the user's visit, the URL of the last page visited by the user before entering the our Websites, and the pages accessed while on our Websites. This information is not used to gain Personal Information on individual users but is aggregated with that of other visitors to help us understand how the site is being used and how to make it better.

(d) Cookies

When a visitor accesses our Websites, a cookie is automatically installed on the visitor's computer hard-drive. A cookie is a small text file that contains a unique identification number, which can be used to identify the user's browser, but not the user. Cookies form an essential part of the Internet today by allowing servers to recognize users' browsers when the users return to previously visited Websites. Since cookies are only text files, they cannot "run" on your computer and have no ability to search your computer for information or to transmit information to anyone. Cogeco Data Services Inc. uses cookies to provide certain features on our Websites. We do not use cookies to retain Personal Information. Users are free to prevent the installation of cookies on their computer hard-drive, including the Cogeco Data Services Inc. cookie, by simply disabling the feature in their browser's options. Some browsers allow users to accept or reject cookies as they are presented to the user. Please note that users will not be able to access some features and services of our Websites if they disable cookies.

(e) E-Mail Communications

Cogeco Data Services Inc. adheres to a no "spam" policy. Therefore, you will not receive regular, unsolicited e-mail communications from Cogeco Data Services Inc. unless you have agreed otherwise or such communications are required for the purposes identified in Section 2 above or to otherwise provide a product, service or information to you that you have requested.

Please note that Cogeco Data Services Inc. reserves the right to contact you, by e-mail or otherwise, if permitted or required by law or regulatory authorities or if there has been a violation of any of Cogeco Data Services Inc.'s Websites' Terms of Use.

(f) Response Tracking

Cogeco Data Services Inc. uses Website usage information about visitors to our Websites who have responded to a promotional campaign about Cogeco Data Services Inc.'s services for the purpose of future promotional campaigns, and evaluating usage statistics. For this purpose, we collect information about the campaigns and some of the pages you visit on our Websites through the use of tracking numbers passed through URL's transferred to our servers as well as pixels tags (also known as clear GIFs).

As well, Cogeco Data Services Inc. may use third-party companies to host and serve online advertisements for Cogeco Data Services Inc. promotional campaigns. Pixel tags may be used in connection with online advertisements, for example, to allow us to count the number of times the advertisement was viewed versus the number of individuals who enrolled in the product or service advertised.

Personal information about you is not collected by any such third-party companies, nor is any tracking information generated from the pixel tag used by them for any other purpose than to report advertising response and Website activity to us.

(g) Links to Third-Party Sites

Our Websites contain links to third-party Websites. Cogeco Data Services Inc. is not responsible for (a) any information you provide to Websites that you access through a link on our Websites or (b) the privacy practices or the content of such Websites.

(h) Questions

Questions about Personal Information collected through Cogeco Data Services Inc.'s Websites should be submitted through **sales@cogecodata.com**, and will be addressed in accordance with this Privacy Policy.

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* Cogeco Data Services Inc. is a data communications provider offering customers a suite of network services from connectivity, including Ethernet LAN extensions, Internet and Private Line to value added services like Security and Storage. The company also offers its One Zone WiFi subscription services. With its fibre optic network and operations throughout Toronto, Cogeco Data Services connects over 500 commercial buildings within the city's downtown core and counts many of Canada's leading businesses and institutions among its clients. For more information about Cogeco Data Services visit www.cogecodata.com and www.onezone.ca.

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