



TopQuadrant's Privacy Statement

A. INTRODUCTION

1. TopQuadrant is committed to protecting your privacy in connection with Personal Information, hereinafter defined, received from you. TopQuadrant's practices concerning the collection and use of personal information on all TopQuadrant owned, operated, licensed or controlled sites (collectively the "Site(s)") as well as personal information collected by TopQuadrant via alternate business channels such as telephone calls, trades shows, conferences, or from our partners, are tailored to meet this objective. Subject to the requirements of applicable law, this privacy policy ("Privacy Policy") details the privacy practices of TopQuadrant, Inc. and its subsidiaries ("TopQuadrant") in connection with your use of the Site(s) as well as TopQuadrant software products and/or services. By using the Site(s) and/or installing TopQuadrant software, you are deemed to consent to the Privacy Policy as well as the TopQuadrant Web site Terms and Conditions, as applicable. If you do not consent to the Privacy Policy and the practices outlined below, do not use the Site(s), access our services, download materials or use TopQuadrant software. Subject to applicable law, TopQuadrant revises the Privacy Policy from time to time and.
2. All updates will be published and we will revise the "last updated" date at the bottom of the Privacy Policy. A notice will be posted on our Site whenever this Privacy Policy is changed in a material way. Subject to applicable law, your continued use of the Site(s) and/or your use of TopQuadrant software constitute your consent to the Privacy Policy as revised from time to time. We encourage you to read the complete Privacy Policy and to contact us via email or post as set forth below with any questions or comments that you have.

B. HOW WE COLLECT YOUR PERSONAL INFORMATION

1. In some instances you are able to browse through our Site(s) without telling us who you are or revealing information that would permit us to personally or directly identify you ("Personal Information"). TopQuadrant may collect information in a number of ways. The most common are when you are asked to register before downloading TopQuadrant software; when you report a problem with our Site(s), our services or our software products; or when you purchase, activate and register TopQuadrant software products and services as applicable. TopQuadrant may also receive Personal Information about you from other business channels such as telephone calls, trade shows, conferences, product demonstrations, service engagements, or from our partners.
2. TopQuadrant typically collects Personal Information such as e-mail address, name, company, organization or location but may include other information when needed to provide a product or service or as part of the purchase, activation and registration thereof. For example our order forms for online orders of our software, TopQuadrant collects customers' contact information and other billing information, which is used to process, fulfill and deliver your order. If you purchase a software license online, TopQuadrant sends you to a third party credit card processor that collects your credit card and associated data. TopQuadrant does not receive this credit card information unless and until you authorize a manual authorization process. All of the data you enter into the order form is transmitted to the TopBraid Online Shop over an encrypted channel to guard your data against abuse using 128-bit SSL (Secure Sockets Layer) encryption. TopQuadrant collects the information submitted via email for technical incident support form to better serve our customers.

C. HOW WE USE YOUR PERSONAL INFORMATION

1. TopQuadrant generally uses your Personal Information for purposes such as to help us create and deliver content, products, and services relevant to you; to help you find or purchase software, services or information on our Site(s); to provide you with assistance or respond to your inquiries; to fulfill orders, process payments or perform credit check, as necessary; for interactive communications with you about our products or services; to relieve you from having to provide your Personal Information more than once; in order to prevent unlicensed or illegal use of TopQuadrant software; to notify you by email, telephone or other medium about product upgrades, updated information, special offers and other new services or software offerings (you will be able to unsubscribe from emails by following the instructions at the bottom of our message); to help us manage and administer our Site(s) or as otherwise described herein.
2. The information about our users and visitors that TopQuadrant collects is important to us and we do not sell it to other parties. TopQuadrant will disclose Personal Information, without notice, only if required to do so by law or in the good faith belief that such action is necessary to: (a) comply with the law, subpoena, court order or other legal process; (b) protect and defend the rights or property of TopQuadrant and its family of Web sites, and (c) protect the personal safety of users of TopQuadrant, its Site(s), or the public.
3. Please note that TopQuadrant maintains archives of its web logs, database, and other systems and information and that it is possible some of this information may remain archived after TopQuadrant deletes the information from its active database. TopQuadrant maintains these archives for disaster recovery, legal, administrative and other non-marketing purposes.

D. HOW WE PROTECT AND STORE YOUR PERSONAL INFORMATION

1. TopQuadrant has security measures in place to protect the loss, misuse and alteration of your Personal Information under our control. These include a firewall to prevent unauthorized access to our systems. Inside TopQuadrant, Personal Information and customer data is stored in password-controlled servers with limited and controlled access on a need-to-know basis. While we cannot guarantee that loss, misuse or alteration to data will not occur, we take many precautions to prevent such unfortunate occurrences. However, TopQuadrant accepts no liability for any unintentional disclosure. Except under conditions explained in the Privacy Policy, your Personal Information is never shared outside TopQuadrant. You acknowledge and agree that Personal Information or data that TopQuadrant has received may be stored and used on TopQuadrant's servers in the United States. You represent and warrant that you have the right and ability to provide TopQuadrant with the data as described in the Privacy Policy



(including any third party data) and that no data infringe any patent, copyright or any other proprietary rights of a third party, nor violates any applicable data protection laws.

E. LINKS, DISCUSSION FORUM AND PUBLIC AREAS

1. Our site may contain links to other sites, including ones that display our trademarks and name amongst other organizations. TopQuadrant assumes no responsibility for the content or the privacy policies and practices of such Web sites. TopQuadrant encourages you to read the privacy statements of these linked sites; their privacy practices may differ from ours. Please remember that any information you submit in a discussion forum, message board or other such area will be deemed public information and is not confidential. There is a risk in such communication venues that information can be collected and used by others. Please be careful and responsible when you are online.

F. PROTECTION OF CHILDREN'S PERSONAL INFORMATION

1. The Site(s) are not directed to children under the age of 13 and TopQuadrant assumes products purchased through credit card means are purchased by adults. TopQuadrant respects the privacy of parents and children and is committed to complying with the Children's Online Privacy Protection Act (COPPA). TopQuadrant believes that parents should supervise their children's online activities and consider using parental control tools available from online services and software manufacturers that help provide a kid-friendly online environment. These tools can also prevent children from otherwise disclosing online their name, address and other Personal Information without parental permission.

G. CONTACT INFORMATION

TopQuadrant welcomes your comments regarding our information handling practice and this Privacy Policy and you may contact us at the address indicated below. In addition, certain jurisdictions may permit you to contact TopQuadrant, at the address below, to request information on the processing of your Personal Information, corrections or to oppose processing of Personal Information if you have a legitimate reason to do so. TopQuadrant can be contacted by e-mail at privacy@TopQuadrant.com or via postal mail at TopQuadrant, Inc., 1730 Varsity Drive Raleigh NC 27606, Attention: TopQuadrant Privacy.

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