

## ONLINE PRIVACY POLICY AGREEMENT

NMSurf is committed to keeping any and all personal information collected of those individuals that visit our website and make use of our online facilities and services accurate, confidential, secure and private. Our privacy policy has been designed and created to ensure those affiliated with NMSurf of our commitment and realization of our obligation not only to meet but to exceed most existing privacy standards.

***THEREFORE***, this Privacy Policy Agreement shall apply to NMSurf, and thus it shall govern any and all data collection and usage thereof. Through the use of [www.nmsurf.com](http://www.nmsurf.com) you are herein consenting to the following data procedures expressed within this agreement.

### **Collection of Information**

It is highly recommended and suggested that you review the privacy policies and statements of any website you choose to use or frequent as a means to better understand the way in which other websites garner, make use of and share information collected.

NMSurf takes reasonable precautions to protect your personal information against unauthorized access by storing the information on a secure server, which is accessible only by authorized personnel.

Unfortunately, no data transmission over the internet can be guaranteed to be 100% secure and we will not be held liable should a third party illegally obtain your personal information. While we have made significant efforts to protect your personal information, we cannot ensure or warrant the security of any information you transmit to us and you do so at your own risk.

As your ISP, we gather and use information, the information we obtain when we provide Internet access. We gather and use information generated on our networks to manage them, to plan for future development of our network and services, to market our services, and to keep our services running efficiently. For example, we monitor data to check for viruses, to control spam, to prevent attacks that might disable our services, to ensure that your traffic does not violate your subscriber agreement or our acceptable use policies, and to guard against other inappropriate or illegal activity. This involves looking at the characteristics of our network traffic, such as traffic volumes, beginning and ending points of transmissions, and the types of applications being used to send traffic across our network. We may also gather details from the modem, for example, the number and types of devices connected and the method of connection (Wi-Fi versus wired) to aid in customer troubleshooting and network operations.

Sometimes we need to look into the content of the data (such as the specific websites being visited, files being transmitted, or application being used) for the purposes described above, in circumstances when we are concerned about fraud or harassment, to repair a problem we detect or that a customer contacts us about, or when we are providing the content of broadband traffic to law enforcement which we only do as authorized by law.

Most of the specific information we obtain that is attributable to a user is kept only for a matter of hours or days. We may retain data for longer if, for example, we see patterns in the traffic that give us concerns about potential harm to our network, or if we are doing a specific study on the impact of certain applications used on our networks. We also retain for longer periods logs of the total amounts of data transmitted, and the date, time, and duration of access to the Internet through our services by a user, including the user's IP address at the time.

We will not look into the content of your email, websites visited or other communications for marketing purposes without first informing you and giving you a choice about whether you want us to do so.

### **Use of Information Collected**

NMSurf may collect and may make use of personal information to assist in the operation of our website and to ensure delivery of the services you need and request. At times, we may find it necessary to use personally identifiable information as a means to keep you informed of other possible products and/or services that may be available to you from [www.nmsurf.com](http://www.nmsurf.com). NMSurf may also be in contact with you with regards to completing surveys and/or research questionnaires related to your opinion of current or potential future services that may be offered.

NMSurf may collect two types of information: personal information and non-personal information. "Personal information" refers to information that is particular to you, such as, your name, address, phone number, fax number and email address. "Non-personal information" refers to information that does not by itself identify a specific individual. This information may include the NMSurf site's Uniform Resource Locator ("URL") that you just came from, what browser you are using and your internet protocol ("IP") address.

### **Cookies**

"Cookies" are small pieces of information that are stored by your browser on your computer hard drive. Our cookies do not contain any personally identifying information. Your web browser may allow you to be notified when you are receiving a cookie, giving you the choice to accept it or not. While you can still navigate through our site if you do not accept cookies, you may not be able to register for emails or obtain remote access from NMSurf.

### **Email**

On this NMSurf site, you are given the opportunity to send email to us. NMSurf retains the information in any email that you send to us, such as your name, email address, address, telephone number, etc. NMSurf may periodically send you emails or other company information. NMSurf will not send you emails if you have previously requested us not to do so and/or have not registered to receive them.

### **Information on broadband traffic generated from my individual account**

NMSurf may collect information about your broadband traffic if required by law enforcement. NMSurf reserves the right to access broadband traffic from individual accounts for the purposes of general maintenance and management of the network.

NMSurf does not now, nor will it in the future, sell, rent or lease any of our customer lists and/or names to any third parties.

NMSurf may disclose your personal information, without prior notice to you, only if required to do so in accordance with applicable laws and/or in a good faith belief that such action is deemed necessary or is required in an effort to:

- Remain in conformance with any decrees, laws and/or statutes or in an effort to comply with any process which may be served upon NMSurf and/or our website;
- Maintain, safeguard and/or preserve all the rights and/or property of NMSurf; and
- Perform under demanding conditions in an effort to safeguard the personal safety of users of [www.nmsurf.com](http://www.nmsurf.com) and/or the general public.

### **Children Under Age of 13**

NMSurf does not knowingly collect personal identifiable information from children under the age of thirteen (13) without verifiable parental consent. If it is determined that such information has been inadvertently collected on anyone under the age of thirteen (13), we shall immediately take the necessary steps to ensure that such information is deleted from our system's database. Anyone under the age of thirteen(13) must seek and obtain parent or guardian permission to use this website.

NMSurf takes special care to protect the safety and privacy of young people using its services. The NMSurf site does not knowingly collect information about children and the majority of its site is not specifically directed to children. NMSurf believes that children should get their parents' consent before giving out any personal information. NMSurf encourages parents and legal guardians to participate in their child's experience on its web site. Children should always ask a parent for permission before sending personal information to NMSurf, or to anyone on the Internet.

### **Unsubscribe or Opt-Out**

All users and/or visitors to our website have the option to discontinue receiving communication from us and/or reserve the right to discontinue receiving communications by way of email or news letters. To discontinue or unsubscribe to our website please send an email that you wish to unsubscribe or opt-out. From any third party websites, you must go to that specific website to unsubscribe and/or opt-out.

### **Links to Other Web Sites**

Our website does contain links to affiliate and other websites. NMSurf does not claim nor accept responsibility for any privacy policies, practices and/or procedures of other such websites. Therefore, we encourage all users and visitors to be aware when they leave our website and to read the privacy statements of each and every website that collects personally identifiable information. The aforementioned Privacy Policy Agreement applies only and solely to the information collected by our website.

### **Security**

NMSurf shall endeavor and shall take every precaution to maintain adequate physical, procedural and technical security with respect to our offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure or modification of the user's personal information under our control.

The company also uses Secure Socket Layer (SSL) for authentication and private communications in an effort to build users' trust and confidence in the internet and website use by providing simple and secure access and communication of credit card and personal information.

### **Changes to Privacy Policy Agreement**

NMSurf reserves the right to update and/or change the terms of our privacy policy, and as such we will post those change to our website homepage at [www.nmsurf.com](http://www.nmsurf.com), so that our users and/or visitors are always aware of the type of information we collect, how it will be used, and under what circumstances, if any, we may disclose such information. If at any point in time NMSurf decides to make use of any personally identifiable information on file, in a manner vastly different from that which was stated when this information was initially collected, the user or users shall be promptly notified by email. Users at that time shall have the option as to whether or not to permit the use of their information in this separate manner.

### **Acceptance of Terms**

Through the use of this website, you are hereby accepting the terms and conditions stipulated within the aforementioned Privacy Policy Agreement. If you are not in agreement with our terms and conditions, then you should refrain from further use of our sites. In addition, your continued use of our website following the posting of any updates or changes to our terms and conditions shall mean that you are in agreement and acceptance of such changes.

### **How to Contact Us**

If you have any questions or concerns regarding the Privacy Policy Agreement related to our website, please feel free to contact us at the following email, telephone number or mailing address.

**Email: [info@nmsurf.com](mailto:info@nmsurf.com)**

**Telephone Number: 505-986-1669**

**Mailing Address:**

**NMSurf**

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