

Orange Badge Privacy Notice

Last modified: November 30, 2016

1 Introduction

This privacy notice (the “Notice”) is provided by MicroStrategy Incorporated and its subsidiaries (collectively, “MicroStrategy”, “Company”, “we” or “our”). MicroStrategy respects your privacy.

The Company is using the Usher enterprise security platform (“Usher”) for event administration, security, product demonstration and for the other purposes set out in this Notice in connection with certain internal company events, such as Company Day and related activities and department meetings (“Company Events”).

This Notice describes: (i) what personal information relating to Company employees attending Company Events (“Participants” or “you”) is collected through use of Usher and the Usher mobile software application (the “Usher App”); (ii) how the Company may use such information; (iii) who has access to such information; (iv) to whom we may disclose such information; (v) how you can contact us about our privacy practices.

2 Personal Information Usher Collects About You

In order to use Usher for Company Events, you must first be invited to join the Company’s Usher network for the Company Event (the “Usher Network”) by an administrator of the Usher Network and download the Usher badge (the “Orange Badge”). When an administrator sends you an invitation to join the Usher Network or when you accept and download the Orange Badge, the Usher server will initially collect the following information about you (the “User Information”):

- name,
- job title,
- work email address,
- work phone number,
- mobile phone number,
- employee ID number,
- the Active Directory groups you are a member of, and
- the unique device identifier of the mobile device (“Device ID”)
- photo (if provided by you).

You may change your Orange Badge photo at any time by clicking on the current Orange Badge photo and either taking a new photo or selecting a photo from the photos on your mobile device.

In addition to the User Information collected when you initially join the Usher Network, the Usher server will automatically collect the following further information (the “Transaction Data”) from your mobile device when you use Usher to check-in at a Company Event, perform peer to peer authentication, request a new cryptographic code from the Usher server (a “Code Request”), upload a photo to your Orange Badge, receive or respond to a message received through the Usher App, interact with a beacon, download or recover your Orange Badge on a mobile device, or delete the Orange Badge from a mobile device (each of

the foregoing, an “Usher Transaction”):

- name,
- type of Usher Transaction,
- time and date of the Usher Transaction,
- the model and operating system of the mobile device that was used to perform the Usher Transaction,
- the Device ID of the mobile device that was used to perform the Usher Transaction,
- for peer to peer authentication Usher Transactions, the name of the individual(s) that were authenticated, and
- your location when the Usher Transaction occurs.

When you interact with a beacon deployed by the Company through Usher, an Usher Transaction occurs and the beacon’s identification number, along with the other information set forth in the bulleted list above, is collected. The beacon’s identification number provides information regarding the location of the beacon.

The Usher App is configured to request automatically (without prompting from the user) a new cryptographic code every 60 seconds if the Usher App is open in the foreground of a mobile device. Therefore, if you leave the Usher App open in the foreground of your mobile device, the Usher App will continue to make Code Requests and the Usher server will collect the associated Usher Data even if you are not using the Usher App. You can avoid this by not leaving the Usher App open in the foreground of your mobile device when the Usher App is not in use.

In addition, the Usher App will collect and process information about your actual location (the “Location Data” and together with the User Data and the Transaction Data, the “Usher Data”), including while you are not using the Usher App. We use various technologies to determine location, including GPS and other sensors that may provide the Company with information on nearby devices. The Usher App will collect the Usher Data beginning on the date you download the Orange Badge and will continue to collect such data until you remove the Orange Badge.

In order for the Orange Badge to work, Participants will need to have the Bluetooth settings on their mobile devices turned to “on” and their location settings for the Usher App on their mobile devices turned to “always”. As these settings are device settings and are not badge-specific, Participants should be aware that if they do not want other Usher badges to collect Bluetooth or location data, they should adjust their device settings accordingly after the Company Event.

3 How the Company Uses the Usher Data

We use your Usher Data only for the following purposes:

- to administer the Usher service (e.g. Usher needs to know the operating system of your mobile device so that it can interact with your mobile device properly, and Usher needs your identity information in order for the Orange Badge to serve as an identity credential and control access to Company Events),
- to monitor attendance at Company Events and to expedite check-in for Company Events,
- to enhance the safety of Participants, including investigating and responding to security threats and issues at Company Events,

- to provide technical support in connection with your use of Usher,
- to market and sell Usher to customers and prospects (but only using Usher Data that has been scrambled to protect the privacy and identity of our employees),
- to perform analytics regarding the Usher Network,
- to perform testing and development work for Usher (e.g. we may run test or example reports using Usher Analytics or we may run reports to determine how Participants use various features of the Usher App),
- to perform product marketing and demonstration of Usher (including demonstrations regarding features and reporting capabilities of Usher, the Usher App, Usher Professional, and Usher Analytics),
- to enable you to share your User Information with other members of the Usher Network when you perform peer to peer authentication, and
- to communicate with you during Company Events.

4 Disclosure of Your Usher Data

In order to carry out the purposes outlined in Section 3 of this Notice, the Usher Data will be disclosed to certain MicroStrategy IS/IT, security and technology personnel, and to certain MicroStrategy senior executives, and other MicroStrategy personnel that we may determine need access in order to carry out the purpose outlined in Section 3 of this Notice (the “Allowed Personnel”). The Allowed Personnel will not use your Usher Data other than for the purposes outlined in Section 3 of this Notice. Your Usher Data may also be disclosed to other Participants in connection with demonstrations of Usher (including demonstrations regarding features and reporting capabilities of Usher, the Usher App, Usher Professional and Usher Analytics) at Company Events.

We may also disclose your Usher Data to third party service providers who perform services on our behalf (e.g. if we hire a third party to provide technical support for Usher, we would need to provide that third party access to the Usher Data in connection with performing that service). We do not authorize these service providers to use or disclose your Usher Data except as necessary to perform services on our behalf or to comply with legal requirements.

In addition, we reserve the right to disclose any Usher Data if we are compelled to do so by a court order or requested to do so by a governmental entity or if we determine it is necessary or desirable to comply with law or to protect or defend our rights or property.

5 Changes to this Notice

As Usher continues to develop and as our business practices change, the Company will update this Notice to reflect such changes. Updates may be made without prior notice to Covered Employees. At the top of this Notice we will state the date it was most recently updated.

6 Requests for Access to Information / Questions

If you have any questions about this Notice you may contact us by sending an email to info@microstrategy.com. Questions or comments submitted through other means may not be received or addressed.