

# Employee Privacy Notice Regarding Usher Data for Users of the Usher Sales Badge (Blue Badge)

*Last modified: December 2, 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 uses the Usher Security mobile identity platform (“Usher”) to help secure its enterprise, including its physical and logical assets. The Company’s employees worldwide use the Usher Security mobile software application (the “Usher App”) to gain access to the Company’s facilities and other physical assets (the “Physical Assets”), to login to certain work-related IT systems and web and mobile applications (the “Logical Assets” and together with the Physical Assets, the “Usherized Assets”) and to verify the identity of other employees in the Company’s Usher employee network (the “Usher Employee Network”). The Company has set up a separate network (the “Sales Badge Network”) to aid in its product and business development efforts. Employees who would like to aid the Company in these efforts can opt into this network by downloading the blue product and business development badge (the “Sales Badge”). Employees can opt out of this network at any time, and can delete the Sales Badge at any time. This separate network will not enable access to either Physical Assets or Logical Assets, but will allow users to demonstrate physical access transactions using keys to fictional physical assets on their Sales Badge and to participate in two-way communication with user of Usher Pro. The Sales Badge Network will also allow members to access Usher Pro, where they will be able to generate reports related to usage of the Sales Badge by members of the Sales Badge Network. Employees will still need to use their red, employee badge to access Physical Assets and Logical Assets.

This Notice describes (i) what personal information relating to the Company’s employees who opt into the Sales Badge Network (“Covered Employees” or “you”) is collected through use of Usher and the Usher App when using the Sales Badge, (ii) how the Company may use such information, (iii) who has access to such information, (iv) to whom we may disclose such information (v) your rights to review your information, (vi) the measures we have taken to keep your information secure, and (vii) how you can contact us about our privacy practices.

## **2 Personal Information Usher Collects About Covered Employees**

In order to use Usher in connection with the Sales Badge Network, you must first download the Usher App and choose to join the Sales Badge Network through the Sales Badge Network opt-in webpage. When you accept and download the Sales Badge, the Usher server will initially collect the following information about you (together with any photos you choose to upload, the “User Information”):

- name,
- job title,
- mobile phone number, and
- work email address.

You may add (or change) an Usher badge photo at any time by clicking on the current Usher 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 Sales Badge Network, the Usher server will automatically collect the following further information (together with the User Information, the “Usher Data”) from your mobile device when your Sales Badge is used to: access or attempt to access fictional assets associated with keys on your Sales Badge, perform a user discovery or peer authentication action, or upload a new photo to your Usher badge (each of the foregoing, including joining the Sales Badge Network, an “Usher Transaction”):

- name,
- type of Usher Transaction,
- time and date of the Usher Transaction,
- whether access was granted or denied (if applicable),
- the name, model and operating system of the mobile device that was used to perform the Usher Transaction and the name and version of the Usher software running on the device,
- the unique device identifier and IP address of the mobile device that was used to perform the Usher Transaction,
- for user discovery and peer to peer authentication Usher Transactions, the name of the individual(s) that were discovered or authenticated,
- for physical access Usher Transactions, which asset was accessed or attempted to be accessed,
- for physical access Usher Transactions, how access to the asset was requested (e.g. Bluetooth, QR code scan, mobile “key” or push notification acceptance), 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.

Your location information will also be collected (and an Usher Transaction will occur) when the Usher App is open (either in the foreground or the background) and your device has a significant change in location. You may stop such collection in connection with your use of the Sales Badge at any time by changing the permissions granted by your phone, by deleting the Sales Badge or by clicking the “Opt-Out” button from the [self-service enrollment page](#).

### **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 (1) in order for the Usher badge to serve as an identity credential and control access to Usherized Assets and (2) in order to support user discovery and peer authentication Usher Transactions ),

- to enhance the safety of the Company’s employees, including investigating and responding to security threats and issues,
- to investigate criminal activity (in accordance with applicable law),
- to provide technical support in connection with your use of Usher,
- to perform testing and development work for Usher (e.g. we may run test or example reports using Usher Analytics),
- to market and sell Usher, and/or
- to perform analytics regarding the Sales Badge Network.

#### **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, certain MicroStrategy senior executives, certain MicroStrategy product development, marketing and sales employees, and certain prospective or current customers or partners, and other MicroStrategy personnel that we may determine need access to the Usher Data in order to carry out the purposes 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.

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, product development support or business development 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. We require these service providers by contract to safeguard the privacy and security of your Usher Data that they process on our behalf.

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 Updating or Accessing Your Personal Information**

Where required by applicable law, we will provide you with access to the Usher Data we have retained about you. You will be given the opportunity to review such Usher Data and request corrections, updates or deletions of inaccurate Usher Data.

We reserve the right to charge you a fee, where permitted under applicable law, which is usually approximately \$20, for processing each such request. Where you make more than one request in quick succession, where permitted under applicable law we may respond to your subsequent request by referring to our earlier response and only identifying items that have changed materially.

#### **6 International Data Transfers**

We transfer the Usher Data to our Affiliates and to a server hosting provider (“Host”). The Affiliates and the Host are located in the U.S. The laws in the U.S. may not offer the same level of data protection as the country in which the Usher Data was initially provided. The purpose of the transfer of the Usher Data

to our Affiliates and the Host is that the servers that store the Usher Data are located in the U.S. and some of the Allowed Personnel are employees of our Affiliates. When we transfer the personal data to our Affiliates and the Host, we will protect the data as described in this Notice and in accordance with applicable law.

## **7 How We Hold and Protect Your Personal Information**

The security of your personal information is important to the Company. We are committed to protecting the information we collect. We maintain administrative, technical and physical safeguards designed to protect the personal information you provide or we collect against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use. We use encryption when we transfer the Usher Data between the Usher App and the Usher server.

The Company stores personal information only for as long as it is necessary for the fulfillment of the purpose for which the personal information was collected, unless otherwise required or authorized by applicable law. We take measures to destroy or permanently anonymize personal information if required by law or if the personal information is no longer required for the purpose for which we collected it.

## **8 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.

## **9 Requests for Access to Information / Questions**

If you have any questions about this Notice please contact us by email at [support@usher.com](mailto:support@usher.com). You may also write to us at MicroStrategy Incorporated, 1850 Towers Crescent Plaza, Tysons Corner, Virginia 22182, Attn: Office of the General Counsel. Questions or comments submitted through other means may not be received or addressed.