



## PROCESSOR PRIVACY POLICY

Panasonic Avionics Corporation (“PAC,” “we,” “us,” or “our”) values your privacy. In this Privacy Policy (“Policy”), we describe how we collect, use, and disclose information that we obtain about users of the inflight internet services (the “Services”) on behalf of the airline you are traveling with (“your airline”). To ease your review of this Policy, please you the interactive table of content below to reach the relevant section:

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### 1. Application and Scope

By using the Services, you acknowledge that your personal information will be handled as described in this Policy and, if payment is made via PAC WISP, you consent to the [Terms of Sale](#), which are incorporated by reference into this Policy.

The Services are made available to you directly through your airline, not directly by PAC. We act as a data processor on behalf of your airline, who is the controller, and your airline’s privacy policy will also apply to how your personal information is collected, used and disclosed. If you have any questions or comments about your privacy rights please contact your airline.

Protecting the privacy of persons under the age of 16 is especially important. For that reason, we do not knowingly collect or maintain information from persons we actually know are under 16 without parental consent, and no part of the Services are structured

to attract anyone under 16. If a person under 16 has provided personal information to us, we ask that a parent or guardian of the person contact us at [privacy@panasonic.aero](mailto:privacy@panasonic.aero) if they would like us to stop processing such information and have it removed from our database and we will use all reasonable efforts to do so.

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## 2. Information Practices: How We Collect, Use, Retain, and Disclose Personal Information

### Type of Personal Information We Collect About You

We collect information about you directly from you and from your airline, as well as automatically through your use of the Services. When used in this Policy, personal information means "any information about an identifiable individual". Information that is anonymized or de-identified is not personal information.

***Information Collected Directly From You:*** The information collected from you depends on how you use the Services. To use the Services without creating an account, we collect your email address and payment information. If you create an account for your use of the Services, we also collect identifiers such as your email address, name, country of residence, and payment information. In order to use your airline frequent flyer or rewards program miles or points to pay for the Services, we collect your rewards program membership number. You may also provide us with additional information, such as your seat number on your flight, if applicable. When you contact our customer service center, we will collect your name, contact information, such as your email address and phone number, and your reasons for contacting us.

***Information We Collect from your Airline:*** We collect information about you from your airline. When you use the Services, we may receive information from your airline such as passenger seat assignments and information about your frequent flyer status and account balance (such as when you use your miles or points to pay for the Services).

***Information We May Collect Automatically:*** We automatically collect the following information about your use of the Services, including through the use of network management tools. When you navigate the login page to the Services, we collect: your browser type and operating system; Service pages you view; links you click; your IP address; the length of time you visit the Services; the airline that you are traveling with to access the Services and your flight's route. When you initiate an internet session on the Services, we collect information about the amount of bandwidth you use. We also aggregate data about passengers' use of the Services, such as the number of sessions, the number of sessions purchased and the most popular domains from a given flight.

### How We May Use Your Information

We may use your information to provide the Services and to customize your experience during your flight.

We may use your personal information in accordance with your Airline's instructions, namely:

- to provide the Services to you, to communicate with you about your use of the Services, to respond to your inquiries, to fulfill your orders, and for other customer service purposes;
- to tailor the content and information that we may send or display to you, to offer airline and flight customization, and personalized help and instructions, and to otherwise personalize your experiences while using the Services. For example, we may customize the language of the Services, advertisements displayed in the Service login pages based on the airline you are traveling with, the departing and arrival destinations, and where you sit during your flight;
- to better understand how users access and use the Services on an aggregated basis, in order to improve the Services and respond to user desires and preferences and for other research and analytical purposes. For example, we may use this information to better manage the provision of the internet services, or to improve connectivity on an airplane;
- to administer surveys and questionnaires;
- to comply with applicable legal or regulatory obligations, including as part of a judicial proceeding; to respond to a subpoena, warrant, court order, or other legal process; or as part of an investigation or request, whether formal or informal, from law enforcement or a governmental authority; and
- to protect the safety, rights, property, or security of your airline, PAC, the Services, any third party or the general public; to detect, prevent, or otherwise address fraud, security or technical issues; to prevent or stop activity that your airline or PAC, in their sole discretion, may consider to be, or to pose a risk of being, an illegal, unethical, or legally actionable activity; to use as evidence in litigation; to conduct audits and to enforce this Policy and the Terms of Sale.

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### 3. Sharing Your Personal Information

PAC may share personal information to your airline, service providers and other third parties for the purposes detailed in this Policy.

More specifically, we may share your personal information as follows:

**Airlines:** The Services are only available through your airline. We may share information

with your airline about how its passengers use the Service. This may include both personal information, such as Service users' names and email addresses, and aggregate information, such as the number of passengers that used the Service or the most popular domains visited during a flight;

**Affiliates:** We may share the information we collect about you to our affiliates or subsidiaries for the purposes described in this Policy; however, if we do so, their use and sharing of your personal information will be subject to this Policy;

**Service Providers:** We may share the information we collect from you to third party vendors, service providers, contractors, processors or agents who provide services on our behalf;

**Business Transfers:** If we are or may be acquired by or merged with another company, if any of our assets are transferred to another company or as part of a bankruptcy proceeding, we may transfer the information we have collected about you to the other company;

**In Response to Legal Processes:** We may also share the information we collect from you in order to comply with the law, a judicial proceeding, a court order, or another legal process, such as in response to a subpoena;

**To Protect Us and Others:** We may also share the information we collect from you where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of our Terms of Sale or this Policy, or as evidence in litigation involving PAC or your airline.

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#### 4. Summary of Information Practices in Last 12 Months

The following table summarizes our personal information collection, use, and sharing practices in the preceding 12 months since we last updated this Policy.

As reflected in this table, we may share your personal information as follows.

Category of Personal Information Collected on Behalf of Airline	Examples	Categories of Sources	Business/Commercial Purpose	Categories of Third Parties with Whom PAC Shares PI
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Identifiers	Full name, email address, country of residence, phone number, purchase details, and flight information	You, your airline	Processing payments, protecting against malicious, deceptive, fraudulent or illegal activity and enabling or effecting, directly or indirectly, a commercial transaction	Service providers, payment processors, law enforcement authorities, and those involved in legal proceedings, with consent
Unique identifiers or personal identifiers	IP address, device IDs	You	Processing or fulfilling orders and transactions, debugging to identify and repair errors that impair existing intended functionality and enabling or effecting, directly or indirectly, a commercial transaction providing customer services	Service providers, payment processors, law enforcement authorities, and those involved in legal proceedings, with consent
Financial information	Credit card or other payment information	You	Processing or fulfilling orders and transactions	Service provider payment processors
Internet and other network activity	Browsing activity	You, Your mobile devices and computers used to access our Site	Customer inquiry and trouble shooting purposes	Your airline

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## 5. We Do Not Sell Your Personal Information

We have not sold your personal information in the preceding 12 months and do not intend to sell it in the future without your prior written consent. We do not and will not sell the personal information of minors under 16 years of age.

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## **6. Our Use of Cookies**

We use cookies only to keep a record of your review and consent to our privacy practices as well as as part of session management, and is needed in order to provide the service.

Cookies are small text files that are saved on your device's hard drive through your web browser for record-keeping purposes.

You may delete or disable certain of these technologies at any time via your browser.

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## **7. Third-Party Links**

The Services may contain links to third-party websites, such as to your airline and advertising sponsors. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those third party websites. We are not responsible for the information practices of such third party websites.

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## **8. Retention of Your Personal Information**

We will store your personal information for only as long as necessary to fulfill the purposes for which it was collected.

We will store your personal information for only as long as necessary to fulfill the purposes for which it was collected, except where otherwise required or permitted by law. Once no longer required, your personal information will be securely destroyed or anonymized (so the information no longer identifies you).

Please note that if your personal information is collected by a third party, it will be retained in accordance with the privacy policies and records retention requirements of that third party.

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## **9. Security of Your Personal Information**

We have implemented technical and organizational measures to protect your information from loss, misuse, and unauthorized access, disclosure, alteration, and destruction.

The measures we have implemented to protection your personal information include physical, administrative and electronic (technological) security measures that are reasonable given the sensitivity of the information collected, the amount, distribution and format of the personal information, and the methods of storage. However, there is

always a certain level of risk involved when personal information is collected, processed and stored and we are unable to guarantee the security of your personal information.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

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## 10. Access to Your Personal Information

You may modify personal information that you have submitted by logging into your account and updating your information. Please note that copies of information that you have updated, modified or deleted may remain viewable in cached and archived pages of the Services for a period of time.

If you are a resident of the European Union, please see the [Information for EU Data Subjects](#) section below for additional information on accessing your information and other legal rights available to you under European Union law.

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## 11. California Residents: Choices for Access, Deletion, and Right to Non-Discrimination.

Subject to certain exemptions, and in some cases dependent upon the processing activity we are undertaking, if you are a California resident, you have the right to know what personal information is collected and disclosed about you under the *California Consumer Privacy Act* of 2018. Additionally, you have the right to access and delete your personal information

***How to Exercise Your Rights:*** Since we process personal information on behalf of your airline in connection with the Services, requests to access, correct, amend, or delete personal information should be submitted directly to your airline. We will provide assistance to your airline, as necessary. Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your or your minor child's personal information.

Your request must provide sufficient information that allows your host airline to reasonably verify you are the person or authorized representative about whom we, or the host airline, collected personal information. Before handling your request, your airline may ask you for additional information to confirm your flight information, identity or for security purposes.

For further information, please visit your airlines's website and privacy policy.

***Right to Access Your Personal Information:*** You have the right to request access to the specific pieces and categories of personal information collected about you over the past 12 months and: (a) the categories of sources for the personal information; (b) the business or commercial purposes for collecting that personal information, legal basis and methods of processing; and (c) the third parties or categories of third parties to whom your personal information may be transferred.

***Right to Delete Your Personal Information:*** You also have the right to request deletion of your personal information. If the processing of your personal information is necessary for compliance with a legal obligation, the establishment, exercise, or deference of legal claims or when required for our essential business purposes, such as providing services to you, your airline may not be required to comply with your request.

***Right to Non-Discrimination:*** You have the right to be free from discrimination in product quality, goods or services if you choose to exercise your privacy rights under the California Consumer Privacy Act.

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## 12. Information for EU Data Subjects

In its capacity of data processor providing services to your airline, PAC complies with the General Data Protection Regulation (“GDPR”) and assists your airline in complying with its data controller’s obligations.

**The Legal Basis for Processing Your Personal Information Under GDPR:** We are a data processor and process your personal information on behalf of your airline, which is the controller of your personal information.

We may process your personal information on the following legal basis:

- You consented to the processing of your personal information (for example, when you consent to receiving promotional messages and to sharing your personal information with an advertising sponsor in order to receive a complimentary session on the Services). You may withdraw your consent at any time;
- Our processing of your personal information is in our legitimate interest or in the legitimate interest of your airline (for example in order to make improvements to our Services); you have a right to object to such processing as explained in the section below;
- Our processing of your personal information is necessary to perform a contract or take steps to enter into a contract with you (for example where we process your payment information when you purchase a session on the Services); and/or



- Our processing of your personal information is necessary to comply with a relevant legal or regulatory obligation that we have (for example, where we are required to disclose personal information to a court or tax authority).

***Right to Restrict the Processing of Your Personal Information:*** You have the right to restrict the processing of your personal information in the following circumstances: (i) you contest the accuracy of the personal information; (ii) the processing is unlawful but you wish to restrict rather than prohibit the processing of your personal information; (iii) the purposes for processing your personal information no longer exist, but you require the personal information for the establishment, exercise, or defense of legal claims; or (iv) you have legitimately objected to the processing of your personal information and the processing is therefore restricted pending the verification of whether the legitimate grounds of your airline override your objection.

We can continue to process your personal information following a request for restriction:

- if we have your consent;
- to establish, exercise or defend legal claims; or
- to protect the rights of another natural or legal person.

***Right to Data Portability:*** To the extent that we process your personal information (i) based on your consent or under a contract and (ii) through automated means, you have the right to receive such personal information in a structured, commonly used, machine-readable format, from your data controller.

***Right to Object to the Processing of Your Personal Information:*** You can object to any processing of your personal information based on the legitimate interests of your airline or PAC if you believe your fundamental rights and freedoms outweigh such legitimate interests. If you raise an objection, we have an opportunity to demonstrate that your airline or PAC has compelling legitimate interests that override your rights and freedoms.

***How to Exercise Your Rights:*** If you would like to exercise any of the rights described above, please contact your airline.

We ask that you please attempt to resolve any issues with your airline or PAC first if you have concerns about the processing of your personal information, although you have a right to contact your supervisory authority at any time.

Before handling your request, your airline may ask you for additional information to confirm your flight information, identity or for security purposes.

We may not always be able to fully address your request, such as if doing so would impact the duty of confidentiality we owe to others or if we are legally entitled to deal with the request in a different way.

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### 13. Cross-border Transfer of Information

Where the personal information that we collect through or in connection with the Services is transferred to and processed in the United States or in another jurisdiction outside the European Economic Area (EEA) or Switzerland that does not provide for an adequate level of protection, we will ensure that the information receives an adequate level of protection, including by entering into data processing agreements that incorporate the European Commission's Standard Contractual Clauses or by relying on other transfer mechanisms provided at article 46 of the GDPR.

As part of the overall compliance effort, and despite the invalidation of these programs by the European Union Court of Justice and the Swiss Federal Data Protection and Information Commissioner, we continue to comply with the EU-US and Swiss-US Privacy Shield programs, but do not rely on them as adequate data transfer regimes. A detailed explanation of the Privacy Shield principles can be found at <https://www.privacyshield.gov> and our compliance with the Privacy Shield is further detailed in the Panasonic Avionics Corporation Privacy Policy, which can be found [here](#).

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#### **14. Contact Us**

If you have questions about this Processor Privacy Policy, you may contact us at [privacy@panasonic.aero](mailto:privacy@panasonic.aero). If you have a disability and need access to this privacy policy, please, call us at 1-800-716-1805.

Please note, however, that PAC processes your personal information on behalf of your airline. If you wish to exercise rights and choices with regard to your personal information, please contact your airline directly. We will support your airline as needed in responding to your request.

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#### **15. Changes to this Policy**

This Policy is current as of the Effective Date set forth below. We may change this Policy from time to time, so please be sure to check back periodically. We will post any changes to this Policy accordingly.

Last Updated: September 28, 2020

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