

Numeris

Data Use Policy

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This **Data Use Policy** sets forth Numeris’ policies and requirements in relation to Subscriber’s use of Service Data and is made part of the Numeris Subscription Terms of Use. Unless otherwise defined in this Data Use Policy, capitalized terms will have the meaning given to them in the Numeris Subscription Terms of Use, available online at www.numeris.ca/subscription-terms/.

In addition to the terms and conditions set forth in the Agreement, Subscriber’s use of the Service Data is subject to the following Data Use Policies:

I. Definitions

“**Authorized Software Provider**” means a software provider authorized by Numeris to license software for use with Service Data. A list of Authorized Software Providers is available online at www.numeris.ca/software-providers/.

II. Data Use by Category

(1) Advertiser

A Subscriber classified by Numeris as an Advertiser in the applicable Order Form is permitted to use the Service Data as follows:

1. Permitted Purpose

Subscriber is permitted to use the Service Data to support the marketing of Subscriber’s product(s) or service(s), including support that only involves the public relations (PR) function within the overall marketing of Subscriber’s product(s) or service(s). For clarity, Subscriber is not permitted to use the Service Data outside of the marketing process.

An advertiser that does its own buying or planning of advertising from a publisher is required to subscribe as an Advertising Agency and not as an Advertiser.

2. Permitted Disclosure of Data

Subscriber may provide limited extracts or analysis based on Service Data to third parties only when in connection with the above permitted purpose.

(2) Advertising Agency

A Subscriber classified by Numeris as an Advertising Agency in the applicable Order Form is permitted to use the Service Data as follows:

1. Permitted Purpose

Subscriber is permitted to use the Service Data to plan and/or buy advertising/marketing assets from a publisher, provided however, that Subscriber is not permitted to prepare analysis for an advertiser beyond their need for analysis to plan or buy a campaign.

2. Permitted Disclosure of Data

Subscriber may provide limited extracts or analysis based on Service Data to third parties in connection with the permitted purpose. For greater clarity, Subscriber may:

- (a) provide a client (advertiser) with limited analysis based on the Service Data in order to plan a media campaign;
- (b) educate clients on the state of the audio and video industry; and
- (c) provide a publisher with limited analysis based on the Service Data in order to place a buy on the publisher.

(3) Program Syndicator, Producer or Distributor

A Subscriber classified by Numeris as a Program Syndicator, Producer or Distributor in the applicable Order Form is permitted to use the Service Data as follows:

1. Permitted Purpose

Subscriber is permitted to use the Service Data to produce a program, purchase or sell the rights to a program, sell commercial time on a program it owns or has acquired the rights to, or sell sponsorship of a program or an event associated with a program it owns, has acquired the rights to or is associated with.

2. Permitted Disclosure of Data

Subscriber may provide specific limited extracts or analysis based on Service Data to third parties in connection with the permitted purpose. For greater clarity, Subscriber may provide:

- (a) a client or potential client with audience data on a specific program in order to sell the rights to that program; and
- (b) an advertiser or potential advertiser with audience data on a specific program in order to sell time on the program.

(4) Publisher

A Subscriber classified by Numeris as a Publisher in the applicable Order Form is permitted to use the Service Data as follows:

1. Permitted Purpose

Subscriber is permitted to use the Service Data for sales, programming, regulatory and/or promotional purposes.

2. Permitted Disclosure of Data

Subscriber may provide limited extracts or analysis based on Service Data to third parties only when in connection with the above permitted purpose.

3. Restrictions/Prohibitions:

(a) Radio

- (i) **Campus Radio Station.** Notwithstanding Section III (Data Access), an Authorized Affiliate identified as a Campus Radio Station in the applicable Order Form may access the Service Data only in the form of reports provided by Numeris. For clarity, such Authorized Affiliate may not access Numeris Data as described in Section III, paragraphs (a)(i), (a)(iii) and (b)(i). Subscriber's access of Service Data involving such Authorized Affiliate is similarly restricted.
- (ii) **Historic Radio Stations.** An Authorized Affiliate identified as a Historic Radio station in the applicable Order Form is only permitted to use Service Data for releases that reported the Historic Radio station's home market or spill market, i.e. releases published in 2019-20 and prior. The Subscriber's use of Service Data involving such Authorized Affiliate is similarly restricted.

(b) Television

- (i) **Balance Panel Stations.** An Authorized Affiliate identified as belonging to the Balance Panel in the applicable Order Form,
 - is permitted to use Service Data associated only with the Television Meter Balance Panels and not for other geographies associated with the Television Meter Service; and
 - is permitted to use Numeris Data from the television diary service for releases that reported the Authorized Affiliate's home market or spill market, i.e. releases published in 2019-20 and prior, subject to the Subscription Terms of Use and applicable Product Specific Terms.

The Subscriber's use of Service Data involving such Authorized Affiliate is similarly restricted.

(ii) Historic TV Stations

- Subscriber is not permitted to use Service Data to commercially benefit Authorized Affiliates identified as Historic TV stations on the Subscription Order Form.
- An Authorized Affiliate identified as a Historic TV station in the applicable Order Form is only permitted to use Numeris Data from television diary service releases that reported the Historic TV station's home market or spill market, i.e. releases published in 2018-19 and prior, subject to the Subscription Terms of Use and applicable Product Specific Terms. The Subscriber's use of Service Data involving such Authorized Affiliate is similarly restricted.

- (iii) **Non-Authorized Affiliate TV Stations.** Subscriber is not permitted to use Service Data to commercially benefit Subscriber's Affiliates not identified on the Subscription Order Form as Authorized Affiliates.

(5) **Publisher Representative**

A Subscriber classified by Numeris as a Publisher Representative in the applicable Order Form is permitted to use the Service Data as follows:

1. Permitted Purpose

- (a) Subscriber can only use Service Data to represent publishers that are Numeris subscribers to that Service and that have been previously disclosed to Numeris as Subscriber's clients, as required by the Subscriber Information Policy. For clarity, Subscriber is not permitted to use Service Data to represent clients that are not Numeris subscribers to that Service, or that were not previously disclosed to Numeris even if the clients subscribe to that Service.
- (b) Subscriber must represent at least one client that is a Numeris subscriber to the Service.
- (c) Subscriber is permitted to sell advertising/marketing assets to advertisers or advertising agencies on behalf of the client.

2. Permitted Disclosure of Data

Subscriber may provide limited extracts or analysis based on Service Data to third parties in connection with the permitted purpose. For greater clarity, Subscriber may:

- (a) provide an advertiser or advertising agency with limited analysis based on Service Data on a client in order to sell advertising/marketing assets of that client;
- (b) provide a client with limited analysis based on Service Data, provided the client is a Numeris subscriber to that Service; and
- (c) include limited extracts or analysis based on Service Data in presentations with the purpose of attracting new clients, in connection with the above permitted purpose.

III. Data Access

- (a) Subscriber may access the Service Data as follows:
 - (i) Subscriber may license software from a Numeris Authorized Software Provider. For clarity, the Numeris subscription does not include access to software.
 - (ii) Subscriber may access certain Service Data Numeris chooses to provide via its websites.
 - (iii) Subscriber may license data files directly from Numeris for use in custom developed software through an additional license agreement.
- (b) Subscriber may analyze the Service Data using:
 - (i) software licensed from a Numeris Authorized Software Provider;
 - (ii) general purpose software products such as Microsoft Excel; or
 - (iii) any (1) software products or modules that Subscriber creates, or (2) software products that are developed or customized by a third party, which Subscriber uses internally to process data for Subscriber's purposes only and not for the benefit of any other person.