



DIRECTV DVR PRIVACY POLICY

DIRECTV is committed to protecting the privacy of your personally identifiable information. This DVR Privacy Policy, which applies to your use of the DIRECTV® Digital Video Recording Service powered by TiVo (“DIRECTV DVR Service”), is published on our web site at DIRECTV.com. We have printed it here for your convenience, but we encourage you to check “LEARN: Customer Center” on the web site or write to us for a copy of the current DVR Privacy Policy.

You may also wish to consult the DIRECTV Privacy Policy, which applies to your receipt of DIRECTV satellite television programming service, and is also available at “LEARN: Customer Center” on our web site.

Your use of the DIRECTV DVR Service will signify your acceptance of this DVR Privacy Policy.

Contacting DIRECTV

You may contact us 24 hours a day, any day of the year, by phone (1-800-531-5000), e-mail (www.DIRECTV.com/feedback) or mail (DIRECTV Customer Service, P.O. Box 92600, Los Angeles, CA 90009).

Summary of the DIRECTV DVR Privacy Policy

DIRECTV knows how important personal privacy is to you, so we have designed our system and established strict policies to help protect the privacy of your Personally Identifiable Viewing Information, as defined in this DVR Privacy Policy. In summary, we want you to know that:

- The DIRECTV® Digital Satellite Recorder (“DIRECTV Recorder”) collects certain types of information from its users, including Anonymous Viewing

- DIRECTV does collect Anonymous Viewing Information; that is, information about viewing choices made while using your DIRECTV Recorder, but that does not identify you as an individual or household. In other words, there is no personally identifiable information associated with the viewing information that could identify the viewing information as coming from you or your household. DIRECTV also collects Diagnostic Information from a small number of randomly sampled DIRECTV Recorders for quality control purposes. If you don't want even your Anonymous Viewing Information or Diagnostic Information used in any way, simply contact us, by phone (1-800-531-5000), e-mail (www.DIRECTV.com/feedback) or mail (DIRECTV Customer Service, P.O. Box 92600, Los Angeles, CA 90009).
- If you affirmatively elect to engage in a commercial transaction using the DIRECTV DVR Service, such as by responding to an advertisement on the DIRECTV DVR Service, DIRECTV will collect and disclose your Commerce Information to the commerce partner fulfilling the transaction.
- DIRECTV intends to make available new services in the future. These new features or services may require amendments to this DVR Privacy Policy. You may wish to check our web site or request a current copy of our DVR Privacy Polciy from time to time to review any such amendments.

DIRECTV DVR Privacy Policy

Please read this DVR Privacy Policy carefully. It provides important information on how your privacy is protected when using the DIRECTV DVR Service.

In order to provide you with a better, more satisfying television experience, DIRECTV collects and uses certain types of information, as described in this DVR Privacy Policy. The Subscriber Information (defined below) you provide to the DIRECTV Recorder in your house and to us at DIRECTV enables your DIRECTV Recorder to select programs you want it to record and to suggest programs you might enjoy.

By using your DIRECTV Recorder and DIRECTV DVR Service, you consent to: (a) the provisions of this DVR Privacy Policy and (b) the privacy preferences explained in Section IV. This DVR Privacy Policy explains our commitments to your privacy in the following areas:

“Subscriber Information” as a general term that refers to any information relating to you or your use of the DIRECTV DVR Service. The following are more specific types of Subscriber Information:

- A. **“Account Information”** means information about your DIRECTV service account, including your name, address, social security number, e-mail address, telephone number, what programming packages you subscribe to, consumer credit reports, the model and serial number of your DIRECTV Recorder, software version used and privacy preferences. Account Information does not include any Personally Identifiable Viewing Information, or Anonymous Viewing Information, as defined below.
- B. **“Service Information”** means information necessary for us to provide service to your DIRECTV Recorder. Examples of Service Information include your software version number and the success status of the last attempted service call (i.e., daily call). This information is always transmitted to DIRECTV during a service call.
- C. **“Personally Identifiable Viewing Information”** means information about the viewing choices that you and those in your household make while using your DIRECTV Recorder, if that information is linked to or associated with your Account Information. The DIRECTV Recorder stores your viewing information so that it may recommend viewing choices and personalize your viewing experience. For purposes of this DVR Privacy Policy, Personally Identifiable Viewing Information does not include information regarding programming purchases using your remote control, which are addressed in the DIRECTV Privacy Policy. We have worked very hard to design our system to ensure that no Personally Identifiable Viewing Information may be sent to us without your express consent. You may choose to consent to DIRECTV’s collection of Personally Identifiable Viewing Information by changing your privacy preferences as provided in Section IV.
- D. **“Anonymous Viewing Information”** means information about viewing choices that you and those in your household make while using your DIRECTV Recorder, but is not associated with or linked to your Account Information or any other information DIRECTV has about your account. Your DIRECTV Recorder sends Anonymous Viewing Information to us on an ongoing basis. This information allows us to know that a subscriber from a particular zip code watched certain

sampled DIRECTV Recorders for quality control and technical troubleshooting purposes. Diagnostic Information logs identify your DIRECTV Recorder and are thus associated with your Account Information. You may request that we block the collection of Diagnostic Information logs from your DIRECTV Recorder as described in Section IV.

- F. **“Commerce Information”** means personally identifiable information that enables a commerce partner to fulfill your request to participate in a promotion or transaction. From time to time, we may present special offers and/or enable you to purchase goods and services from us or third party advertisers or promoters. You would be informed of such offers on screen while using the DIRECTV DVR Service. Should you decide to take advantage of such an offer or engage in a transaction, we will collect and communicate information such as your name and address and your interest in a specific offer or transaction to the commerce partner sponsoring the promotion or transaction. In addition to fulfilling your request, that commerce partner may also use your Commerce Information to send you other information in which you might be interested consistent with its own privacy policies. This information is collected and disclosed by us only upon your affirmative response to an offer.

II. *Use of Subscriber Information*

- A. **Account Information.** How we use your Account Information is described in the provisions regarding use of “Personal Data” set forth in our DIRECTV Privacy Policy, which can be found on our web site.
- B. **Service Information.** We use your Service Information to service your account and provide the necessary resources to your DIRECTV Recorder.
- C. **Personally Identifiable Viewing Information.** Your DIRECTV Recorder uses your viewing information to tune, schedule, record, and recommend programs for you. The DIRECTV Recorder may also use this viewing information to select advertisements or other promotions for you that you may be interested in. We do not collect your Personally Identifiable Viewing Information without your consent. Absent your consent, no “tag” is added to the anonymous viewing files transmitted from DIRECTV Recorders to us that would enable us to identify the DIRECTV Recorder from which it came.

that people who watch show X also watch show Y. We also may use Anonymous Viewing Information to help with the investigation of technical issues with our systems.

III. *Disclosure of Subscriber Information*

- A. Generally.** We may disclose aggregated Anonymous Viewing Information and any reports or analyses derived there from, to third parties including suppliers, advertisers, broadcasters, consumer and market research companies and other organizations.
- B. Manufacturing Partners.** In certain instances we may disclose to our hardware manufacturing partners (for example, HNS and Philips) the Account Information of subscribers who use a DIRECTV Recorder made by that manufacturing partner. However, we contractually bind our manufacturing partners to comply with the provisions of this DVR Privacy Policy; our manufacturing partners are legally liable for misuse of Subscriber Information.
- C. Contractors and Other Third Parties.** We use contractors to help with some of our operations. Some of these contractors will have access to our databases of Subscriber Information on a temporary basis for specific tasks. We also use third parties to help with certain aspects of our operations, which may require disclosure of your Subscriber Information to them. For example, we may use a third party to communicate with you (by telephone, e-mail, or letter) about upcoming features or services, to generate demographic profiles based on Subscriber Information of current DIRECTV DVR subscribers, and to perform other work that we may need to outsource. We contractually bind these contractors and third parties to use your Subscriber Information only as necessary to perform the services they are asked to perform; such contractors and third parties are legally liable for misuse of Subscriber Information.
- D. The “Corporate Family.”** We may share some or all of your Subscriber Information with affiliated companies, such as DIRECTV Broadband, Inc., in which case we will require our affiliates to honor this DVR Privacy Policy. If we are acquired by another company, that company will possess the Subscriber Information collected by us and it will assume the rights and obligations regarding your Subscriber Information as described in this DVR Privacy Policy.

F. Factors Beyond our Control. Your privacy is very important to us. Due to factors beyond our control, however, we cannot fully ensure that your Subscriber Information will not be disclosed to third parties. For example, we may be legally obligated to disclose Subscriber Information to the government or third parties under certain circumstances, or third parties may circumvent our security measures to unlawfully intercept or access your Subscriber Information.

IV. *Your Choices Regarding Subscriber Information.*

The default privacy preferences, to which you hereby consent if you do not request a change to your settings, do not allow us to collect Personally Identifiable Viewing Information, but do allow us to collect, use, and disclose Anonymous Viewing Information and Diagnostic Information logs, in addition to Account Information, in manners consistent with this DVR Privacy Policy and the DIRECTV Privacy Policy. Commerce Information is collected, used, and disclosed only upon your affirmative response to an offer.

You may choose to change your privacy preferences to allow us to collect Personally Identifiable Viewing Information. Even though Anonymous Viewing Information does not include any Account Information whatsoever, you may request that we block the collection of such information from your DIRECTV Recorder. You may also request that we limit the collection of Diagnostic Information logs from your DIRECTV Recorder. You may further opt not to receive communications that we send to you based on your Account Information. If you make this choice, you understand that we will not be able to inform you about any upcoming features, improvements, or promotions regarding your DIRECTV DVR Service. In all cases, however, we will collect and use your Account Information (including Service Information) to enable us to provide your DIRECTV Recorder with the DIRECTV DVR Service.

If you would like to change your privacy preferences, you must contact us by telephone (1-800-531-5000), to request a change.

V. *Separate Policies for DIRECTV satellite television programming and DIRECTV.com.*

We have separate privacy policies that govern our satellite television programming services and our web site. Copies of those policies can be found on our web site. Except in the cases where it conflicts with this DVR Privacy Policy, the DIRECTV Privacy

persons who have a business need for such access, including servicing your account, informing you of service news and special DIRECTV offers, or assisting us in aggregating Anonymous Viewing Information for the purpose of conducting research, and targeting new subscribers. However, you should know that no company, including DIRECTV, can fully eliminate security risks associated with Subscriber Information.

VII. *General*

- A. Future Features, Services, and Amendments to this DVR Privacy Policy.** We upgrade the DIRECTV DVR Service to provide you with new features on an ongoing basis and plan to continue to do so. We also intend to make available new services in the future. To the extent that any new features or services may require amendments to this DVR Privacy Policy to describe the treatment of Subscriber Information, we will notify you of these amendments in a change to this DVR Privacy Policy posted on our web site. You can also request that we send you a copy of the DVR Privacy Policy. In the event that we were to make a substantial and material change to our treatment of Subscriber Information, such as a change in the way that we collect, use, or disclose Personally Identifiable Viewing Information, we will endeavor to notify you directly of such planned change.
- B. Technical Problems.** Even though we have taken significant steps to ensure that your Subscriber Information is never collected, used, or disclosed by us except as set forth by this DVR Privacy Policy, technical mistakes are possible. If such a mistake takes place, we will take commercially reasonable steps to correct it.
- C. Contacting Us.** Our intention is to be diligent in protecting your privacy by strictly following our DVR Privacy Policy. If you would like to make suggestions or find out more about our privacy practices, please contact us, by phone (1-800-531-5000), e-mail (www.DIRECTV.com/feedback) or mail (DIRECTV Customer Service, P.O. Box 92600, Los Angeles, CA 90009).
- D. General Terms.** The term “including” in this DVR Privacy Policy shall mean “including without limitation.” This DVR Privacy Policy supplements and is incorporated into the DIRECTV DVR Service Agreement. This DVR Privacy Policy, supplemented by the DIRECTV Privacy Policy, constitutes the entire agreement, and replaces and supersedes all prior agreements, between you and DIRECTV and its predecessors concerning the subject matter discussed in this