Weber v. Google, Inc.

# **EXHIBIT 1**

Dockets.Justia.com



# Install or uninstall: Privacy Notice

## December 9, 2009

The <u>Google Privacy Policy</u> describes how we treat personal information when you use Google's products and services, including information provided when you use the Google Toolbar. In addition, the following describes our privacy practices that are specific to the Google Toolbar. Google will notify you if it materially changes these policies, at which time you will have the opportunity to discontinue using the Google Toolbar.

## Information we collect

You do not need to provide any personally identifying information in order to download and use the Google Toolbar. Except for Toolbar features that are specifically designed to work with a Google Account, all of the features can be used without sharing any personally identifying information. However, it is possible for data that usually contains no personally identifying information, such as search queries or page addresses, to contain such information in certain cases.

The Google Toolbar has some basic features that work automatically any time you use the Toolbar. Other features are optional, and only operate and transmit data if you choose to enable them.

## **Basic Toolbar features**

- Any time you use the Google Toolbar to contact Google, such as by sending a search query to Google, the Toolbar sends standard, limited <u>information</u> d including your machine's <u>IP address</u> d and one or more <u>cookies</u> d. This data is retained in Google's <u>server logs</u> d and protected according to our general Privacy Policy.
- If you navigate to a URL that does not exist, the Toolbar may send the URL to Google so we can help you find the URL you were looking for. If you disable the "Provide suggestions for incorrect or unavailable URLs" option through the Toolbar Options window, this information will not be sent to Google and suggestions will not be shown.
- When you type URLs or queries in the Toolbar search box, the letters you type are sent to Google so the Suggest feature can automatically recommend search terms or URLs you may be looking for. If you disable the "Suggest searches as you type" option through the Toolbar Options window, these letters will not be sent to Google and suggestions will not be shown.
- Google Toolbar includes one or more unique application numbers that are not associated with you or your Google Account. These numbers are sent to Google when you install or uninstall Google Toolbar, when the Google Toolbar periodically contacts our servers (for example, to request automatic updates to the software), and with Toolbar <u>usage statistics</u> (if enabled).

## **Optional Toolbar features**

- Google Toolbar gives you access to other Google services and features that store data with Google in association with your <u>Google Account</u> <sup>1</sup>/<sub>6</sub>. Your use of these other services through Google Toolbar is also governed by those services' Privacy Policies.
- If you enable the <u>Toolbar synchronization feature</u>, an optional feature that stores your Toolbar and browser setting information with Google (including <u>AutoFill</u> information, if you have enabled AutoFill), this information will be stored in association with your Google Account.
- If you enable the optional <u>AutoFill</u> feature, which automatically completes web forms for you, the Toolbar will send Google limited information about the structure of pages that have web forms and information such as the arrangement of the form so that we can improve our <u>AutoFill</u> service for that page. While the information Toolbar sends may include the fact that you typed in the form, the actual text that you type in the fields will not be sent to Google unless you choose to save that data with your Account using the Toolbar Synchronization feature.
- If you have enabled Google's <u>Web History</u> feature to record your web activity and are logged into Toolbar, the Toolbar will send the URLs of pages you visit to be stored with your Google Account. You can disable, pause, or remove items stored in your Web History at any time as described in the <u>Help Center</u> .

- Some older versions of Google Toolbar for Firefox include the SafeBrowsing feature. If this feature is enabled, the Toolbar periodically contacts Google's servers to download the most recent list of known phishing and malware sites. When you visit a site that we think is a phishing or malware site, the Toolbar will send Google a hashed, partial copy of the site's URL so that we can send more information about the risky URL. Google cannot determine the real URL you are visiting solely from this information. In addition, if you have chosen to share usage statistics with Google and you visit a site that we think could be a phishing or malware site, certain other data will be shared with Google, including the full URL that you visited, the "referer" header sent to that page, and the URL that matched the Google Safe Browsing malware list.
- Some features may also send data to Google at the time of use. For example, <u>Translate</u> and <u>Spell</u> <u>check</u> work by sending the text you choose to be translated or spell-checked to Google, and <u>AutoLink</u> works by sending Google page text (such as addresses or ISBN numbers) for which AutoLink information is available. If you have enhanced features enabled (as described below), using the Translate feature will also send the URL of the page to be translated back to Google.
- The My Location feature allows Toolbar to determine your approximate location based on your local network information, including details about nearby WiFi access points and/or the nearest router connected to your computer, and share that location with websites you choose. Websites that want to access your location must ask your permission, which you can grant or deny.
  - If you enable the <u>My Location</u> feature by granting a website permission to access location, Toolbar will periodically query Google for your current location. In order to determine your location, Toolbar will send Google the hardware IDs (i.e., MAC addresses) and SSIDs of WiFi access points visible to your machine, the hardware ID (i.e., MAC address) of the nearest connected router, and the signal strengths of nearby access points. If you disable the My Location feature, this information will cease to be sent.
  - The URLs or other information about websites with which you share your location are not sent to Google by the My Location feature. (Note: if you have also enabled enhanced features, as described below, the URLs may be independently sent by those features). You can always manage the list of websites that have access to your location through Toolbar's Options menu. Third party websites with whom you choose to share your location information are not covered by Google's Privacy Policies.
- <u>Send to</u> and other features that let you transmit data from the Toolbar may log that data transmission, as explained in the <u>Help Center</u>.
- <u>Third party custom buttons</u> and gadgets you install may send information to third party developers. These third parties are not covered by Google's Privacy Policies.

#### **Enhanced Toolbar features**

- Toolbar's enhanced features, such as <u>PageRank</u> and <u>Sidewiki</u>, operate by sending Google the addresses and other information about sites at the time you visit them.
- When you use Sidewiki to write, edit, or rate an entry, the URL of the relevant page, the type of action you performed and the text related to that action are sent to Google and stored with your Google Account. Your Sidewiki entries are publicly viewable and associated with your <u>Google profile</u>

#### Uses

• We process your requests in order to operate and improve the Google Toolbar and other Google services. For example, by knowing which web page you are viewing, the PageRank feature of Google Toolbar can show you Google's ranking of that web page. And the Sidewiki feature can tell you if others have written Sidewiki entries on a given page. Likewise, by processing the text on a web page, SpellCheck can offer spelling suggestions and AutoLink can provide useful links to information.

#### Information security

- If you provide credit card information to use Toolbar's AutoFill feature, that information will be saved on your computer in encrypted form. It is not transmitted to Google.
- Any information sent to Google will be maintained in accordance with the <u>Google Privacy Policy</u> **b**. Google's Privacy Policy does not cover information that you send to third party sites.

## Your choices

- Any Toolbar feature that works by automatically sending Google addresses or other information about sites when you visit them, or that associates data with your Google Account, can be disabled or re-enabled as explained in the <u>Help Center</u> or simply not used.
- You may edit or delete a Sidewiki entry you have written at any time. If you delete a Sidewiki entry, it will be removed from public view but backup copies may remain on Google's servers for a limited time.
- If you do not wish for the Toolbar to send usage and configuration statistics as part of its periodic requests, you can disable usage statistics following <u>these instructions</u>.
- Toolbar allows you to install third-party custom buttons and gadgets. You should review a thirdparty's privacy policy before installing a custom button or gadget.

# More information

Google adheres to the US Safe Harbor privacy principles. For more information about the Safe Harbor framework or our registration, see the <u>Department of Commerce's web site</u> **Department**.

Further information about the Google Toolbar is available in the <u>Help Center</u>.

For more information about our privacy practices, go to the full privacy policy de.

For questions concerning the product or your account, please check out the Google Help page de.

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