

## **Confidentiality Policy**

This document is intended to clarify the position of the Network Advertising Initiative (NAI) with respect to any proprietary information submitted by its members in connection with their compliance review and those companies who have applied for NAI membership. In general, the compliance review and application process do not require members or applicants to submit proprietary information. For example, while NAI may ask members to provide representative provisions from current contracts with advertising partners, there generally is no requirement that partners be named or that entire contracts be provided.

Given the public nature of company attestations of NAI compliance, it is the NAI's expectation that members will not invoke claims of confidentiality in a manner that would impede the compliance process established in the NAI Code or as an applicant during the application review process. At the same time, the NAI recognizes that both application and compliance materials may contain certain documents for which confidential treatment may be appropriate. The NAI accordingly provides for a business proprietary designation when it deems it reasonably necessary to the furtherance of the application or compliance process.

In accordance with this policy, applicants and members may identify any particular document or documents (if any) that they consider to include business proprietary information in their submissions. To the extent applicants or members choose to submit proprietary information in the course of the review process, the NAI will use information that is appropriately designated as business proprietary only for the purpose of evaluating members' compliance under the NAI Code and/or in the course of the application process. NAI will not disclose such information outside of the NAI (which includes agents or contractors used as part of the compliance process).

Proprietary information may, however, be shared with the NAI Board of Directors (or a designated Subcommittee of the Board) as reasonably necessary for the Board or its Subcommittee to address an unresolved compliance issue under the NAI Code, whether through the sanctions process or the separate process for naming a company in the NAI's annual report. Prior to such information being shared with the Board or any of its Subcommittees, the member will be notified of NAI Staff's intention to share the information. Only the information that is reasonably necessary to resolve the issue will be shared with the Board or any of its Subcommittees.

In the event the NAI is required to disclose proprietary information to comply with a subpoena, civil investigative demand, or other legal process, the NAI will provide prior written notice of such disclosure to the member.