



## PRIVACY POLICY

This notice provides FIVEBYFIVE Software, Inc. ("Company") privacy policy regarding the nature, purpose, use, and sharing of any Personal Information (PI) collected via this website. Company privacy policy explains our information practices when you provide PI to us, whether collected online or offline, or when you visit us online to browse, obtain information, or conduct a transaction. PI may include: your name, email, mailing and/or home address, phone numbers, or other information that identifies you personally. We do not require you to register or provide personal information to visit our website.

### 1. Information We Collect

#### A. Personal Information You Provide to Us Directly

The Company may collect PI about you when you visit our website if you choose to provide such information to us. Submitting PI through our website is voluntary. By doing so, you are giving the Company your permission to use the information for the stated purpose. However, not providing certain information may result in the Company's inability to provide you with the service you desire.

If you choose to provide us with PI on Company's website, through such methods as completing a web form, creating an account, sending us an email. The information we may receive from you varies based on what you do when visiting the Company's site.

Our website allows you to send us an email. We will use the information you provide to respond to your inquiry.

We will only send you general information via email. You should be reminded that email may not necessarily be secure against interception. Therefore, we suggest that you do not send sensitive personal data (such as your Social Security number) to us via email. If your intended email communication is very sensitive, or includes information such as your bank account, credit card, or Social Security number, you should instead send it by U.S. mail. Another alternative may be submission of data through a secure web page, if available.

#### B. Automatically Collected Information

We may collect PI automatically when you use our services ("services"), such as:

- Device identifiers (IP address, browser type, operating system, user settings, cookie identifiers, mobile carrier, mobile advertising).
- Usage data (pages visited, features used, clickstream data).
- Location data (if enabled on your device).
- Cookies, Pixel Tags/Web Beacons
- Analytics

#### C. Personal Information Collected from Other Sources

*Third-Party Services and Sources.* We may obtain PI about you from other sources, including through third-party services and organizations, for example, personal information our clients provide to us. For example, if you access our services through a third-party application, such as an app store, a third-party login service, or a social networking site, we may collect personal information about you from that third-party application that you have made available via your privacy settings.

## **2. How We Use Your Personal Information**

### **A. Provide Our Services**

We use your information to fulfill our contract with you and provide you with our services, such as:

Managing your information and accounts; providing access to certain areas, functionalities, and features of our services; answering requests for customer or technical support; communicating with you about your account, activities on our services, and policy changes; processing financial information and other payment methods for products or services purchased; processing applications if you apply for a job we post on our website.

### **B. Administrative Purposes**

We use your information for various administrative purposes, such as:

Pursuing our legitimate business interests such as direct marketing, marketing research and development for our products and services, Receiving services from our vendors and service providers;

Developing new products and services; Security; Authenticating and verifying individual identities, including requests to exercise your rights under this Privacy Policy; Compliance activities; Sharing personal information with third parties as needed to provide Company services; and to comply with our legal obligations.

### **C. Marketing and Advertising our Products and Services**

We may use personal information to tailor and provide you with content and advertisements. We may provide you with these materials as permitted by applicable law. Some of the ways we market to you include email, custom audiences advertising, and “interest-based”, or “personalized target advertising,” including through cross-device tracking. If you would like to opt out of the use of your PI for marketing purposes, you may contact us at any time as set forth below.

### **D. Anonymized or Aggregated Information**

We reserve the right to sell, license, or otherwise share anonymized or aggregated information that does not identify you personally. This data may be used for business analytics, market research, product development, and commercial purposes.

## **3. How We Disclose Your Personal Information**



We disclose your personal information to third parties for a variety of business purposes, including to provide our services, to protect us or others, or in the event of a major business transaction such as a merger, sale, or asset transfer, as described below.

A. Disclosures to Provide Our Services

The categories of third parties with whom we may share your personal information are described below.

- **Service Providers.** We may share your personal information with our third-party service providers and vendors that assist us with the provision of our services. This includes service providers and vendors that provide us with IT support, hosting, and similar services.
- **Business Partners.** We may share your personal information with business partners to provide you with a product or service you have requested. We may also share your personal information with business partners with whom we jointly offer products or services.
- **Affiliates.** We may share your personal information with our company affiliates for example: for our administrative purposes, or for them to provide services to you or support and supplement the services we provide.
- **Advertising Partners.** Through our services, we may share your personal information with third-party advertising partners. These third-party advertising partners may set technologies and other tracking tools on our services to collect information regarding your activities and your device (e.g. your IP address, cookie identifiers, page(s) visited, location, time of day). These advertising partners may use this information (and similar information collected from other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising,” “cross-context behavioral advertising,” or “personalized advertising.”
- **APIs/SDKs.** We may use third-party application program interfaces (“APIs”) and software development kits (“SDKs”) as part of the functionality of our services. For more information about our use of APIs and SDKs, please contact us as set forth below.
- **Third-Party Systems and Platforms.** User-provided information may be integrated with or transmitted to external platforms or systems for the purpose of account linking, authentication, content delivery, or other functionality enabled by the services.

We may also share your information with third parties as appropriate and permitted by law. The privacy choices you may have about your personal information are determined by applicable law.

B. Disclosures to Protect Us or Others



We may access, preserve, and disclose any information we store associated with you to external parties if we, in good faith, believe doing so is required or appropriate to: comply with law enforcement or national security requests and legal process, such as a court order or subpoena; protect your, our, or others' rights, property, or safety; enforce our policies or contracts; collect amounts owed to us; or assist with an investigation or prosecution of suspected or actual illegal activity.

C. Disclosure in the Event of Merger, Sale, or Other Asset Transfers

If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, purchase or sale of assets, or transition of service to another provider, your information may be sold or transferred as part of such a transaction, as permitted by law and/or contract.

#### 4. Your Privacy Choices and Rights

A. Your Privacy Choices.

The privacy choices you may have about your personal information are determined by applicable law and are described below.

- **Email Communications.** If you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails.
- **Text Messages.** If you receive an unwanted text message from us, you may opt out of receiving future text messages from us by following the instructions in the text message you have received from us or by otherwise contacting us as set forth below.
- **Mobile Devices.** We may send you push notifications through our mobile application. You may opt out from receiving these push notifications by changing the settings on your mobile device.
- **Phone Calls.** If you receive an unwanted phone call from us, you may opt out of receiving future phone calls from us by following the instructions which may be available on the call or by otherwise contacting us as set forth below.
- **Cookies and Personalized Advertising.** You can control our use of certain cookies and other technologies in the following ways:

*Website Cookie Controls.* When you first visit our website, you will be presented with a banner that informs you about the categories of cookies and other tracking technologies used on that site and your options for controlling those technologies based on the jurisdiction applicable to your use of the website. Your request to opt-out or reject the use of these technologies will be linked to your browser identifier only. If you use a different computer, mobile device, or Internet browser to access our sites, you will need to renew your cookie management choices.

*Browser and Device Controls.* You may also stop or restrict the placement of cookies on your device. These tools are generally available in the help section of browsers.



## B. Your Privacy Rights.

- **Global Privacy Control.** You may exercise your opt-out right by broadcasting an opt-out preference signal, called the Global Privacy Control (GPC), on browsers and/or browser extensions that support such a signal. Please note that your request to opt-out of sale/sharing will be linked to your browser identifier only. If you use a different computer or Internet browser to access our sites, you will need to renew your opt-out request.
- **Ad Industry Opt-Outs.** In addition, the online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. Please note you must separately opt out in each browser and on each device.
- **Withdraw your Consent** to our processing of your personal information by contacting us as set forth below. Please note that your withdrawal will only take effect for future processing and will not affect the lawfulness of processing before the withdrawal.

If you would like to exercise any of these rights, please contact us as set forth below.

## 5. Security Of Your Information

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, no system is 100% secure, and we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized access, use, disclosure, or loss of personal information. By using our services or providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of our services. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on our services, by mail, or by sending an email to you.

## 6. Children's Information

The services are not directed to children under 13 (or other age as required by local law), and we do not knowingly collect personal information from children. Protecting children's privacy online is very important to us. If you are a parent or guardian and believe your child has uploaded personal information to us without your consent, and wish to have that information modified or deleted, you may contact us as described below. If we become aware that a child has provided us with personal information in violation of applicable law, we will delete any personal information we have collected, unless we have a legal obligation to keep it.

## 7. Disclaimer - Visiting Other Websites

Our website may contain links to third party websites. These websites are not within our control and may not follow the same privacy, security, or accessibility policies. Once you link to another site, you are subject to the policies of that site.



## Contact Information

If you have any questions regarding our privacy policy, the use of your information or request any information which you provided to us be deleted, please contact us at [support@fx5.com](mailto:support@fx5.com) or mail us at: FIVE x 5, c/o WeWork 1550 Wewatta St, Ste 200, Denver, CO 80202.

