

PRIVACY POLICY

Introduction & Scope

The purpose of this Privacy Policy (the “**Policy**”) is to inform you of how EyeRate Inc. (referred to in this Policy as the “**Company**”, “**we**”, “**us**”, “**our**” and similar terms) may collect, use, disclose, store and otherwise process Personal Information.

Please read this Policy carefully before you provide us with your Personal Information or agree that another party may provide us with your Personal Information. By providing us with your Personal Information and/or using the Website, you agree to the collection, use, disclosure, storage and other processing of your Personal Information in accordance with this Policy and as otherwise permitted or required by applicable law.

Key Highlights

We understand that your time is valuable. Therefore, we have set out below some important highlights of the Policy. You can obtain more information about how we collect, use, disclose, store and otherwise process your Personal Information by reviewing our full Policy and clicking on the links provided below.

1) What Personal Information Do We Collect?

- The type(s) of Personal Information that we collect from or about you, and the manner in which we collect or access such Personal Information, depend on the nature of your relationship with us.
- We may collect identification, contact, employment, payment, transaction/purchase, and opinion/preference information, as well as any other Personal Information that individuals provide or make accessible to us.
- We may also collect voice characteristics, such as tone, through call recording.
- Our websites may collect certain information about visitors using cookies, including where a visitor is when they connect to our websites, the type of device they use to connect to our websites, time of access, duration of visit, and how many times they visit our websites over a given time period.

2) How Do We Use Personal Information?

- The purpose(s) for which we use your Personal Information also depend on the nature of your relationship with us.
- Generally, we may use Personal Information to provide you with the service, product or demo that you have requested; to communicate with you; to respond to your inquiry; to provide account administration and support; to solicit and gather feedback on behalf of our customers; to maintain, administer and analyze use of our websites; for analytics and

marketing purposes; for quality assurance purposes; to process payment for our products and services; and for such other purposes as are permitted or required by applicable law.

3) When Do We Share or Disclose Personal Information?

- We may share Personal Information with our employees who have a need to know such information in order to perform their duties and responsibilities.
- We may share Personal Information collected from or about our customers' consumers, clients and/or employees with our customers.
- We may share Personal Information with our service providers, who provide us with payment processing/distribution, communications, project management, customer relationship management, data analytics, data storage, general application infrastructure and other professional services.
- We also may share or disclose Personal Information for legal reasons, including for fraud prevention, in the event of a sale of all or part of our business, to comply with legal and regulatory requirements, and as otherwise permitted or required by applicable law.

4) How Do We Protect Personal Information?

- We have implemented safeguards in an effort to protect Personal Information under our control from loss, theft or unauthorized access, use, modification or disclosure.
- Although we take steps to safeguard the Personal Information under our control, “perfect security” does not exist online or elsewhere. In particular, we cannot guarantee the security of information posted or transmitted using the Website, by email or by other electronic means. It is possible that third parties may unlawfully intercept or access such information.
- Your Personal Information may be transferred to or stored in another country and accessible to foreign courts, law enforcement and national security authorities in those other jurisdictions.

5) What Choices Do You Have?

- You can [Contact Us](#) to request access to or correction of your Personal Information that is in our possession, or to withdraw your consent to our continued processing of your Personal Information, subject to certain limitations.
- You can [Contact Us](#) with questions, concerns or complaints about this Policy or our processing of your Personal Information.

Definitions

In this Policy, the following terms have these meanings:

- “**Account Holder**” means an individual who registers for an account on the Website;

- **“Contact”** means an individual who contacts us by telephone or by email;
- **“Consumer”** means a customer or client of the Company’s customer;
- **“Demo Requester”** means an individual who signs up to receive a live demo of our products;
- **“Employee”** means an employee or contractor of the Company’s customer;
- **“Event Attendee”** means an individual who attends one of our virtual or in-person events or who interacts with us at a trade show or conference;
- **“Personal Information”** means information about an identifiable individual, excluding information that is publicly available or business contact information, each as defined by applicable law;
- **“Registrant”** means an individual who signs up to receive our newsletter, blog, ebook or any of our other marketing communications;
- **“Website”** means each of our websites located at <https://eyeratebusiness.com/>, <https://eyeraterreviews.com/> and <https://eyeratepeople.com/>, and all pages each thereof; and
- **“Website Visitor”** means an individual who accesses or uses the Website and/or who scans related QR codes.

What Personal Information Do We Collect and How?

The type(s) of Personal Information that we collect from or about you, and the manner in which we collect or access such Personal Information, depend on the nature of your relationship with us.

Account Holders

We may collect the following information from or about Account Holders:

- Full name;
- Phone number;
- Email address;
- Business address;
- Payment information, including preferred payment method(s);
- Employee information (see below);
- Consumer information (see below); and
- Date, time, purchase amount and other details of Consumer transactions..

We collect this information directly from you when you register for an account, via API integrations with our customers’ point of sale and scheduling systems, and at training sessions that we host.

Contacts

We may collect the following information from or about Contacts:

- Full name;
- Phone number;
- Email address;
- Voice characteristics, such as tone; and
- Any Personal Information you share with us in your communication or that is captured incidentally through call recording.

We collect this information directly from you, including in the text of your email to us or through the use of telephone call recording. If you object to the recording of our telephone calls, you may contact us using an alternative method, such as by email.

Consumers

We may collect or have access to the following information from or about Consumers:

- Full name;
- Phone number;
- Email address;
- Date, time, amount and details of your transaction at one of our customer's locations, including the products or services you purchased from our customer, and the Employee who assisted or provided service to you;
- Your ratings, views, opinions, assessments and preferences; and
- Any other Personal Information that you include in your rating, review or communications with us (including, without limitation, any pictures that accompany your rating, review or communication).

This information may be transferred to us by our customers or may be made accessible to us by point of sale providers who have been engaged by our customers.

We may also collect this information directly from you when you submit a rating or review, or otherwise communicate with us.

Demo Requesters

We collect Demo Requesters' full name, email address, company name, role/title, phone number and the point of sale or scheduling system used by you or your company.

We collect this information directly from you when you request a live demo of our products, including through the Book A Live Demo feature on the Website, online advertisements, email, our blogs, ebooks, by scanning a QR code, or by otherwise communicating with us.

Employees

We may collect the following information from or about Employees:

- Full name;
- Nickname or alias;
- Email address;
- Phone number;
- The name of your employer and the location where you work;
- Consumers' ratings, views, opinions and assessments of and about you;
- Your feedback and opinions about your employer (our customer); and
- Any Personal Information that you input into our team productivity tool, including your responses to job satisfaction surveys and any Personal Information that you input into our chat feature (Team Talk).

We may collect this information from your employer (our customer), directly from you, when you attend a training session that we host, or from Consumers who provide us with ratings, reviews or other feedback that mention you.

Event Attendees

We may collect the following information from or about Event Attendees:

- Full name;
- Company name;
- Role/title;
- Email address;
- Phone number; and
- Point of sale or scheduling system used by you or your company.

We collect this information directly from you.

Registrants

We may collect the following information from or about Registrants:

- Full name;
- Company name;
- Role/title;
- Email address;
- Phone number; and
- Point of sale or scheduling system used by you or your company.

We collect this information directly from Registrants when they register to receive our communications or scan our QR codes.

Website Visitors

We may collect the following information from or about Website Visitors:

- Your location when you connect to the Website;
- The type of device you use to connect to the Website;
- Time of access to the Website;
- Duration of access to the Website; and
- How many times a Website Visitor visits the Website over a given time period.

For more information about the use of cookies on our Website, please see the [Cookies](#) section below.

We may also collect Personal Information from Website Visitors when they scan a QR code and either access the Website or fill out an online form. Our online forms may collect contact information, such as full name, company name, role/title, email address and phone number.

If you use the chat feature on the Website, we may also collect any Personal Information that you input into the chat box. Our service provider, Hubspot, collects this information directly from chat box users.

How Do We Use Personal Information?

The purpose(s) for which we use your information also depend on the nature of your relationship with us.

Account Holders

We may use Account Holders' information for one or more of the following purposes:

- To facilitate your registration for and administer your account;
- To provide a password reset function;
- To communicate with our customers' Consumers and Employees, including to send surveys to Consumers and to keep Employees updated regarding their ratings, rankings and feedback;
- If you are one of our customers, to issue an invoice and process your payment for our products and services;
- To provide account support;
- To prepare and provide aggregated reports and insight based on feedback received from Consumers and Employees; and
- Where you consent, to send you marketing materials.

Contacts

We may use Contacts' information for one or more of the following purposes:

- To consider, investigate and respond to your question, comment or request;
- For quality assurance purposes, including to assess and improve our customer service, products and services;
- To schedule a live demo of our products; and
- Where you consent, to send you marketing materials.

Consumers

We may use Consumers' information for one or more of the following purposes:

- To contact you with a request that you rate or provide feedback about a product, service and/or Employee of one of our customers;
- To provide you with a link to a review site where you may choose to post a review about a product, service and/or Employee of one of our customers;
- To conduct analytics and compile and generate reports and recommendations for our customers about the performance of their businesses, products, services, locations and/or Employees;
- To alert our customers when their business, product, service, location and/or Employee receives a negative rating or review;
- To facilitate our customers posting ratings and reviews about their products, services and/or Employees on their websites and/or social media platforms; and
- To send you marketing communications on behalf of our customers, such as special offers and information about service and product availability.

Demo Requesters

We may use Demo Requesters' information to schedule a live demo of our products, to communicate with Demo Requesters' with respect to their request and to send marketing materials.

Employees

We may use Employees' information for one or more of the following purposes:

- To collect ratings, reviews and other feedback from a Consumer about an Employee;
- To collect ratings, reviews and other feedback from an Employee about a product or their job satisfaction;

- To assemble and maintain a leaderboard for our customers to track feedback received about their Employees;
- To conduct analytics and compile and generate reports and recommendations for our customers about the performance of their businesses, products, services, locations and/or Employees;
- To alert our customers when their business, product, service, location and/or Employee receives a negative rating or review;
- To facilitate our customers posting ratings and reviews about their products, services and/or Employees on their websites and/or social media platforms;
- To encourage or facilitate Employees posting public feedback about their employer (our customer) on recruiting sites and networks (such as Glassdoor and Indeed);
- To host training sessions for our customers and their Employees;
- To facilitate Employees posting ratings and reviews about products, services and/or job satisfaction on their or their employers' websites and/or social media platforms; and
- To facilitate payments to our customers or their Employees for earnings accumulated by either our customers or their Employees.

Event Attendees

We may use Event Attendees' information to schedule a live demo of our products, to communicate with Event Attendees with respect to their request, and, where you consent, to send marketing materials.

Registrants

We may use Registrants' information to send you our newsletter, blog, ebook and/or any other marketing communications which you have agreed to receive.

Website Visitors

We may use Website Visitors' information for one or more of the following purposes:

- To maintain and administer the Website;
- To conduct Website analytics;
- To communicate with Website Visitors who fill out our online forms; and
- To engage in marketing efforts towards Website Visitors.

If you use the chat feature on the Website, we may also use your information to consider, investigate and respond to your inquiry, to maintain your chat history for your future visits to the

Website, to schedule a live demo of our product/service, to conduct data analytics, and for marketing outreach.

Other Legal Uses

In addition to those purposes listed above, we may use any Personal Information that we have access to, collect, store or otherwise process to comply with applicable law or a lawful request/order, to prevent or detect fraud, to investigate a contravention of law or contract, in the case of an emergency that threatens the life, health or security of an individual, or as otherwise permitted or required by applicable law.

Cookies

The Website may automatically collect certain information about Website Visitors whenever they interact with the Website.

The Website uses “cookies” to enhance Website Visitors’ experience, provided that the Website Visitor consents to receiving such cookies. A “cookie” is a text file that is sent to your computer or device and from your computer or device each time you use the Website. We use cookies to remember Account Holders’ log-in credentials, so that you do not have to enter those credentials the next time you visit the Website. If you do not wish to receive cookies, you do not have to consent to receiving them, however this may affect the functioning of this feature on the Website.

The Website also uses Google Analytics to collect information about Website Visitors and how they interact with the Website, including your location when you connect to the Website, the type of device you use to connect to the Website, time of access to the Website, duration of access to the Website, how many times you visit the Website over a given period of time, and other similar information. We use this information on an aggregated basis for the purposes of assessing performance of the Website and Website Visitors’ use of the Website, for example to identify areas of the Website that are used more or less by Website Visitors, to tabulate daily/monthly Website Visitor count, to assess the geographic dispersion of Website Visitors, to calculate the average time Website Visitors spend on the Website per visit, and to assess device distribution of Website Visitors. To opt-out of Google Analytics, you may do so within your browser settings or contact our Chief Operating Officer by email at contact@eyeratebusiness.com for more assistance.

When Do We Share or Disclose Personal Information?

To the extent permitted by applicable law, the Personal Information that we collect, store, have access to or otherwise process may be shared by us with the following parties:

Our Personnel

Your Personal Information may be accessed by or disclosed to directors, officers, employees, board members, consultants and agents of the Company who have a need to know such information in order to perform their duties, responsibilities or services. Such personnel may include our Executive or management team members, Business Development Representatives, Account Executives, members of our Marketing Team, Customer Success Associates, Account Managers, Support Specialists, Software Developers/Engineers, Board Members and consultants, depending

upon the information they each require in order to perform their job duties, responsibilities or services.

Our Customers

If we collect Personal Information from or about a Consumer, we may share that information with the customer whose business the Consumer has frequented, rated or reviewed. For example, when you submit a rating or review, we may forward that rating or review (and any Personal Information contained therein) to our customer whose service, product or Employee you have rated or reviewed.

If we collect or have access to Personal Information from or about an Employee, we may share that Personal Information with our customer who employs that Employee. For example, if a Consumer references an Employee in their rating or review, we may advise the Employee's employer (our customer) and provide our customer with the contents of the rating or review. We may also share with our customers any Personal Information that their Employees input into our team productivity tool (including their Employees' responses to job satisfaction surveys or input into our chat feature), and any ratings or reviews Employees post about our customers on recruiting sites and networks.

Our customers' and their service providers' collection, use, disclosure, storage and other processing of Personal Information (including of Consumers and Employees) is governed by the terms of their own privacy policies. Customers may choose to share the contents of ratings or reviews internally, including (without limitation) with an Employee referenced in the rating or review. Customers may choose to embed or publish the content of Consumers' ratings or reviews to customers' own websites and/or social media platforms. Customers may also contact Consumers or Employees for more information about their experience and/or to address any feedback included in their rating, review or team productivity tool. The Company does not endorse and is not responsible for any such actions or decisions taken by its customers, and is not responsible for its customers' (or their service providers' or personnel's) processing of Personal Information.

Service Providers

There are certain services supplied to us by third parties. Currently, the service providers engaged by the Company who may have access to or handle the Personal Information that we process are:

- Stripe Inc., located at 354 Oyster Point Blvd, South San Francisco, CA 94080 United States, who may handle or have access to Account Holders', Consumers' and Employees' Personal Information for the purposes of processing payments to and from Account Holders;
- Plaid Inc., located at 1098 Harrison St, San Francisco, CA 94103-4521 United States, who may handle or have access to Account Holders', Consumers' and Employees' Personal Information for the purposes of processing payments to and from Employees, Consumers and Account Holders;
- Twilio Inc., located in 375 Beale St #300, San Francisco, CA 94105, who may handle or have access to Account Holders', Consumers', Contacts', Event Attendees', Registrants'

and Employees' Personal Information for the purpose of communicating with such individuals via text message;

- Checkbook Inc., located at 1500 Fashion Island Blvd Suite 103, San Mateo, CA 94404 United States, who may handle or have access to Account Holders', Consumers' and Employees' Personal Information for the purposes of distributing payments to Employees and Consumers;
- Apto Payments Inc., located at 717 Market St Ste 100, San Francisco, CA 94103-2105 United States, who may handle or have access to Account Holders', Consumers' and Employees' Personal Information for the purposes of distributing payments to Employees and Consumers;
- ClickUp, located at 350 Tenth Ave Suite 500, San Diego, CA 92101 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requester's, Contacts', Event Attendees', Registrants' and Website Visitors' Personal Information for the purposes of providing internal communications, project management and general application infrastructure services;
- Intercom Inc., located at 55 2nd Street, 4th Fl., San Francisco, CA 94105, who may handle or have access to Account Holders', Consumers', Contacts', Event Attendees', Registrants' and Employees' Personal Information for the purpose of hosting a communications platform, including a chat feature, where we can communicate with and provide support to Employees, Consumers, Contacts, Event Attendees, Registrants and Account Holders;
- GitHub Inc., located at 88 Colin P Kelly Junior Street, San Francisco, CA 94107 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requesters', Contacts', Event Attendees', Registrants' and Website Visitors' Personal Information for the purposes of providing us with general application infrastructure;
- MongoDB Inc., located in 1633 Broadway 38th Floor, New York, NY 10019 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requesters', Contacts', Event Attendees', Registrants' and Website Visitors' Personal Information for the purposes of providing us with data storage and general application infrastructure;
- Google LLC, located in 1600 Amphitheatre Parkway, Mountain View, CA 94043 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requesters', Contacts', Event Attendees', Registrants' and Website Visitors' Personal Information for the purposes of providing us with data storage, customer relationship management, and general application infrastructure;
- Hubspot Inc., located at 1 Harbour Pl Suite 175, Portsmouth, NH 03801 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requesters', Contacts', Event Attendees', Registrants' and Website Visitors' Personal

Information for the purposes of providing us with data storage and customer relationship management; and

- Amazon Web Services Inc., located at 410 Terry Avenue North, Seattle, WA 98109 United States, who may handle or have access to Account Holders', Consumers', Employees', Demo Requesters', Contacts', Event Attendees', Registrants' and Website Visitors' Personal Information for the purposes of providing us with data storage and general application infrastructure.

Our service providers are given the information they need to perform their designated functions and are not generally authorized to use or disclose Personal Information for other purposes.

Please note that we may change or add third party service providers at any time, in our sole discretion, either in Canada, the United States or elsewhere. We encourage you to review the Policy from time-to-time to obtain updated information about our service providers.

Sale of Business

We may transfer or disclose your Personal Information to third parties in connection with financing that we seek or in connection with a prospective or completed business transaction, including a merger, sale or transfer involving all or part of the Company, or as part of a corporate reorganization or other change in legal form or corporate control of the Company.

Legal & Compliance

There are circumstances where we may disclose or otherwise process Personal Information without notice or consent, when required by law or lawful authority. For example, from time to time, we may be compelled by legal action to release information in connection with statutory reporting obligations, search warrants, court orders, litigation or bankruptcy or insolvency proceedings.

In certain circumstances, we may also be permitted by law to disclose or otherwise process Personal Information without the consent of the individual concerned. For example, we may disclose Personal Information without consent to investigate a potential breach of law or contract, to collect on a debt, or in certain emergency situations that threaten the life, health or security of an individual.

Third Party Review Sites

We may provide Consumers and Employees with links to third party review sites where they may choose to post a review about a product, service and/or Employee of one of our customers or about their experience working for one of our customers. Posting a review on a review site is voluntary, and a Consumer or Employee may choose not to do so.

The Company does not own or operate any linked review sites. We provide links to these third party sites or platforms as a convenience to Consumers and Employees. These links are not intended as an endorsement of or referral to the linked sites. The linked sites have separate and independent privacy statements, notices and terms of use, which we recommend you read carefully

before posting a review. We do not have any control over such sites, and therefore we have no responsibility or liability for the manner in which the organizations that operate such linked sites may collect, use, disclose, store, protect or otherwise process your Personal Information. This Policy does not address the privacy and data security practices of any third parties, including our customers and any third party website, social media, app or other website or platform operators.

International Transfers of Personal Information

We may transfer or store your Personal Information outside of the region where you are located, including to or in Canada and the United States.

Personal Information transferred or stored outside of the region where it is collected will be subject to the laws of the jurisdiction(s) where it is transferred or stored, and may be accessible to foreign courts, law enforcement and national security authorities in the jurisdiction(s) where it is transferred or stored. In some of these jurisdictions, the purchase or use of our customers' products (for example, cannabis) may be illegal, and such jurisdictions may deny entry to individuals who have lawfully purchased such products elsewhere.

You may [Contact Us](#) to obtain written information about our policies and practices with respect to service providers outside of Canada or the United States, or to ask questions about the collection, use, disclosure or storage of Personal Information by such service providers outside of Canada or the United States.

How Do We Protect Personal Information?

The Company has implemented reasonable administrative, technical and physical measures in an effort to safeguard the Personal Information in our control against theft, loss and unauthorized access, use, modification and disclosure. We regularly review our practices to ensure that they are appropriate to the sensitivity of the Personal Information we process.

Examples of the measures we currently use to protect Personal Information include:

- Limiting physical access to areas in which Personal Information is stored;
- Requiring two factor authentication for all major systems;
- Maintaining a “clear desk policy” and requiring that documents containing Personal Information be stored in locked cabinets or drawers when not in use;
- Maintaining encryption standards for the electronic transmission of Personal Information;
- Requiring that personnel who handle Personal Information complete training regarding cybersecurity and the handling of Personal Information; and
- Requiring that personnel who handle Personal Information sign non-disclosure agreements.

Despite our implementation of these measures, posting or transmission of information via the internet, including using the Website, by email or by other electronic means, is not completely secure. Although we take steps to protect your Personal Information, we cannot guarantee that Personal Information that is transmitted to us, particularly by electronic means, will be totally secure. It is possible that third parties may unlawfully intercept or access such information.

Storage & Retention of Personal Information

We (or our service providers) will store your Personal Information in Canada and the United States, as well as in the cloud.

We generally retain Personal Information for only as long as it is needed to accomplish the purpose(s) for which it was collected, or as needed for other authorized, legitimate or legal purposes. When Personal Information is no longer needed for these purposes, we will take steps to have it deleted, destroyed, erased, aggregated or made anonymous, in accordance with applicable law.

Your Choices and Rights

Consumers, Employees and Account Holders can opt out of receiving text messages from the Company at any time by replying **Stop** to one of our text messages.

You can also generally withdraw your consent to our continued use of your Personal Information, subject to certain permitted or required exceptions under applicable law. Please note that the Company may need to retain your Personal Information for certain permitted purposes, even after you withdraw your consent to our use of such Personal Information for the purposes for which it was collected.

Subject to certain permitted or required exceptions under applicable law, you also have the right to request access to and/or correction of your Personal Information.

When you make such a request, you may be required to provide us with proof of identity to help us avoid disclosing your Personal Information to someone other than yourself.

For more information about exercising these rights, please see [Contact Us](#).

Contact Us

Please contact our Chief Operating Officer if:

- You have any questions or comments about this Policy;
- You wish to request access to and/or rectification of your Personal Information;
- You wish to withdraw your consent to our continued use of your Personal Information; and/or

- You otherwise have a question, concern or complaint about this Policy or any other matter related to our collection, use, disclosure, protection or other processing of your Personal Information.

You may contact our Chief Operating Officer by email at contact@eyeratebusiness.com, by telephone at (916) 367-8241 or by mail at the following address:

Attn: Chief Operating Officer, PO Box 581296, Elk Grove, CA 95758 United States.

We may forward your communication to third parties, including our customers and service providers, for the purposes of assessing, processing, responding to and/or taking action with respect to your question, comment, request, withdrawal or complaint.

Changes To This Policy

This Policy was last updated in March 2022.

We may revise and update this Policy from time to time. When we do, we will let you know by appropriate means, such as by posting the revised policy on this page with a new “last updated” date above. Any changes to this Policy will become effective when posted, unless indicated otherwise, and your subsequent provision of your Personal Information to us and/or use of our Website constitutes your agreement to the collection, use, disclosure and other handling of your Personal Information in accordance with the updated policy.