

S&D Software, Inc. Website Privacy Policy

General Disclaimer. S&D Software, Inc. (“**S&D Software**”) is committed to protecting your privacy and developing or utilizing technology that gives you a safe online experience. This Privacy Policy (“**Privacy Policy**”) applies to the S&D Software website(s), including but limited to S&D Software’s website located at: <https://www.sndsoftware.com>, and includes, without limitation, related websites, mobile applications, S&D Software profiles on social media sites¹ and all other digital services and properties operated or used by S&D Software (collectively referred to as the “**Sites**”). By using the Sites, you agree to comply with and be bound by this Privacy Policy and S&D Software’s website Terms and Conditions (“**Terms and Conditions**”). Please read this Privacy Policy and the Terms and Conditions carefully. If you do not agree to both this Privacy Policy and the Terms and Conditions, you must immediately terminate your use of the Sites.

1. S&D Software Privacy Policy Overview. This Privacy Policy explains how S&D Software may collect, use, share, and safeguard information learned or derived from, located on, or related to, the Sites from time to time. This Privacy Policy is meant to provide guidance to our clients and prospective clients in an easy to understand format. If you have questions or concerns, please contact S&D Software’s Privacy Officer/data protection officer (“**DPO**”) at: admin@sndsoftware.com.

2. Amendments. S&D Software reserves the right to amend this Privacy Policy and/or the Terms and Conditions at any time, for any reason, and with or without notice to you.

3. Consent; Your Rights.

a. When commercially practical, or as required by law, S&D Software will obtain your consent to collect, use, process, or disclose personal information (including Personally Identifiable Information and Non-Personal Data, as those terms are defined below). S&D Software may collect, use, process, or disclose personal information with or without your consent:

- (i) when the collection, use or disclosure of personal information is permitted or required by law;
- (ii) in an emergency that threatens an individual’s life, health, or personal security;
- (iii) when the personal information is available from a public source;
- (iv) when S&D Software or its affiliates require legal advice from an attorney;

¹ This Privacy Policy applies to S&D Software “profiles” on social media sites which are comprised of the intellectual property of S&D Software, but do not apply to social media hosting sites like Twitter, Facebook, or Instagram, all of which have their own privacy statements or policies. S&D Software encourages you to review the privacy policies for social media hosting sites if you use such sites.

- (v) for the purposes of collecting a debt;
- (vi) to assist S&D Software and its affiliates in loss prevention and to protect S&D Software and its affiliates from fraud;
- (vii) to create, develop, operate, deliver, and improve our products, services, content and advertising; or
- (viii) to investigate an anticipated breach of an agreement or a contravention of law.

b. Consent may be provided orally, in writing, electronically, through an authorized representative or affiliate, or it may be implied where the purpose for collecting, using or disclosing the personal information would be considered obvious and you voluntarily provide personal information for that purpose.

c. Consent may also be implied when you are given notice and a reasonable opportunity to opt-out of providing personal information being used for mail-outs, marketing, or other S&D Software functions, and you do not opt-out.

d. You may have a right under the European Union General Data Protection Regulation 2016/679 of 2018 (“**GDPR**”) to: (i) withdraw consent; (ii) request your Personally Identifiable Information (defined below) previously collected by S&D Software; or (iii) pause any data processing relating to your Personally Identifiable Information in the event you object to it. If you are subject to GDPR (if you are a resident of a jurisdiction subject to GDPR protections and are also using the Sites within a jurisdiction subject to GDPR protections) and would like to exercise any of the options listed in this subsection, please contact S&D Software’s Privacy Officer.

e. In the event you are a resident of a jurisdiction subject to GDPR protections and are also using the Sites within a jurisdiction subject to GDPR protections, S&D Software will ensure your consent is consistently accurate with your most up-to-date information and the purpose for which the data is being used. If either of those changes, S&D Software will make a new request for your consent.

f. California Consumer Privacy Act.

These disclosures for California residents apply only to individuals who reside in California. The California Consumer Privacy Act of 2018 (“**CCPA**”) and California Privacy Rights Act (“**CPRA**”) may provide additional rights to know, delete and opt out, and may require some applicable businesses collecting or disclosing Personal Information to provide notice of rights California residents have and can exercise. By voluntarily providing notice of and explaining some of these rights, S&D Software in no way acknowledges or consents to being subject to either the CCPA or CPRA, and expressly disclaims applicability of CCPA or CPRA to its business based on small business exemptions to both laws.

- (i) Notice of Collection and Non-Collection.

(a) S&D Software may have collected information corresponding to the following categories of information enumerated in the CCPA.

Identifiers, including name, address, email address, account name, Social Security Number, IP address - and an ID number assigned to your account.

Customer records, phone number, billing address, credit or debit card information, employment or education information.

Demographic information, such as your age or gender. This category includes pieces of Personal Information that also qualify as protected classification characteristics under other pre-existing California or federal laws.

Analytics and Advertising, including purchases and engagement with the Services.

Internet activity, including history of visiting and interacting with our Service, browser type, browser language and other information collected automatically.

Geolocation data, including location enabled services such as Wi-Fi and GPS.

Inferences, including information about your interests and preferences.

(b) S&D Software will not intentionally collect the following categories of information enumerated in the CRPA:

Sensitive Personal Information, including biometric data, social security numbers, driver's license numbers, geolocation data, race, ethnicity, religious or philosophical beliefs, union membership, content of nonpublic communications, genetic data, or sex life or sexual orientation information.

S&D Software may collect and use some categories of Personal Information in (a) above for the business purposes described in this Privacy Policy. S&D Software will not intentionally collect or use any of the categories of Personal Information in (b) above.

S&D Software does not generally sell information. However, to the extent S&D Software "sells" information under the CCPA, if required, we will comply with applicable law as to such activity.

S&D Software may disclose the following categories of information for commercial purposes: Commercial Information; Demographic Data; Location Data; Identifiers; Inferences; and Internet activity.

We may use and/or partner with different types of entities to assist with our daily operations and manage our Service.

(ii) Right to Know and Delete. If you are a California resident, you have the right to know certain information about our data practices in the preceding 12 months. You may request the following from us:

The categories of Personal Information we have collected about you;

The categories of sources from which the Personal Information was collected;

The categories of Personal Information about you we disclosed for a business purpose or sold;

The categories of third parties to whom the Personal Information was disclosed or sold;

The business or commercial purpose for collecting or selling the Personal Information; and

The specific pieces of Personal Information we have collected about you.

In addition, you have the right to delete the Personal Information we have collected from you. However, this is not an absolute right and we may have legal grounds for keeping such data.

To exercise any of these rights, please submit a request to S&D Software's DPO at admin@sndsoftware.com. In the request, please specify which right you are seeking to exercise and the scope of the request. We will confirm receipt of your request within 10 days. We may require specific information from you to help us verify your identity and process your request. If we are unable to verify your identity, we may deny your requests.

(iii) Authorized Agent. You can designate an authorized agent to submit requests on your behalf. However, we will require written proof of the agent's permission to do so and verify your identity directly.

(iv) Right to Non-Discrimination. You have the right to non-discriminatory treatment by us, should you choose to exercise any of your rights.

(v) Shine the Light. Clients who are residents of California may request: a list of the categories of Personal Information disclosed by us to third parties during the immediately preceding calendar year for those third parties' own direct marketing purposes, and (ii) a list of the categories of third parties to whom we disclosed such information. To exercise a request, please contact us at admin@sndsoftware.com. Requests must include "California Shine the Light Request" in the subject line and include

your name, street address, city, state, and ZIP code. We may require additional information from you to allow us to verify your identity and are only required to respond to requests once during any calendar year. Please note that S&D Software is not required to respond to requests made by means other than through the provided email address or mail address (below).

g. We may decline to process any requests that are frivolous/vexatious, jeopardize the privacy of others, are extremely impractical, or for which access is not otherwise required by law. We may also decline aspects of deletion or data access requests if we believe doing so would undermine our legitimate use of data for anti-fraud and security purposes.

4. **Information S&D Software May Collect.**

a. **Personally Identifiable Information:** We may collect information that identifies you (“**Personally Identifiable Information**”) when you contact us, or otherwise interact with S&D Software, including, but not limited to, applying for any membership, enrollment, or subscription in any S&D Software program or service, registering for a S&D Software event or program, and/or purchasing or licensing S&D Software products or services on the Sites. Types of Personally Identifiable Information collected may include your name, address, phone number, birth date, occupation/job title, billing and delivery information, email address, credit card, or other financial account information. Specific Personally Identifiable Information regularly collected by S&D Software from subscribers, purchasers, or licensees to or of S&D Software services include, but are not limited to:

- (i) Client first and last name, phone number, and email address;
- (ii) Business/Employer name, phone number, and email address (only as applicable); and
- (iii) Client billing information, credit card information, and/or financial account information.

b. **Non-Personal Data:** As you interact with our Sites, we may collect information about your browsing history or certain other information that is not Personally Identifiable Information through your use of and visits to the Sites and our use of a variety of technologies, including, but not limited to, cookies (explained below), tags, beacons, Internet Protocol (IP) addresses, and other tools. The types of Non-Personal Data collected on our Sites, and other tools as S&D Software may add from time to time, include, but are not limited to the following: the search terms you used, new or returning user, browser information, computer type, operating system, internet service provider(s), website usage, referring/exit pages, platform type, date/time stamp, number of clicks, and ads viewed. Additionally, cookies, tags and other tools placed by third parties may collect other information about you and your visits to the Sites and elsewhere on the Internet (collectively, all of the foregoing data is referred to as the “**Non-**

Personal Data”).

5. Overview: How S&D Software May Use or Process Personally Identifiable Information and Non-Personal Data.

a. S&D Software’s Use of Your Personally Identifiable Information and Non-Personal Data. Once collected, we may use your Personally Identifiable Information and/or Non-Personal Data in a variety of ways including, but not limited to:

- (i) Provide service communications such as bill reminders, order confirmations, license terms or license term updates, program registrations, and customer service messages;
- (ii) Respond to your emails or online requests for products, services, or information;
- (iii) Deliver or process surveys;
- (iv) Personalize and improve the usability of the Sites;
- (v) Fulfill or deliver S&D Software products and services;
- (vi) Tailor content for the Sites, and S&D Software, affiliate, and third-party advertising and marketing;
- (vii) Share Personally Identifiable Information with third parties as required by law;
- (viii) Share your email address as permitted under the S&D Software “Sharing Your Email Address” policy described below;
- (ix) Share your Non-Personal Data with our affiliates or other third parties; and
- (x) Share your Non-Personal Data for the purposes of targeted advertising via Google AdSense or similar services.

b. Sharing Your Personally Identifiable Information to Perform Business Functions. When S&D Software fulfills service requests initiated by you, we may share your Personally Identifiable Information with certain third parties to fulfill the requests or share such information with service providers that perform business functions for us. S&D Software may occasionally hire other companies to provide limited services on our behalf including, but not limited to, internet or software related services, packaging, mailing and delivering promotional offers, answering customer questions about products or services, sending postal mail and processing registrations. In such cases, S&D Software may share your Personally Identifiable Information to the extent permitted by applicable law.

c. Sharing Your Personally Identifiable Information When Legally Necessary or to Protect S&D Software’s Interests. S&D Software may disclose your Personally Identifiable Information if required to do so by law or in the good-faith belief that such action is necessary to: (i) conform to legal requirements or comply with legal process served on S&D Software; (ii) protect and defend the rights or property of S&D Software; or (iii) protect the personal safety of S&D Software personnel or members of the public in appropriate

circumstances. In addition, if S&D Software and/or its assets (or a portion of its assets) are sold, assigned, transferred, or merged, or if S&D Software undergoes some other change including a change to its corporate form as part of a bankruptcy proceeding or otherwise, Personally Identifiable Information or Non-Personal Data may be transferred as part of that transaction or change.

d. **Sharing Your Email Address.** Your email address will only be used by S&D Software, its affiliated entities, and third-party service providers (only as necessary to perform services you request) and will not be sold to anyone outside S&D Software. As such, S&D Software will refrain from sharing email addresses to unrelated third parties except to: (i) enable S&D Software to take security measures to help protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of data; or (ii) perform certain services on our behalf, such as packaging, mailing and delivering products and processing event registrations and to respond to your service requests.

e. You can manage your profile and email preferences, including opting out of email either online or by contacting S&D Software's Privacy Officer/DPO at: admin@sndsoftware.com.

f. S&D Software will retain your Personally Identifiable Information for the period necessary to fulfill the purposes outlined in this Privacy Policy. When assessing these periods we carefully examine our need to collect Personally Identifiable Information at all – if we establish a relevant need we only retain it for the shortest possible period to realize the purpose of collection unless a longer retention period is required by law.

6. **How S&D Software May Use Non-Personal Data.**

a. **S&D Software's Use of Your Non-Personal Data.** We may collect Non-Personal Data to improve the usability of our Sites/services and for other business purposes. We may share the Non-Personal Data we collect with third parties and/or permit third parties to place tools like cookies, tags and web beacons, and collect additional Non-Personal Data when you browse our Sites. S&D Software or other third-party companies may then use the Non-Personal Data to provide general advertisements and targeted advertisements to you (ads based on the Non-Personal Data); for example, S&D Software may use Google AdSense for such general and targeted advertisements (detailed further in the following subsection). However, S&D Software will refrain from sharing any Personally Identifiable Information with third parties with whom we share your Non-Personal Data.

b. **Use of Google Analytics® and/or Similar Services.** We may implement Google Analytics features based on Display Advertising (Google Analytics Demographics and Interest Reporting). You can opt-out of Google Analytics for Display Advertising and customize Google Display Network ads using the Ads Settings. In addition, you can use the Google Analytics Opt-Out Browser Add-on

to disable tracking by Google Analytics. We will use the data provided by Google Analytics Demographics and Interest Reporting to develop the site and content around our users' interests and to help refine our advertising strategies.

c. How You Can Manage Collection of Non-Personal Data. Third-party advertising companies may collect data about your visit to our Sites and others; this is referred to as "Online Behavioral Advertising". You may opt out from this collection and use of data by companies participating in the Digital Advertising Alliance ("**DAA**") on the "Opt Out from Online Behavioral Advertising" website, located at: <http://optout.networkadvertising.org> or http://www.networkadvertising.org/managing/opt_out.asp.

d. Third-Party Requests; Use or Analysis of Data.

- (i) We may disclose your personal information, including Personally Identifiable Information and Non-Personal Data, upon government demand in the form of a court order or subpoena, when otherwise required by law, to enforce the policies herein, or to protect S&D Software personnel, property, or safety;
- (ii) We may share your personal information, including Personally Identifiable Information and Non-Personal Data, to prevent illegal use of our products or services, or to defend S&D Software against any third-party claims;
- (iii) We may transfer your personal information, including Personally Identifiable Information and Non-Personal Data, to a third party in whole or in part as part of a merger, acquisition, or similar transfer or assignment of assets; and
- (iv) We may transfer your personal information, including Personally Identifiable Information and Non-Personal Data, to third-party service providers to conduct or improve S&D Software business operations or the Sites, or for any business purpose, including, but not limited to credit card processing, shipping, data management, email distribution, marketing research, information analysis and promotions management.

7. Information Security.

a. S&D Software implements security measures as commercially reasonable to help protect against unauthorized access to or unauthorized alteration, disclosure, or destruction of data, and restricts access to personal information to certain companies who may need to know that information in order to operate, develop, or improve services.

b. Although S&D Software uses commercially reasonable security measures, data transmission over the Internet can never be guaranteed to be absolutely secure. S&D Software cannot guarantee or warrant the security of any information transmitted by you, or to or from our online products or services.

c. In the event of an information security breach relating to the S&D Software Sites and the breach involves your Personally Identifiable Information, S&D Software will notify you as quickly as is commercially reasonable, and, if applicable, will notify applicable local data protection authorities, as that term is defined in GDPR, of the breach within seventy-two (72) hours of discovery.

8. Your Username and Password. You are responsible for all actions taken with your username and password. Do not share your username or password with anyone else, as it is only for you. *Sharing your username or password will automatically give S&D Software the right to deactivate your account and/or deny access to the Sites.* For your protection, do not disclose your username or password to anyone.

9. Use of Cookies.

a. The S&D Software Sites use “cookies” to help you personalize your online experience. A cookie is a small piece of data in the form of a text file that is sent from a web page server and placed on your hard drive. Cookies cannot normally be used to run programs or deliver viruses to your computer. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you.

b. One of the primary purposes of cookies is to provide a convenience feature to save you time. The purpose of a cookie is to track your activities on a website (e.g., pages visited, links clicked on, etc.), and to record information about your use of the website so when you return to the site, customized features can be provided. For example, when you sign into the Sites, a cookie helps the Sites recall your specific information on subsequent visits. This simplifies the process of recording your personal information for access to S&D Software products and/or services.

c. You have the ability to accept or decline/disable cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline or disable cookies if you prefer. If you choose to decline/disable cookies, you may not be able to fully experience the interactive features of the websites you visit, including the Sites.

10. Children's Privacy.

a. Because we care about the safety and privacy of children online, we comply with the Children’s Online Privacy Protection Act of 1998 (“**COPPA**”). COPPA and its accompanying regulations protect the privacy of children using the Internet. S&D Software does not knowingly contact or collect personal information from children under 13. The S&D Software Sites are only directed toward adult users and are not intended to solicit information of any kind from children under 13. Similarly, S&D Software complies with the provisions in GDPR regarding privacy of children and does not solicit information of any kind from children under 16 in jurisdictions subject to GDPR.

b. It is possible that by fraud or deception we may receive information pertaining to children under 13, or equivalent minimum age depending on jurisdiction (under 16 in the case of jurisdictions subject to GDPR, for example). If we are notified of this, as soon as we verify the information, we will immediately obtain parental consent or otherwise delete the information from our servers. If you want to notify us of our receipt of information by children under 13, or equivalent minimum age depending on jurisdiction, please do so by sending an email to S&D Software's Privacy Officer/DPO at: admin@sndsoftware.com.

11. Social Media and Third-Party Websites. S&D Software may use social media tools and websites to interact with its customers and resource partners (e.g., Facebook, Twitter, Instagram, Tumblr, Pinterest, LinkedIn, etc.). Social media websites may be used to advertise or publicize S&D Software products and services, and/or engage with members of the public. S&D Software may use third-party websites to solicit and collect personal information from individuals. In limited circumstances, personal information collected by a third-party website, including Apple Inc.'s App Store and Google LLC's Google Play (where S&D Software Mobile Apps are or may in the future be sold) may be transmitted to S&D Software unless prohibited by applicable law. As is mentioned in a footnote above, S&D Software's privacy and other web policies generally do not apply to these third-party sites and we encourage you to read the policies of the third-party site when deciding whether to use it.

12. Links to Other Sites. The S&D Software Sites may contain links to websites of other organizations. S&D Software does not directly endorse any of these websites or organizations. When you follow a link to another site, you leave the Sites and your website interactions are no longer protected by this Privacy Policy. S&D Software is not responsible for, and does not endorse the privacy, security practices, or content of sites to which the Sites link, including but not limited to any content or information on such sites.

13. Changes to This Privacy Policy. S&D Software will occasionally update this Privacy Policy to reflect updates to data privacy laws, and company and customer feedback. S&D Software encourages you to periodically review this Privacy Policy as may be modified from time to time. Your continued use or accessing of the Sites following the posting of changes to this Privacy Policy will be deemed your acceptance of such changes.

14. Contact Information. S&D Software welcomes your comments regarding this Privacy Policy. If you have comments or would like to contact us, please contact S&D Software's Privacy Officer at: admin@sndsoftware.com.