

Pax8 Privacy Policy

This Privacy Policy describes how Pax8, Inc., (“Pax8,” “we,” “our,” or “us”) collects, uses, and shares information about you through our websites and applications, including the Pax8 Portal, social media pages, and email messages (“the Services”). This Privacy Policy applies to personal information processed by or on behalf of Pax8. By using the Services, you agree to this Privacy Policy. If you do not agree and consent, discontinue use of the Services.

1 – Personal Information.

“Personal information” means information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information includes, without limitation, the following if it identifies, relates to, describes, is capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household:

- Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers.
- Information such as signature, physical characteristics or description, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or other financial information, medical information, or health insurance information.
- Characteristics of protected classifications under applicable law.
- Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- Biometric information.
- Internet or other electronic network activity information, including without limitation, browsing history, search history, and information regarding a consumer’s interaction with an Internet web site, application, or advertisement.
- Geolocation data.
- Audio, electronic, visual, thermal, olfactory, or similar information.
- Professional or employment-related information.
- Education information, defined as information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99).
- Inferences drawn from any of the information identified above to create a profile about a consumer reflecting the consumer’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

“Personal Information” does not include publicly available information. “Publicly available” means information that is lawfully made available from federal, state, or local government records, or any conditions associated with such information.

2 – How We Collect Information.

- **Information You Provide to Us.** We collect Personal Information you provide directly to us via the Services. For example, Personal Information is collected when you use or register for the Services, subscribe to our notifications, post on the Services, participate in promotional activities, apply for a job, communicate with us through the Services, or use an application. De-Identified Data Personal Information once “de-identified” may not be subject to this Privacy Policy and we and our Service Providers (defined below) may treat it as non-Personal Information and use it without obligation to you except as prohibited by applicable law.
- **Information We Collect Automatically from Your Use of the Services.** We and our Service Providers collect information about the Services that you use and how you use them. This information includes: IP Address, device type, Ad ID, and information about your use of the services (“Usage Information”). This information is collected in part through the use of Cookies. To the extent that Usage Information is personal information under applicable law, or is combined with Personal Information, we will treat it as Personal Information under this Privacy Policy.
- **Information Collected from Other Sources.** We also receive Personal Information from other sources, such as public databases, fraud prevention agencies, credit reference agencies, lenders, joint marketing partners, and social media platforms, and combine that with information we collect about you. To the extent we combine such third party sourced information with Personal Information we collect directly from you, we will treat the combined information as Personal Information. We are not responsible for the accuracy of the information obtained from third parties or third-party practices.
- **Cookies.** Cookies are unique identifiers that we transfer to your device to enable our systems to recognize your device and provide personalization. The “Help” feature on most browsers will tell you how to prevent your browser from accepting new cookies, how to have your browser notify you when you receive a new cookie, and how to disable cookies. You can also disable or delete similar data used by browser add-ons, such as Flash cookies, by changing the add-ons settings or viewing the website of its manufacturer. In order to ensure the full functionality and optimization of the Services, we recommend that you leave cookies turned on. The four main types of cookie that we use through the Services:
 - *Strictly Necessary Cookies* – These cookies are essential—without them, you might not be able to get the information or services you’ve asked for. They’re needed for things like logging whether you see error messages – so we can make improvements and fix bugs – as well as allowing you to make a purchase.

- *Personalization and Testing Cookies* – These cookies remember choices you’ve made to personalize the Services, or are used by us to test the content and functionality of the Services with different groups of visitors. They remember where you are in the site so that you can get tailored information, or changes you’ve made to help you browse, such as increasing the text size.
- *Analytics and Measurement Cookies* – We use several technologies to understand how visitors use the Services. These help us to identify areas for improvement, and to collect and report on commercial data (like sales volumes). They include analytics tools that report numbers, and session capture tools that record videos of individual user sessions – following things like where you click on the page, place your cursor, and where you fill in forms. This data is kept secure and we only record what is typed into forms if really necessary. The rest of the time it is not visible in the recording. Other reporting tools we use support our efforts to prevent fraud and the abuse of the Services; these also employ cookies.
- *Targeting or Advertising Cookies* – These cookies collect information about your browsing habits (including details of the websites you’ve visited), which we use to make sure you receive advertising relevant to you. We (or third parties and advertising networks on our behalf) use them to show you ads we think you’ll be interested in across the Internet (including on other sites you visit), based on your interaction with our website, app and your browsing history. This includes advertising that uses Online Behavioral Advertising. Third parties, such as advertising networks, work with websites and advertisers to deliver customized advertising based on the collection and use of your web browsing activity. This includes: pages visited, ads clicked, and products bought or researched. If, for example, you visit our website and show an interest in one of the Services, we re-target you with advertisements about it on other websites – and in search results – for a number of days after your initial visit. If a set period of time has passed, the re-targeting advertising stops.

3 - How We Use Information We Collect.

We and our Service Providers use Personal Information about you for the following purposes:

- To carry out any contract we have with you, for example, a Pax8 Partner Agreement.
- To provide and maintain the Services, improve the Services and develop new services.
- To facilitate, personalize and improve your online experience.
- To perform and/or test the performance of the Services.
- To communicate with you about products, services, promotions and events we think may be of interest to you.
- For our business purposes, such as data and trend analysis, audits, fraud prevention, and the expansion of our business.
- To monitor and keep records of our communications with you and our staff.
- For market research and analysis and developing statistics.

- To develop new products and services and to review and improve current products and services.
- To comply with legal and regulatory obligations, requirements and guidance.
- To provide insight and analysis of our customers both for ourselves and for the benefit of business partners, either as part of providing products or services, helping us improve products or services, or to assess or improve the operating of our business.
- To share information, as needed, with our Service Providers or as a part of providing and administering the Services or operating our business.
- To facilitate the sale of one or more parts of our business.
- To enable our affiliates to perform any of the above purposes.

4 – Legal Grounds for Processing Personal Information.

We rely on the following legal bases to use your Personal Information:

- **Where needed to fulfill our contract** with you or to enter into a contract with you on your request, such as:
 - assessing an application for a Pax8 partner agreement;
 - managing the products or services or a request for or purchase of products or services;
 - updating your records, tracing your whereabouts to contact you about your account and doing this for recovering debt (where appropriate);
 - sharing your Personal Information with our Service Providers when you purchase a product or service to help manage such product or service;
 - all stages and activities relevant to managing the product or service including inquiry, purchase, and administration and management of accounts; and
 - for some of our profiling and other automated decision making to decide whether to offer you a product and/or service, particular payment method and the price or terms.
- **Where it is in our legitimate interests to do so**, such as:
 - managing your products and services, updating your records, tracing your whereabouts to contact you about your account and doing this for recovering debt (where appropriate);
 - to perform and/or test the performance of, our products, services and internal processes;
 - to follow guidance of governmental and regulatory bodies;
 - for management and audit of our business operations, including accounting;
 - to carry out monitoring and to keep records of our communications with you and our staff;
 - to administer our good governance requirements, such as internal reporting and compliance obligations or administration required for our processes;
 - for market research and analysis and developing statistics;

- for direct marketing communications and related profiling to help us to offer you relevant products and services, including deciding whether or not to offer you certain products and services;
 - subject to appropriate controls, to provide insight and analysis of our customers to business partners either as part of providing products or services, helping us improve products or services, or to assess or to improve the operating of our businesses;
 - for some of our profiling and other automated decision making; and
 - where we need to share your Personal Information with people or organizations in order to run our business or comply with any legal and/or regulatory obligations.
- **With your consent or explicit consent:**
 - for some direct marketing communications; and
 - for some of our profiling and other automated decision making.

5 – How We Share Information.

We do not sell, trade, or rent Personal Information to others. We share Personal Information or Usage Information with our agents, vendors, consultants, marketing service providers, and other service providers (collectively “Service Providers”) to facilitate their work on our behalf. These Service Providers are prohibited from using your Personal Information for any purpose other than to provide this assistance, although we permit them to use de-identified data or aggregate information which does not personally identify you or any other user of the Services. We also share information about you as follows:

- As necessary to comply with legal or governmental requests or process;
- To enforce our terms and conditions, protect our rights and the rights and privacy of our users and affiliates, and pursue available remedies or limit damages;
- With our affiliates for business purposes such as processing orders, fulfilling requests, providing customer service, and improving products; or
- To a third party in connection with or during negotiations of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).

6 – Advertising, Analytics Services, and Online Tracking.

We use third parties to advertise on our behalf and to provide analytics about the use of the Services and the performance of our advertisements and content on third party services. We also participate in online advertising networks and exchanges that display relevant advertisements on the Services and on third party services, based on your interests as reflected in your browsing of the Services and certain third-party services. These entities use cookies and other tracking technologies to automatically collect information about you and your activities, such as registering a unique identifier for your device and tying that to your online activities on and off of the Services. Pax8 receives information about third party services that you have

visited and use it for marketing purposes (sometimes referred to as “re-targeting,” “interest-based advertising,” and “online behavioral advertising”).

Pax8 is not responsible for third party services associated with advertising and analytics services and related tracking activities.

7 – Job Applicants and Employees.

We collect information you provide to us in applying for a job or completing the employee onboarding process. Personal Information we collect during these processes includes name, address, phone number, Social Security Number, sex, marital status, dependent information and employment-related information. We also collect background check and identity verification information. This may include criminal record (where permitted by law), and right to work. This information may be collected by an authorized Service Provider on Pax8’s behalf.

We use the Personal Information described above only for the purpose of evaluating job applicants and administering the employment relationship, including payroll and benefits administration. We share Personal Information with Service Providers for the limited purpose of administering these services. We do not sell, rent, trade, or otherwise share this Personal Information.

8 – How We Protect Information.

We adopt appropriate data collection, storage and processing practices and security measures to protect against unauthorized access, alteration, disclosure or destruction of your Personal Information, username, password, and transaction information. We also comply with PCI standards.

9 – Children’s Privacy.

Our Services are not intended for children and are not targeted to children under the age of 13. If you are a child under the age of 13, you are not permitted to use the Services and should not send any information about yourself to us through the Services. We do not knowingly collect any personal information from children under the age of 13 and, if we learn that we have received information from a user under the age of 13, we will delete this information in accordance with the United States Children’s Online Privacy Protection Act (“COPPA”).

10 – California Consumers’ Rights.

If you are a California resident, you have rights under the California Consumer Privacy Act (“CCPA”). Below is a general description of rights under the CCPA; these rights may not apply under all circumstances or to all categories of Personal Information.

- The right to know what Personal Information is being collected and shared, including:
 - The categories of Personal Information we have collected;
 - The categories of sources from which the Personal Information is collected;
 - The business or commercial purpose for collecting or selling personal information;

- The categories of third parties with whom we share Personal Information; and
- The specific pieces of Personal Information we have collected about you.
- The right to have Personal Information deleted; provided, however, that we shall not be required to comply with a request to delete Personal Information if it is necessary to maintain your Personal Information in order to:
 - Complete the transaction for which the Personal Information was collected, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between us and you;
 - Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
 - Identify and repair errors that impair existing intended functionality;
 - Exercise free speech, exercise the right of another consumer to exercise his, her or its right of free speech, or exercise another right provided for by law;
 - Comply with applicable law;
 - Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if you have provided informed consent;
 - Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us; or
 - Otherwise use the Personal Information, internally, in a lawful manner that is compatible with the context in which you provided the information.
- The right to opt out of the sale of Personal Information; provided, however, that “sale” shall not include when:
 - A consumer uses or directs us to intentionally disclose Personal Information or uses us to intentionally interact with a third party, provided the third party does not also sell the Personal Information, unless that disclosure would be consistent with applicable law;
 - We use or share an identifier for a consumer who has opted out of the sale of their Personal Information for the purposes of alerting third parties that such consumer has opted out of the sale of the consumer’s Personal Information;
 - We use or share with a service provider Personal Information necessary to perform a business purpose; or
 - We transfer to a third party the Personal Information of a consumer as an asset that is part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the business.

If you wish to exercise any of your rights, you may contact us as set forth in Section 13 below. Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information.

Non-Discrimination. We will not discriminate against you for exercising any of your rights under the CCPA. For example, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

11 – European Economic Area Residents’ Rights.

Here is a list of the rights that individuals have under European data protection laws. They don’t apply in all circumstances. If you wish to exercise any of them, we’ll explain at that time if they are applicable.

- The right to be informed about the processing of your Personal Information.
- The right to have your Personal Information corrected if it is inaccurate and to have incomplete Personal Information completed.
- The right to object to processing of your Personal Information.
- The right to restrict processing of your Personal Information.
- The right to have your Personal Information erased (the “right to be forgotten”).
- The right to request access to your Personal Information and obtain information about how we process it.
- The right to move, copy or transfer your Personal Information (“data portability”).
- Rights in relation to automated decision making which has a legal effect or otherwise significantly affects you.

If you wish to exercise any of your rights, you can contact us as set forth in Section 13 below.

12 – Revocation of Consent.

Users also have the right to revoke their given consent regarding the use and sharing of their Personal Information. It is important to note that in some cases such request may not be immediately or fully executed because it is possible that we have a legal obligation to keep using your Personal Information. Also, you must consider that for certain purposes, the revocation of consent means that we cannot continue providing the services you requested. You can revoke your consent at any time by contacting us as set forth in Section 13 below.

13 – How to Contact Us.

For any questions about this Privacy Policy or requests related to your Personal Information, please contact us at:

Phone: 1-855-884-7298

Website: www.pax8.com/contact (Select Interest: “Data Privacy”)

Email: legal@pax8.com

Postal Address: Pax8, Inc.

Attn: Legal
5500 S. Quebec Street
Suite 350
Greenwood Village, CO 80111

14 – Changes to this Privacy Policy.

We reserve the right to revise and reissue this Privacy Policy at any time. Any changes will be effective immediately upon posting of the revised Privacy Policy. Subject to applicable law, your continued use of our Services indicates your consent to the privacy policy posted. If the changes are material, we may provide you additional notice via email.

This Privacy Policy was last updated December 23, 2019.