

# PRIVACY POLICY

## Immersitech, Inc.

*Last Updated: February 19, 2021*

This privacy policy (the “**Policy**”) is intended to inform you of the types of information Immersitech, Inc. (“**we**”, “**us**”, “**our**” or “**Immersitech**”) collects, as well as our policies and practices regarding the collection, use, and disclosure of that information through the web pages at <https://www.immersitech.io/> (the “**Site**”) and as part of trial access to certain Software Development Kits (“**SDKs**”) (collectively the Site and SDKs are referred to herein as the “**Services**”).

Please read this Policy carefully, because by using the Site and/or Service, you are acknowledging that you understand and agree to the terms of this Policy, and consent to the types of information and the manner in which we may collect, use and disclose such information. If you do not agree to the terms of this Policy, please do not use the Site or Service.

We reserve the right to change the provisions of this Policy at any time. We will alert you that changes have been made by indicating on the Policy the date it was updated. We encourage you to review this Policy from time to time to make sure that you understand how any information you provide will be used. We will provide notice, either on the Site or through other means, of any material changes in these Policies. Each time you access the Site or use the Service, the most recent version of the Policy will apply. Your continued use of the Site or Service following the posting of changes to these terms will mean you accept those changes.

We will ensure that all Personal Information (as defined below) that we collect and maintain will be (i) processed lawfully, fairly, and in a transparent manner; (ii) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; (iii) adequate, relevant, and limited to what is necessary; (iv) accurate and kept up to date; and (v) processed in a manner that ensures appropriate security of the Personal Information, including protection against unauthorized or lawful processing and against accidental loss, destruction or damage.

### **I. Information we collect.**

#### Personal Information You Provide to Us

When you register for and access or use the Service, we collect certain personal information, including but not limited to your name, a unique username, password, phone number, postal address, e-mail address, and similar necessary information in order to conduct business. We may also collect and use any other information that you may provide while accessing or using the Service, including User Content as defined in the associated Terms of Service. All collectively referred to us “**Personal Information**”.

We only have access to and collect Personal Information that you voluntarily give us by registering for an account, submitting content through the Service or via email or other direct contact from you.

If you do not want this information to be shared with us, our employees, service providers and subcontractors, upon your request, we will not share your information. However, your ability to access and use the Site and/or Service, and request services, may be limited or interrupted.

## Information Collected by Automated Means

Whenever you use the Services, we and/or our service providers, may use a variety of technologies that automatically collect information about how the Services are accessed and used (“**Usage Information**”). Usage Information may include, in part, the IP address from which the Site is accessed, browser type, operating system, the page viewed, the time, how many users visited the Site, and the website you visited immediately before the Site. This statistical data provides us with information about the use of the Services, such as how many visitors visit a specific page on the Site, how long they stay on that page, which websites they are coming from and which hyperlinks, if any, they “click” on. Usage Information helps us to keep the Services user friendly and to provide visitors with readily accessible and helpful information. We may also use your Usage Information to troubleshoot issues with access or use of our Services and to improve the Services. Usage Information is generally non-identifying, but if we associate it with you as a specific and identifiable person, we treat it as Personal Information.

We believe that such technology usage is fair, lawful, and proportional to the legitimate interest and needs of our business, and that our methodology fairly addresses each user’s legitimate rights and expectations in view of the context and purpose for the collection and use of the information collected.

## Cookie Use

When you visit the Service, we may use “cookies” which are small files stored as text on your computer or device. In some countries, we are not permitted to send cookies to the browser of a user without the prior consent of the affected user. In this case, we will seek such consent. The remainder of this section assumes that either the use of cookies is not restricted by applicable law, or if it is restricted that the individual has explicitly consented to the use of the cookies.

These “cookies” and other similar technologies like pixels, web beacons (also known as “clear GIFs”) and local storage may be used to collect information about how you use the Services and provide features to you.

If a visitor does not want information collected through the use of cookies, most browsers allow the visitor to reject cookies. Please note that if you use your browser settings to modify or block all cookies, you may not be able to access parts of the Services and your user experience may be severely degraded. We may share non-Personal Information obtained via cookies with our advertisers and affiliates.

Information provided by these cookies are essential to help us provide the Services in a manner that is adapted to each user’s specific needs. We believe that such means are fair, lawful, and proportional to the legitimate interest and needs of our business, and that our methodology fairly addresses each user’s legitimate rights and expectations in view of the context and purpose for the collection and use of the information collected.

## **II. How Do We Use Your Information?**

We will use your information to respond to you regarding the reason you contacted us and/or for the purposes identified expressly at the time of collection. We will also use your information as follows:

Registration – To use certain portions of the Service, a user will need to complete a registration form and create an account with us. During registration, a user is required to give certain information (such as a username and email address). This information is used to facilitate your use of the Services, and to contact

you about the products/services on our Site and/or the Services in which you have expressed interest or subscribed to and allow you to easily update your contract information. When providing your email address in connection with registration (or pre-registration), we will send you an email at that address to request you validate the email (by clicking the link in the body of the email).

To Understand Your Interests - For example, we may use your information to better understand what products or services interest you based on information we collect about you and your household.

To Improve Our Services - We may use your information to enhance our Site and Services to serve you better.

To Respond to Your Requests, Chats or Questions - This may include responding to your customer feedback.

For Security Purposes - This could include protecting our company and our customers. It may also include protecting our Services.

For Marketing Purposes. We may provide you with information about new products and special offers. We may use your information to serve you ads about products and offers. We may tell you about new features or updates. These might be third-party offers or products we think you might find interesting.

To Support Our Products and Services - This could include fulfilling your requests for products or services. It could also include processing purchases or return transactions.

Law or regulatory obligations - Certain laws and regulations require us to maintain and disclose collected information.

Customer Service – Unless you ask us not to, we may contact you via email in the future to tell you about changes to our Services, changes to this Policy and/or new services being offered by Immersitech.

If at any time you wish that we cease communication with you, please notify us using the contact information provided below in the “Contact Us” section or as indicated in the electronic communication.

We will process your Personal Information for the purposes listed above on the basis of one or more of the following:

- the processing is necessary for the performance of a contract or for entering into a contract with you. Please note that where this is the case, we may not be able to perform or enter into a contract with you unless you provide your personal data;
- the processing is necessary to comply with a legal obligation;
- you have given your consent (where we rely on this legal basis, we will always seek to obtain your consent separately as and when necessary).

### **III. Do We Share Your Information?**

Except as provided herein, we will not trade, rent, share or sell your Personal Information to third parties.

Except as provided herein, unless you ask or provide your consent to do so, we will not share your Personal Information with any third party outside of our organization, except as necessary with our service providers

and subcontractors in order to troubleshoot issues you may have with our Site, the Services or your account. Only employees, service providers and subcontractors who need the Personal Information to perform a specific job are granted access to Personal Information. The computers/servers in which we store Personal Information are kept in a secure environment.

We may disclose/share your information in the following ways:

- **With Our Business Partners.** For example, this may include third parties that provide services related to our business.
- **With Our Service Providers.** We may share your information with third parties who perform services on our behalf. For example, this may include vendors and payment processors. It may also include companies that send emails on our behalf.

We will also disclose Personal Information when we believe in good faith that such disclosures (a) are required by law, including, for example, to comply with a court order or subpoena, or (b) will help to: enforce our policies, including the Terms of Use; protect your safety or security, including the safety and security of property that belongs to you; and/or protect the safety and security of our Site, the Services, us, our employees, our service providers, our subcontractors, other third parties, or equipment that belongs to us, our service providers, or our subcontractors; to prevent or address fraud and other illegal activities. Disclosures in this limited scenario would be made to a court of law, law enforcement, or other public or government authority.

When transferring your Personal Information, we will take all appropriate steps to provide an adequate level of protection for your personal data in accordance with relevant legislation. These steps may include exercising audit and inspection activities in respect of the actions of those third parties in connection with the use of your personal data.

We may use non-identifiable anonymous data that is based on users' access or use of the Site and/or Services that may be used by us to improve the Site and/or the Services. We may also use anonymized data based on your use of the Services and combine such de-identified data with data or other anonymous data ("**Aggregate Data**"). Aggregate Data may include information that describes the habits, usage patterns, survey responses and/or demographic information of users as a group but does not identify any particular users. We may provide anonymized data and Aggregate Data to our third-party collaborators and partners.

### Your Access to and Control Over Your Information

We offer you choices regarding the collection, use, and sharing of your Personal Information. Our Site and Services do not currently respond to browser-based do-not-track signals. You can choose to have your computer warn you each time a cookie is being set, or you can choose to turn off all cookies. You do this through your browser settings. Each browser is different, so look at your browser's *Help* menu to learn the proper way to modify your browser's cookies setting.

If you disable cookies, some features may be disabled that make your site experience more efficient and some of our services may not function properly.

You may do the following at any time by contacting us via the email address or other contact information provided on our Site:

- See what data we have about you; if any.

- Change or correct any contact information we have about you.
- Have us delete any data we have about you.

We do not charge for these services. Your request will be processed within 30 days of the date on which we receive it.

If you do not want your information to be shared with our employees, service providers and subcontractors, upon your request, we will not share your information. However, your ability to access and use the Site and the Service may be limited or interrupted.

#### **IV. How We Store Your Information/International Data Transfers**

By registering for and using the Services you consent to the transfer of information to anywhere in the U.S. where the Services or its Service Providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.

Our goal is to dispose your information no longer than necessary for the purposes that we collect and use data. How long we hold your personal data for will vary. The retention period will be determined by various criteria including:

- the purpose for which we are using it – we will need to keep the data for as long as is necessary for that purpose; and
- legal obligations – laws or regulation may set a minimum period for which we have to keep your personal data

Personal Information you submit on the Site or through the Services may be sent to the other countries, on our service providers' servers. We will always protect your information in accordance with this Privacy Policy wherever it is processed. We are a US based company and by accessing the Services, you grant us expressed consent to transfer your Personal Information to US servers. If you do not wish for us to transfer your Personal Information to the US, please contact us using the information in the "Contact Us" section below.

This section sets out the privacy principles we follow with respect to transfers of Personal Information from the European Economic Area (EEA) to the United States, including Personal Information we receive from individuals residing in the EEA who visits our Site and/or who may use of our Services or otherwise interact with us.

Please note that for users located in the EEA, the term Personal Information used in this privacy is equivalent to the term "personal data" under applicable European data protection laws.

#### **V. What Steps Do We Take to Protect Your Information?**

We take measures designed to protect your Personal Information in an effort to prevent loss, misuse, and unauthorized access, disclosure, alteration, and destruction. We provide physical, electronic, and procedural safeguards to protect Personal Information we process and maintain. Please be aware, however, that despite our efforts, no security measures are perfect or impenetrable and no method of data transmission can be guaranteed against any interception or other types of misuse. To protect the confidentiality of Personal Information maintained in your account, you must keep your password confidential and not disclose it to any other person. You are responsible for all uses of the Site and Services by any person using your

password. Please advise us immediately if you believe your password has been misused. If you have reason to believe that your interaction with us is no longer secure, if you feel that the security of any account you might have with us might have been compromised, or if you suspect that someone else is using your account, please contact us immediately using the contact information provided below in the “Contact Us” Section. We will make any legally required disclosures of any breach of the security, confidentiality, or integrity of your unencrypted electronically stored Personal Information. To the extent the law of your jurisdiction allows for notification of a breach via e-mail or conspicuous posting on the Services, you agree to accept notice in that form.

#### **VI. Does This Policy Apply to Other Websites Linked to Or from the Site?**

The Site or Service may contain links to other websites. Any Personal Information you provide on linked pages or sites is provided directly to that third party and is subject to that third party’s privacy policy. This Policy does not apply to such linked sites, and we are not responsible for the content or privacy and security practices and policies of these websites or any other sites that are linked to or from the Site and/or the Service. We encourage you to learn about their privacy and security practices and policies before providing them with Personal Information.

#### **VII. Do We Collect Information from Children Under the Age of 18?**

The Site and the Services are not intended for use by children under the age of 18, and Immersitech does not knowingly collect or use any Personal Information from such children. If we become aware that we have unknowingly collected Personal Information from a child under the age of 18, we will make commercially reasonable efforts to delete such Personal Information from our database.

#### **VIII. What if I am a resident of California?**

California requires operators of websites or similar services to make certain disclosures to users who reside in California regarding their rights, specifically:

##### Shine the Light

For clarity, we will not trade, rent, share or sell your Personal Information to third parties unless you ask or authorize us to do so. However, if we disclose Personal Information that is primarily used for personal, family, or household purposes of a California user to a third party for said third party’s direct marketing purposes, we will identify such third party along with the type of personal data disclosed, upon your request.

For further clarification, please refer to the “Contact Us” section below. Under California law, businesses are only required to respond to a user’s request once during any calendar year.

##### Do-Not-Track

Some browsers give individuals the ability to communicate that they wish not to be tracked while browsing on the Internet. California law requires that we disclose to users how we treat do-not-track requests. The Internet industry has not yet agreed on a definition of what “Do Not Track” means, how compliance with “Do Not Track” would be measured or evaluated, or a common approach to responding to a “Do Not Track” signal. We have not yet developed features that would recognize or respond to browser initiated Do Not Track signals in response to California law. In the meantime, there are technical means to prevent some of the tracking. See Section “Your Access to and Control Over Your Information”.

### Personal Data Rights

California consumers have the right to request access to their personal data, additional details about our information practices and deletion of their personal information (subject to certain exceptions). California consumers also have the right to opt out of sales of Personal Information, if applicable. We describe how California consumers can exercise their rights under the CCPA below. Please note that you may designate an authorized agent to exercise these rights on your behalf by providing written materials demonstrating that you have granted the authorized agent power of attorney. Please note that if an authorized agent submits a request on your behalf, we may need to contact you to verify your identity and protect the security of your personal information. We will not fulfill your CCPA request unless you have provided sufficient information for us to reasonably verify you are the consumer about whom we collected personal information. We will not discriminate against you if you choose to exercise your rights under the CCPA.

- RIGHTS TO KNOW - You may request, no more than twice in a 12-month period, access to the specific pieces of personal data we have collected about you in the last 12 months. You may also request additional details about our information practices, including the categories of personal information we have collected about you, the sources of such collection, the categories of personal information we share for a legitimate business or commercial purposes, and the categories of third parties with whom we share your personal information. You may make these requests by contacting using the contact information provided below in the “Contact Us” Section. After submitting your request, please monitor your email for a verification email. We are required by law to verify your identity prior to granting access to your data in order to protect your privacy and security.
- COPIES OF PERSONAL INFORMATION - You may request, no more than twice in a 12-month period, transportable copies of your personal information that we have collected about you in the last 12 months. You may make these requests by contacting using the contact information provided below in the “Contact Information” Section. After submitting your request, please monitor your email for a verification email. We are required by law to verify your identity prior to granting access to your data in order to protect your privacy and security.
- DELETION - You may request that we delete the personal information we have collected about you. Please note that we may retain certain information as required or permitted by applicable law. You may make these requests by contacting us using the contact information provided below in the “Contact Information” Section. After submitting your request, please monitor your email for a verification email. We are required by law to

verify your identity prior to granting access to your data in order to protect your privacy and security.

## **IX. Individual Data Rights (EU)**

The EU General Data Protection Regulation (GDPR) grants individuals who are in the European Union and European Economic Area (EU/EEA) the certain rights, with some limitations. If information is collected from such data subjects, Immersitech will establish a system to enable and facilitate the exercise of data subject rights related to:

- Information access;
- Objection to processing;
- Objection to automated decision-making and profiling;
- Restriction of processing;
- Data portability;
- Data rectification;
- Data erasure.

If you would like to exercise above EU General Data Protection Regulation (GDPR) rights about your Personal Information we hold about you, please submit a written request to: [info@immersitech.io](mailto:info@immersitech.io) or contact us using the information provided in the “Contact Us” section below. Our privacy team will examine your request and respond to you as quickly as possible.

Please note that we may still use any aggregated and de-identified Personal Information that does not identify any individual and may also retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **X. Miscellaneous**

This Policy and the privacy practices of Immersitech will be subject exclusively to the laws of the United States. Please note that Immersitech servers are located in the United States. Immersitech makes no representation that this Policy and our practices comply with the laws of any other country or jurisdiction. Users of the Site who reside outside the United States do so on their own initiative and are responsible for compliance with local laws, if and to the extent local laws are applicable. If you reside outside of the United States, by using the Site or Service, you consent to the transfer, processing, and use of your information outside of your country.

If we become involved in a merger, acquisition, or any form of sale of some or all of our assets, the Site, our Service, and your information as collected, processed and maintained through our Services may be included in the assets sold or transferred to the acquirer. You agree that we may transfer or assign the information we have collected about you (including personal information) in connection with any such event. In the event of a bankruptcy, insolvency, reorganization, receivership or assignment for the benefit of creditors, we may not be able to control how your personal information is treated, transferred, or used.

## **XI. Contact Us**

If you have any questions about this Policy, please contact via email us at: [info@immersitech.io](mailto:info@immersitech.io) To exercise any of your rights in this Privacy Policy please contact us in writing, via email or postal mail as indicated

above, so that we may consider your request under applicable law. Please be aware that your request will not be accepted for review unless you provide the following:

- The name, user ID, pseudonym, email address, or other identifier that you have used to use the Site or Service, or if you are not a registered user of the Service, or have not otherwise previously interacted with us, your first and last name and an address where we can correspond with you.
- State or Country in which you are located.
- Clear description of the information or content you wish to receive or to be deleted or corrected, or the action you wish to be taken; and
- Sufficient information to allow us to locate the content or information to be deleted, removed or corrected.

For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request.

In addition, please note that, depending on the nature of your inquiry, request or complaint, we may need to verify your identity before implementing your request and may require proof of identity, such as in the form of a government issued ID and proof of geographical address.

We will attempt to comply with your request as soon as reasonably practicable.