



## PRIVACY POLICY

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# Optm's Privacy Policy

Last Updated: February 28, 2022

This Privacy Policy (the "Policy") explains how information is collected, used, disclosed and protected by Optm, Inc., its affiliates, and subsidiaries (collectively, "Optm") when you interact with the Website, the services provided on or through the Website, as well as all of our websites, emails, social media accounts and online services (collectively, the "Services"). This Policy does not cover any third parties or their products, actions, or services. This Policy also does not apply to, and Optm is not responsible for, cookies, pixels, and other technologies used for third-party advertising. Optm's Services also allows users to connect to and use third-party services and websites, such as but not limited to, social networking services and recruitment platforms. Optm cannot control how such third parties may collect, use or secure your data. For information about a third party's privacy practices, please consult their privacy policy.

Optm reserves the right, in its sole discretion, to modify, alter or otherwise update the Policy at any time. If Optm updates the Policy, it will notify you by revising the "Last Updated" date on this page. In some cases, Optm may provide additional notice, such as by adding a statement or banner to the Website or by sending an email notification.

## Collection of Information

This section provides information on how Optm may obtain information about you and the type of information Optm collects.

### Information You Provide

Optm collects information provided by you. For example, Optm collects information when you participate in any interactive feature of the Services, fill out a form, register to attend webinars, participate in a contest or promotion, request customer support, apply for a position with Optm, or otherwise communicate with Optm.

### Information Collected Automatically

Optm may automatically collect information as you use the Services through the use of cookies, web beacons, pixels, device identifiers, and other similar technologies. Optm and certain third parties, including analytics companies, advertisers and ad networks, may also automatically collect personally identifiable information about your online activities over time and across different websites, devices, online channels and applications.

### Information Collected from other Sources

Optm may also obtain information from other sources and combine that with other information it collects. For example, if you choose to share information about your use of Optm's solutions with others through third-party social media sites, Optm may receive information from those third-party sites.

## Information Optm Collects

Optm may collect the following categories of information:

- **Personal Identifiers.** Name, email address, phone number, contact address, username, social media handle and basic account information, and unique identifiers (such as those assigned in cookies).
- **Commercial Information.** Profile and subscription information, such as transaction information, billing records, payment records and order history.
- **Internet or Other Electronic Network Activity.** Your IP address, device identifier (e.g., MAC, hardware used, and operating system), information provided in the URL string, cookies and pixel tracking information, information about your interaction with Optm's Website, applications, or email correspondence.
- **Audio, Electronic, Visual, or Similar Information.** Recordings of sales or customer service calls.
- **Content You Provide.**

Some of this information may be collected by external parties on our behalf.

If you provide Optm with information regarding another individual, you represent that you have that person's consent to give Optm such information and to permit Optm to use the information in accordance with this Policy. Optm's Services are intended for users age 18 and older. Optm does not knowingly collect information from children. If we discover that we have inadvertently collected information from anyone younger than the age of 18, we will delete that information.

## Use of Information

Optm may use information about you for various purposes, including:

- **Improvement.** Provide, maintain, and improve Optm's solutions.
- **Customer Service.** Send technical notices, updates, security alerts, support and administrative messages, and otherwise communicate with Optm customers to provide support.
- **Communication.** Respond to comments, questions, and requests.
- **Marketing.** Communicate about products, services, offers, promotions, rewards and events offered by Optm and its partners and send you other news and information.
- **Transactional.** Send information, including confirmations, invoices, notices, and updates.
- **Analytics.** Monitor and analyze trends, usage and activities in connection with the Services, demographics of consumers, Optm's marketing and advertising effectiveness, and to

personalize the Services such as provide advertisements, content, or features that match your interests or preferences.

- **Security, Legal and Compliance.** Enforce Optm's terms and conditions, respond to a subpoena or court order, safeguard business or users and to protect, investigate and deter against fraudulent, unauthorized, or illegal activity.
- Anonymize or aggregate data for use internally or with third parties.
- Carry out any other purpose described to you at the time the information was collected.

Optm is based in the United States, and the information we collect is governed by U.S. law. By accessing or using the Services, you consent to the processing and transfer of information in and to the United States and other countries that may not have equivalent data protection laws as those in your home countries. Because Optm is located in the United States, these data transfers to the United States are necessary to provide the Website and products and services to you and to operate our Services.

## Sharing of Information

This section provides information on how Optm or the Services may share information.

### Information You Share

The Services may allow you to connect and share your actions, comments, content and information publicly or with other people. You may also connect to and share your information on third-party social media platforms, websites, applications, and services through plug-ins, widgets, buttons, and other third-party features on and connected with our Services. You must be mindful of your own privacy needs and those of others as you choose who to connect with and what you share with others. Optm cannot control the privacy of information you choose to make public or share with others. Optm also cannot control and is not responsible for any social media services or their actions, including their collection of consumer data and how they use such data. It is your responsibility to review the privacy policies of social media services.

## Information Optm Shares

To the fullest extent allowed by law, Optm may share certain information with third parties at its discretion, including information that has been de-identified and aggregated user statistics. We may share your information, including personal information, as disclosed at the time you provide your information, as described below or elsewhere in this Policy, or otherwise with your consent. Examples include, without limitation, the following disclosures.

- **Service Providers.** Optm may share your information with vendors, consultants and other service providers who need access to such information to carry out work on Optm's behalf. Examples include parties that provide advertising and marketing support, and analytics providers.

- **Business Partners.** Optm may sell product lines jointly with select business partners, such as resellers and distributors, in which case we may provide such partners with the information necessary for such purpose.
- **Investors.** Optm may disclose aggregate data about the use of Optm's solutions to our investors.
- **Legal and Compliance.** Optm may share information where necessary to comply with applicable law, to respond to requests from law enforcement agencies or other government authorities or third-parties (as permitted by law) and to protect the rights and interests of, without limitation, Optm, its personnel, and customers.
- **Corporate.** Optm may transfer your personal information to another entity as part of a sale of our business/assets or as part of any business restructuring, reorganization or other corporate transaction.

Optm may also share aggregated or de-identified information for any legal purpose.

When Optm has location information, it uses it to tailor the Services for you and others. For example, whenever you open, use or interact with one of Optm's Services, Optm may use the location information to tailor the Services to your current location. This location information is not shared with others, except for authorized service providers who help Optm improve and deliver the Services.

## Advertising and Analytics

Optm may use cookies, pixels and other technologies on its websites, in its ads, and in its emails to deliver and track Optm advertising displayed to you on third-party websites and apps. Optm also uses cookie information to know when you return to Optm's Website after visiting third-party sites. Optm uses this information and other information about you to try to understand your interests and show relevant advertising and information about products and services offered by Optm and its partners.

Certain third-party ad networks may also automatically collect information about your visits to Optm's Websites and other websites through the use of cookies, pixels or other technologies. Information collected by such third parties may be used for analytics and advertising, including to deliver advertising relevant to your interests and to better understand the usage and visitation of Optm's Website and other sites tracked by these third parties. As noted above, this Policy does not apply to, and Optm is not responsible for, cookies, pixels and other technologies used for third-party advertising. Optm encourages you to check the privacy policies of third-party advertisers and/or ad services to learn about their use of cookies, pixels, and other technology. You can learn more about these practices and your choices by visiting the Digital Advertising Alliance at <http://www.aboutads.info/choices/> in the USA, the Digital Advertising Alliance of Canada at <http://youradchoices.ca/> in Canada, or the European Digital Advertising Alliance <http://www.youronlinechoices.eu/> in Europe and visiting the privacy policies of the companies listed. You may visit Google Ad Preferences for Apps on your mobile devices for more information about targeted advertising or to opt out of having information used in this way.

Some browsers incorporate a 'Do Not Track' (DNT) feature that, when turned on, signals to websites and online services that you do not wish to be tracked. Because there is not yet an accepted standard for how to respond to DNT signals, we do not currently respond to them except as specifically required by law.

## Security

Optm uses a combination of physical, technical, and administrative measures in an effort to protect your personal information. However, there is no such thing as absolute security. Optm cannot guarantee the security of the information you provide.

If you learn of a security issue with our Services, please immediately contact Optm at [support\[at\]optm.com](mailto:support[at]optm.com).

## Your Choices

If you would like to update the personal information held by Optm to ensure its accuracy, please contact [privacy\[at\]optm.com](mailto:privacy[at]optm.com).

You also have the right to ask for a copy of your personal information held by Optm or that Optm delete the information. To exercise these rights, please contact Optm by the means noted above. Please note that Optm may retain certain information as required by law or for legitimate business purposes. While Optm and others give you choices described in this section, there are many web browser signals and other similar mechanisms to disable tracking. Optm may not be aware of or honor every mechanism.

## Marketing

You may opt out of receiving promotional emails, marketing or telemarketing calls from Optm by following the instructions in those emails (for marketing emails) or by contacting Optm at [privacy\[at\]optm.com](mailto:privacy[at]optm.com). If you opt out, Optm may still send you non-promotional emails, such as those about your account or ongoing business relations.

## Cookies

Many web browsers are set to accept cookies by default. If you prefer, you can usually choose to set your browser to remove cookies and to reject cookies from Optm. If you choose to remove cookies or reject cookies, this could affect certain features of Optm's Services.

### Mobile Devices

Mobile devices may provide certain opt-out choices. You should consult your device settings for more information or to opt out of using these mechanisms.

## Data Retention Period

Subject to applicable law, Optm may retain your information for as long as needed to provide you with products or services that you have requested, comply with legal obligations, resolve disputes and enforce agreements. We may not remove your information when there is a legal storage requirement, such as accounting rules or when there are other legal grounds to keep the data, such as an ongoing contractual relationship.

On some occasions, Optm may retain your information even after this period, to the extent strictly necessary to issue certificates and/or documents that may be requested by individuals or public bodies, to achieve the other purposes for which it was collected, or to allow Optm to exercise and/or assert a right or to defend a court action.

## Contact Information

If you have any questions about this Policy, you may contact Optm at [privacy\[at\]optm.com](mailto:privacy[at]optm.com) or write to us at:

Optm, Inc.  
Attention: Privacy  
433 Plaza Real, Suite 275  
Boca Raton, FL 33432

## Jurisdiction-Specific Notices

Certain jurisdictions may provide additional rights to individuals with respect to the collection and use of information. For example, you may have the right to request that Optm: (i) disclose to you any personal information that we have about you; (ii) correct or delete personal information that we have about you (subject to certain exceptions); or (iii) not disclose or sell your information to a third party (excluding qualified service providers).

### California

#### Your California Privacy Rights

California's "Shine the Light" law permits customers in California to request certain details about how their information is shared with third parties. If you are a California resident, you may opt-out of such sharing by emailing [privacy\[at\]optm.com](mailto:privacy[at]optm.com) or mailing a written request to Optm, Inc., 433 Plaza Real, Suite 275, Boca Raton, FL 33432.

#### California Consumer Privacy Act

The California Consumer Privacy Act ("CCPA") provides California residents with rights to receive certain disclosures regarding the collection, use, and sharing of information about them, as well as rights to know/access, delete, and limit sharing of personal information. You have the right to be free from discrimination based on your exercise of your CCPA rights.

To the extent that Optm collects personal information that is subject to the CCPA, Optm's practices and your rights are described in the Policy and below.

#### Notice at Collection Regarding the Categories of Personal Information Collected

As stated in our Policy – Information Optm Collects, Optm collects personal identifies, commercial information, internet or other electronic network activity, audio, electronic, visual, or similar information, and content you provide through your use of the Services. Entities to whom we disclose information for business purposes are service providers and business partners, which are companies that we engage to conduct activities on our behalf.

#### California Applicant Privacy Notice

If you are a California resident and apply for a position with Optm, information may be collected about you in multiple ways: you may provide it to us in connection with your application; we may make observations in the application process or collect information from public information sources; or you may authorize us to collect information from other sources, such as a former employer or reference. Please note that this notice does not cover any information that we may collect about you in your capacity as a customer with us, which are addressed elsewhere in the Policy.

The following table describes Optm's practices regarding information submitted in the job application process. If you use our website in the job application process, additional information may be automatically collected, as described above. Please note, the categories of personal information Optm



collects about you may vary based upon the position for which you are applying. The information in this notice is intended only to provide an overall description of Optm's collection of information about California resident applicants.

| Category                                        | Examples                                                                          |
|-------------------------------------------------|-----------------------------------------------------------------------------------|
| Personal Identifiers                            | name, email address, phone number, contact address, username, social media handle |
| Protected Classifications                       | gender, race and ethnicity, date of birth                                         |
| Geolocation Information                         | physical address, ZIP code, IP address                                            |
| Professional or Employment-related Information. | employer's name, employer's address                                               |
| Education Information                           | institutions attended, degrees and certifications attained                        |

Generally, Optm may use the above categories of personal information to review, assess, recruit, consider or otherwise manage applicants, candidates and job applications.

In certain circumstances, you may submit your application for employment through a third-party service provider that displays our job posting. We do not control the privacy practices of third-party services. Please review their privacy policies carefully prior to submitting your application materials.

### Right to Opt Out of Sale of Personal Information to Third Parties

Although Optm does not monetize your information, we do make available your information in the following circumstances, which could be deemed to be a sale under the CCPA: online advertising and analytics providers, e.g., we may permit such providers to place a cookie, tag, or other tracking tool on our Website to assist us with our own advertising. These providers also may use your information to assist other companies with advertising as well.

If you do not want Optm to share your information with advertising providers, please contact us using the contact information below. In addition, you can limit this type of data sharing on mobile devices by using the limiting ad tracking features within the operating system of your mobile device or using the DAA's AppChoices application.

### Right to Know and Request Access to and Deletion of Personal Information

You have the right to request access to personal information collected about you and information regarding the source of that personal information, the purposes for which Optm collects it, and the third parties and service providers with whom we share it. You also have the right to request, in certain circumstances, that Optm delete personal information collected directly from you. Optm may have a reason under the law as to why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

### How to Submit a Request

Requests to opt-out of sharing of personal information, requests to know, and requests to delete may be submitted to [privacy\[at\]optm.com](mailto:privacy[at]optm.com). Optm will respond to verifiable requests received from California consumers as required by law.

Upon submission of your request, Optm will contact you (via the email address provided in your request) with instructions on how to verify the request, after which we will check our records for matching information and aim to complete requests as soon as reasonably practicable and consistent with any applicable laws. You may authorize another individual or a business registered with the California Secretary of State, called an authorized agent, to make requests on your behalf through these means.

### Notice of Financial Incentive

Optm does not offer any financial incentives at this time; however, a business may offer financial incentives for the collection, sale or deletion of California residents' personal information, provided the incentive is in compliance with applicable legislative requirements. California residents have the right to be notified of any financial incentive offers and their material terms, the right to opt-out of such incentives, and may not be included in such incentives without their prior informed opt-in consent.

## **Nevada**

Residents of the State of Nevada have the right to opt out of the sale of certain pieces of their information to third parties who will sell or license their information to others. If you are a Nevada resident and would like to make such a request, please email [privacy\[at\]optm.com](mailto:privacy[at]optm.com).

## **European Economic Area, Switzerland, or the UK**

If you are located in the European Economic Area ("EEA"), Switzerland, or the UK, you are entitled to certain rights, subject to applicable exceptions, under the GDPR, Swiss, and UK data protection laws. Please note that, in order to verify your identity, we may require you to provide us with information prior to accessing any records containing information about you.

Optm will typically process your information pursuant to the following legal bases: (1) with your consent; (2) as necessary to provide Services to you; or (3) as necessary for our legitimate interests in providing the Services where those interests do not override your fundamental rights and freedoms related to data privacy. Optm also may process your information where it is necessary to comply with a legal obligation to which we are subject.

### Right of Access

You have the right to obtain confirmation as to whether we are processing personal data about you, and if so, request a copy of the personal data. If you would like a copy of the personal data that we

hold about you, please send a description of the personal data you would like a copy of and proof of your identity to our email as set forth below.

### Right to Correction

You have the right to correct any inaccuracies in the personal data that we hold about you and, where applicable, to complete any incomplete personal data that we hold.

### Right to Erasure

You have the right to request that we erase the personal data that we hold about you if one of the conditions in Article 17 of the GDPR applies. The right to erasure does not apply in certain circumstances, including where the processing is necessary for the establishment, exercise, or defense of legal claims.

### Right to Restriction of Processing

You have the right to restrict our processing of your personal data if one of the conditions in Article 18 of the GDPR applies.

### Right to Data Portability

You have the right to receive personal data concerning you in a structured, common, and machine-readable format or request transmission of the data to a third party, if the conditions in Article 20 of the GDPR are met.

### Right to Object

You have the right to object to the processing of your personal data at any time. Optm will no longer process the data, unless there are compelling legitimate grounds for our processing that override the interests, rights, and freedoms of the data subject, or the processing serves the purpose of asserting, exercising, or defending legal claims. You also have the right to object at any time to the use of your data for direct marketing.

### Right to Withdraw Consent

If we are processing your personal data based on your consent, you have the right to withdraw your consent at any time.

To submit a request to exercise your rights, please contact [privacy\[at\]optm.com](mailto:privacy[at]optm.com). Optm may have a reason under the law why we do not have to comply with your request, or may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

### Cross-border Transfer of Data

If you use the Services outside of the United States, you understand that Optm may collect, process, and store your personal information in the United States and other countries. The laws in the U.S.

regarding personal information may be different from the laws of your state or country. Any such transfers will comply with safeguards as required by relevant law.

### Retention

Generally, we keep your data for only as long as it is needed to complete the purpose for which it was collected or as required by law. We may need to keep your data for longer than our specified retention periods to honor your requests, including to continue keeping you opted out of marketing emails, or to comply with legal or other obligations.

### Lodging a Complaint

Users that reside in the EEA, Switzerland, or the UK have the right to lodge a complaint about our data collection and processing actions with the supervisory authority concerned. We ask that you please attempt to resolve any issues with Optm first, although you have a right to contact your supervisory authority at any time.