

# NIMBLEEDGE, INC.

## PRIVACY POLICY

Last Updated: 8th September, 2023

### 1. INTRODUCTION

**NimbleEdge, Inc.** (“NimbleEdge,” “we,” “us,” or “our”) respects the privacy of its Users (“User,” “your,” or “you”). This Privacy Policy (the “Privacy Policy”) explains how we collect, use, disclose, and safeguard your information when you use the ‘NEDL’(the “app”).

NimbleEdge is committed to protecting the privacy of its Users whose information is collected and stored while using the app.

The capitalized terms have the same meaning as ascribed in our ‘Terms of Use’ as applicable, unless otherwise noted here.

PLEASE READ THIS PRIVACY POLICY CAREFULLY TO UNDERSTAND OUR POLICIES AND PRACTICES REGARDING YOUR INFORMATION AND HOW WE WILL TREAT IT. BY ACCESSING OR USING OUR APP, YOU AGREE TO ACCEPT ALL THE TERMS CONTAINED IN THIS PRIVACY POLICY AND ACKNOWLEDGE AND AGREE WITH THE PRACTICES DESCRIBED HEREIN. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, PLEASE DO NOT ACCESS AND USE OUR APP.

IF YOU HAVE ANY QUESTIONS REGARDING THIS PRIVACY POLICY, PLEASE SEND US AN EMAIL AT [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)].

WE DO CURRENTLY OR INTEND TO OFFER OUR SERVICES IN THE EUROPEAN UNION. IF YOU RESIDE IN THE EUROPEAN UNION, PLEASE DO NOT ACCESS OR USE OUR APP.

### 2. WHAT INFORMATION DO WE COLLECT?

When you register to use our app, we collect personal information (also referred to as personally identifiable information or “PII”) which may include your name, online contact information such as your email address or username, phone number, and other personal information like photograph, audio file, video file, and professional or employment-related information. The information so collected will be stored on our servers. You are able to change your personal information via email by contacting us at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)] or through your profile or account settings on our app.

- a. Geolocation and Equipment Information. We may collect information that does not personally identify you such as (i) your geolocation, and (ii) information about your internet connection, the equipment you use to access our app, and usage details.
- b. Financial Information. We currently do not collect or store any credit cards or bank information, as we are using a third-party payment processor. However, we will update this Privacy Policy when we start using and storing such information. We will also inform you via reasonable means if we start collecting such information from you.

### 3. HOW DO WE COLLECT INFORMATION?

We collect personal information from you in the following ways:

- a. At registration on our app;
- b. In email, text, and other electronic messages between you and our app;
- c. Through mobile applications, when a user downloads from the Google Playstore or Apple app store or the Website, which provides dedicated non-browser-based interaction between user and the app;
- d. By subscribing to a newsletter;
- e. By responding to a survey;
- f. From forms filled out by you;
- g. From records or copies of correspondences (including email addresses) if you contact us; and
- h. From search queries on the app

We collect information from you automatically when you navigate through our app in the following ways:

- a. Usage details;
- b. Information obtained through browser cookies; and
- c. Other tracking technologies.

#### **4. HOW DO WE USE YOUR INFORMATION?**

We use the information that you provide to:

- a. Personalize your experience in using our app;
- b. Provide you with information, products, or services requested from us;
- c. Present our app and their contents to you;
- d. Notify you about changes to our app and any products or services;
- e. Allow you to participate in interactive features on our app;
- f. Improve the app;
- g. Improve customer service;
- h. Administer contests, promotions, or a survey or other site feature;
- i. Contact you for other purposes with your consent;
- j. Contact you about our products and services that may be of interest;
- k. Send you periodic emails, in accordance with the CAN-SPAM Act of 2003 as detailed in Section 14, via the email address provided by you to (i) send information, respond to inquiries, and/or other requests or questions; (ii) process orders and send information and updates pertaining to such orders; (iii) send additional information related to your product and/or service; and (iv) market to our mailing list or continue to send email to you after the original transaction has occurred.

#### **5. OUR COOKIE POLICY**

Cookies are small pieces of text used to store information on web browsers. Cookies are used to store and receive identifiers and other information on computers, phones, and other devices. Other technologies, including data we store on your web browser or device, identifiers associated with your device, and other software, are used for similar purposes. In this Privacy Policy, we refer to all of these technologies as “Cookies.”

We use Cookies on our app to (a) understand and save your preferences for future visits, and (c) compile aggregate data about site traffic and site interactions in order to offer better site experiences and tools in the future, and (c) use trusted third-party services that track this information on our behalf. You can set your browser to refuse all or some browser Cookies, but it may affect your user experience. We honor Do Not Track signals and, if one is in place, we will not track, plant cookies, or use advertising.

We allow third party behavioral tracking and links to third-party web pages. Occasionally, at our discretion, we may include or offer third-party products or services on our app. These third-party sites have separate and independent privacy policies. We, therefore, have no responsibility or liability for the content and activities of these linked sites. Nonetheless, we seek to protect the integrity of our app and welcome any feedback about these sites. Please contact us at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)].

## **6. HOW DO WE PROTECT INFORMATION WE COLLECT?**

Our app is reasonably scanned to meet or exceed PCI Compliance. Our app receives regular security scans and penetration tests. Our app also receives regular malware scans. In addition, our app uses an SSL certificate as an added security measure. We require username and passwords for our employees who can access your personal information that we store and/or process on our app and servers. In addition, we actively prevent third parties from getting access to your personal information that we store and/or process on our app and servers.

## **7. DATA SECURITY MEASURES.**

- a. Security Measures. We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our app, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our app. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on our app.
- b. Fair Information Practice Principles. In the event of a personal data breach, we will notify you within forty-eight (48) hours via (i) email and/or (ii) notify the FTC, FCC and or the state regulatory agency. We agree to the individual redress principle, which requires that individuals have a right to pursue legally enforceable rights against data collectors and processors who fail to adhere to the law. This principle requires not only that individuals have enforceable rights against data users, but also that individuals have recourse to courts or a government agency to investigate and/or prosecute non-compliance by data processors.

## **8. DISCLOSURE OF PERSONAL INFORMATION**

There are times when we may share Personal Information that you have shared with us may be shared by NimbleEdge with others to enable us to provide you over Services, including contractors, service providers, and third parties (“Partners”). This section discusses only how NimbleEdge may share such information with Partners. We will ensure that our Partners protect your Personal Information. The following describe how and with whom we may share your Personal Information:

### **Disclosure of Personal Information.**

- a. We require all contractors, service providers, and other third parties to whom we disclose your personal information to be under contractual obligations to keep personal information confidential and to use it only for the purposes for which we disclose them.
- b. We may disclose personal information in the event of a merger, sale of business, etc.
- c. We may only disclose personal information as described in this Privacy Policy or your consent.

### **Other Disclosures of Personal Information.**

- a. We will disclose personal information (i) to comply with any court order, law, or legal process, including to respond to any government or regulatory request, (ii) to enforce or apply our 'Terms of Use' and other agreements, including for billing and collection purposes, (iii) if we believe it is necessary or appropriate to protect the rights, property, or safety of NimbleEdge, our customers or others, and/or (iv) if it is necessary or appropriate to protect the rights, property, or safety of NimbleEdge, our customers, or others, and this includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **Third Party Disclosure.**

- a. We may sell, trade or otherwise transfer Personal Information to outside parties for marketing and sales activities.
- b. We provide non-personally identifiable visitor information for marketing purposes.

### **Choices Users Have About How NimbleEdge Uses and Discloses Information.**

- a. Tracking Technologies and Advertising. You can set the browser to refuse some or all the browser cookies, but if you disable or refuse cookies, some parts of our app may not be accessible or function properly.
- b. Disclosure of Users' Information for Third-Party Advertising. Users can opt-out by (i) checking the relevant form when we collect the data; or (ii) emailing us their opt-out request at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)]. Users receiving promotional email can opt-out by sending a return email requesting to be omitted from future promotional email distributions.
- c. Disclosure of User's Information for Targeted Advertising. Users can opt-out by (i) checking the relevant form when we collect the data, or (ii) emailing us their opt-out request at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)].

## **9. GOOGLE ADSENSE**

Google, as a third-party vendor, uses Cookies to serve advertisements to Users on our App. Google uses first-party Cookies, such as Google Analytics Cookies, to compile data regarding User interactions with ad impressions and other ad service functions as they relate to our app. We currently use Google Analytics to collect and process certain App usage data. To learn more about Google Analytics and how to opt-out, please visit <https://policies.google.com/privacy/google-partners>.

We have implemented advertising features on our App including: (a) remarketing with Google AdSense; (b) Google Display Network Impression Reporting; and (c) Google Demographics and Interests Reporting.

## **10. YOUR CALIFORNIA PRIVACY RIGHTS**

NimbleEdge does not sell, trade, or otherwise transfer to outside third parties your “Personal Information” as the term is defined under the California Civil Code Section § 1798.82(h). Additionally, California Civil Code Section § 1798.83 permits Users of our app that are California residents to request certain information regarding our disclosure of their Personal Information to third parties for their direct marketing purposes. To make a request for such disclosure, or identification and/or deletion of Personal Information in all our systems that we store on you, please send an email to [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)] or write us at NimbleEdge, Inc., 355 Bryant Street, Suite 403, San Francisco, CA 94107.

Note that (i) if we delete your Personal Information as requested, we will no longer be able to provide our services to you and (ii) we may need to keep such Personal Information for a while during the shutting down and billing process. If you would like to discuss our Personal Information storage and processing process with us, please send us an email at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)] or write to us at NimbleEdge, Inc., 355 Bryant Street, Suite 403, San Francisco, CA 94107.

## **11. COPPA COMPLIANCE (FOR CHILDREN UNDER 13 USERS ONLY)**

The Children’s Online Privacy Protection Act (“COPPA”) is a federal legislation that applies to entities that collect and store “Personal Information,” as the term is defined under COPPA, from children under the age of 13. We are committed to ensuring compliance with COPPA. Our app is not meant for use by children under the age of 13. Our app does not target children under the age of 13, but we do not age-screen or otherwise prevent the collection, use, and personal disclosure of persons identified as under 13. If you would like to know more about our practices and specifically our practices in relation to COPPA compliance, please email us at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)].

IF YOU ARE UNDER 13, PLEASE DO NOT ACCESS OR USE OUR app.

## **12. CAN-SPAM ACT OF 2003**

The CAN-SPAM Act establishes requirements for commercial messages, gives recipients the right to have businesses stop emailing them, and spells out penalties for violations. Per the CAN-SPAM Act, we will:

- a. not use false or misleading subjects or email addresses;
- b. identify the email message as an advertisement in some reasonable way;
- c. include the physical address of NimbleEdge, Inc., which is 355 Bryant Street, Suite 403, San Francisco, CA 94107;
- d. monitor third-party email marketing services for compliance, if one is used;
- e. honor opt-out/unsubscribe requests quickly; and
- f. give an “opt-out” or “unsubscribe” option.

If you wish to opt out of email marketing, follow the instructions at the bottom of each email or contact us at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)] and we will promptly remove you from all future marketing correspondences.

## **13. MODIFICATIONS TO OUR PRIVACY POLICY**

NimbleEdge reserves the right, at its sole discretion, to change or modify this Privacy Policy at any time. In the event we modify this Privacy Policy, such modifications shall be binding on you only upon your acceptance of the modified Privacy Policy. We will inform you about the modifications on our Privacy Policy page by posting a modified version of the Privacy Policy page, or by a comparable means within a reasonable time period. Your continued use of our app shall constitute your consent to such changes.

#### 14. LIST OF THIRD-PARTY SERVICE PROVIDERS

NimbleEdge uses the following third-party service providers for the provision of services as detailed under the ‘Terms of Use’ as applicable

Name of Third-Party Service Provider	Contact Information
Google Analytics Salesforce Hubspot	<a href="https://support.google.com/analytics/">https://support.google.com/analytics/</a> <a href="https://help.salesforce.com/s/home">https://help.salesforce.com/s/home</a> <a href="mailto:support@hubspot.com">support@hubspot.com</a>

Additionally, if you have any questions or concerns about our third-party service providers, please email us at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)]

#### 15. COPYRIGHT INFRINGEMENT/DMCA NOTICE

If you believe that any content on our app violates your copyright, and you wish to have the allegedly infringing material removed, the following information in the form of a written notification (pursuant to the Digital Millennium Copyright Act of 1998 (“DMCA Takedown Notice”)) must be provided to our designated Copyright Agent.

- a. Your physical or electronic signature;
- b. Identification of the copyrighted work(s) that you claim to have been infringed;
- c. Identification of the material on our app that you claim is infringing and that you request us to remove;
- d. Sufficient information to permit us to locate such material;
- e. Your address, telephone number, and email address;
- f. A statement that you have a good faith belief that use of the objectionable material is not authorized by the copyright owner, its agent, or under the law; and
- g. A statement that the information in the notification is accurate, and under penalty of perjury, that you are either the owner of the copyright that has allegedly been infringed or that you are authorized to act on behalf of the copyright owner.

NimbleEdge’s Copyright Agent to receive DMCA Takedown Notices is [Ahamed Mushtafa], at [[privacy@nimbleedgehq.ai](mailto:privacy@nimbleedgehq.ai)] and at NimbleEdge, Inc., Attn: DMCA Notice, 355 Bryant Street, Suite 403, San Francisco, CA 94107. You acknowledge that for us to be authorized to take down any content, your DMCA Takedown Notice must comply with all the requirements of this Section. Please note that, pursuant to 17 U.S.C. § 512(f), any misrepresentation of material fact (falsities) in a written notification automatically subjects the complaining party to liability for any damages, costs and attorney’s fees incurred by NimbleEdge in connection with the written notification and allegation of copyright infringement.

#### 16. CONTACT US

To ask questions or comment about this Privacy Policy and our privacy practices, contact us at:

- Name: Ahamed Musthafa
- Email: [privacy@nimbleedgehq.ai]
- Address: 355 Bryant Street, Suite 403, San Francisco, CA 94107

PLEASE NOTE: IF YOU USE OUR app, YOU HAVE AGREED TO AND ACCEPTED THE PRACTICES DESCRIBED IN THIS PRIVACY POLICY AND THE TERMS AND CONDITIONS SET FORTH IN OUR 'TERMS OF USE', AS APPLICABLE. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY OR OUR TERMS OF SERVICE, PLEASE DO NOT USE OUR app.