

**VIRTUAL FACILITY, INC.**  
**PRIVACY POLICY**

**Last Updated: December 22, 2022**

We at Virtual Facility, Inc. (“Virtual Facility,” “we,” “us,” or “our”) have created this privacy policy (this “Privacy Policy”) because we know that you care about how information you provide to us is used and shared. This Privacy Policy relates to the information collection and use practices of Virtual Facility in connection with our website (“Site”), our mobile application (“App”) and our online platform (“Platform”) (collectively, the “Services”).

By clicking “I AGREE,” or otherwise manifesting your assent to the Privacy Policy and accompanying [Terms and Conditions](#) (“Terms”), when you visit or sign up to access and use the Services, you acknowledge that you have read, understood and agree to be legally bound by the terms of this Privacy Policy and the accompanying Terms.

Capitalized terms not defined in this Privacy Policy shall have the meaning set forth in our Terms.

**The Information We Collect and/or Receive**

In the course of operating our Services, and/or interacting with you, we will collect (and/or receive) the following types of information. You authorize us to collect and/or receive such information.

1. Contact Information.

When you sign up to use the Services, contact us using any of the variety of ways found in our “Contact Virtual Facility” tab, or request a demo of the Services, you may be required to provide us with personal information about yourself, such as your name, username, e-mail address, and job title (collectively, the “Contact Information”). We do not collect any Contact Information from you when you use our Services unless you provide us with the Contact Information voluntarily. The Contact Information is used to provide the requested service or information.

2. Other Information.

In addition to the Contact Information, Payment Information and Geolocation Information, we may collect additional information (the “Other Information”). Such Other Information may include:

- a. From Your Activity. Information that we automatically collect when you use the Services, including, without limitation:
  - o IP addresses, browser type and language, referring and exit pages and URLs, date and time, amount of time spent on particular pages, what sections of the App you visit, etc.;
  - o Information about a mobile device, including universally unique ID (“UUID”), App type and version (e.g., iOS or Android), carrier and country location, hardware and processor information (storage, chip speed, camera resolution, NFC enabled, and network type (WiFi, 3G, 4G, 5G); and
  - o Activity and usage information occurring via the App, including tagging data, session lengths; and similar data.

- b. From Cookies. We do not currently but may in the future collect information using “Cookies.” Cookies are small files containing strings of characters that a website stores on your device so that the website will remember your browser. We may use session cookies, which expire once you close your web browser, to help us collect Other Information and to enhance your experience using the Website or App. If you do not want us to place a cookie on your device, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser’s documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the Website or App may not function properly.
- c. Third-Party Analytics. We may use one or more third-party analytics services to evaluate your use of the Services, compile reports on activity (based on their collection of IP addresses, Internet service provider, browser type, operating system and language, referring and exit pages and URLs, date and time, session and page duration, what sections of the Services you visit, number of links clicked while on the Services, search terms and other similar usage data), and analyze performance metrics. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the Services, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. For more information on these third parties, including how to opt out from certain data collection, please visit the sites below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Services.

For Pendo please visit: <https://www.pendo.io/legal/privacy-policy/>

### **How We Use and Share the Information**

You authorize us to use the Contact Information, Geolocation Information and Other Information (collectively, the “Information”) to provide you the Services, solicit your feedback, inform you about our products and services and to improve our Services.

You also authorize us to use and/or share your Information as described below.

- Agents, Providers and Related Third Parties. We may engage other companies and individuals to perform certain business-related functions on our behalf. Examples may include providing technical assistance, customer service, and marketing assistance. These other companies will have access to the Information only as strictly necessary to perform their functions and to the extent permitted by law. We may also share your Information with any of our parent companies, subsidiaries, or other companies under common control with us.
- Aggregated Information. In an ongoing effort to better understand our users and our Services, we might analyze your Information in aggregate form in order to operate, maintain, manage, and improve the Services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our Services to current and prospective business partners and to other third parties for other lawful purposes.
- Business Transfers. As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, your Information may be part of the transferred assets.

- ***Legal Requirements.*** To the extent permitted by law, we may also disclose your Information: (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (ii) whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of Virtual Facility or others.
- ***Your Employer.*** If you have received access to the Services through your employer, we may share your Information with your employer in the form of reports, dashboards, and other means.

### **Accessing and Modifying Information and Communication Preferences**

If you have provided us any personal information, you may access, remove, review, and/or make changes to the same by contacting us at [privacy@vfacility.ai](mailto:privacy@vfacility.ai). In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the “Unsubscribe” link located on the bottom of any Virtual Facility marketing e-mail. We will use commercially reasonable efforts to process such requests in a timely manner.

### **How We Protect the Information**

We take commercially reasonable steps to protect your Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases or the databases of the third parties with which we may share such information, nor can we guarantee that the information you supply will not be intercepted while being transmitted over the Internet. In particular, e-mail sent to us may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

### **External Sites**

The Services may, from time to time, contain links to external websites. Virtual Facility encourages you to review the privacy and security policies of any externally linked websites that may be accessed through the Services. Virtual Facility assumes no responsibility or liability for the information collection and disclosure practices of any external websites that a user can access through the Services. Please check the privacy policies of these external websites before you submit any personal information to them.

### **Important Notice to Non-U.S. Residents**

The Services and its servers are operated in the United States. If you are located outside of the United States, please be aware that any information you provide to us may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside the United States and choose to use the Services, you do so at your own risk.

### **Notice to California Residents**

Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to obtain certain information about the types of personal information that companies with whom they have an established business relationship (and that are not otherwise exempt) have shared with third parties for direct marketing purposes during the preceding calendar year, including the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. If you wish to submit a request pursuant to Section 1798.83, please contact us via email at [privacy@vfacility.ai](mailto:privacy@vfacility.ai).

## **Do Not Track**

Virtual Facility does not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser “Do Not Track” settings and/or signals.

## **Notice to Nevada Residents**

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties. You can exercise this right by contacting us at [privacy@vfacility.ai](mailto:privacy@vfacility.ai) with the subject line “Nevada Do Not Sell Request” and providing us with your name and the email address associated with your account. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A.

## **Changes to This Privacy Policy**

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time with or without notice to you. Any such changes will be posted on the Services. By accessing and/or using the Services after we make any such changes to this Privacy Policy, you are deemed to have accepted such changes. Please be aware that, to the extent permitted by applicable law, our use of your information is governed by the Privacy Policy in effect at the time we collect the Information. Please refer to this Privacy Policy on a regular basis.

## **How to Contact Us**

If you have any questions about this Privacy Policy or to report a privacy issue, please contact us in one of the following ways:

Email: [privacy@vfacility.ai](mailto:privacy@vfacility.ai)

Or write to us at:

Virtual Facility, Inc  
295 Madison Avenue  
12<sup>th</sup> Floor  
New York, NY 10017