

DRIVE COMMERCE PRIVACY POLICY

This Policy was last updated on: November 20, 2024.

Drive Commerce is a team of eCommerce professionals supporting global retailers with SaaS products intended to drive sales, increase customer satisfaction, and integrate into retailers' respective platforms.

Your privacy is very important to us. Part of our operation of this Site involves the collection and use of information about you. This Privacy Policy explains what type of information we collect through the Site and what we do with that information to allow you to make choices about the way your information is collected and used. This Privacy Policy applies only to this Site and information collected through this Site. Please review the language of any contract you have with us for information regarding how your information (and information regarding your users, clients, and consumers) is handled pursuant to that contract.

Residents of certain states and countries have a number of specific rights and choices. See the Supplemental Privacy Notice sections below for further information.

Information We Collect

In general, you can visit this Site without identifying who you are or revealing any information about yourself. Information collected online can generally be categorized as anonymous or personally identifiable. "Anonymous Information" is information that cannot be connected to the identity of a specific individual. Personally identifiable information ("Personal Information") is information that specifically identifies a particular user, such as name, address, or phone number. An example of Anonymous Information is the fact that, while this Site may record the number of visits to a particular page that occur in a given period of time, it does not necessarily tell us the names or other identifying information of every visitor. Many users of this Site will choose not to provide any Personal Information; therefore, those individuals are anonymous to us, and any data collected about their use of this Site is Anonymous Information.

How We Collect Information

We collect information in the following ways:

- *Data Collected Automatically*. When you use the Site, we automatically collect certain data and information regarding your use of the Site. This information may include device identifiers such as IP addresses, location information, browser type, operating system, and other information regarding your use of the Site, including a history of the pages you view.
- *"Cookies"*. When you use the Site, we may store some data on your computer in the form of a "cookie" to automatically recognize your device the next time you visit. *Cookies* are small data files, typically made up of a string of text and numbers, that assign you a unique identifier. This information enables your computer to have a "dialogue" with our

Site and permits us to administer our Site more efficiently and to provide a more tailored and user-friendly service to you. Cookies can help us in many ways, for example, by allowing us to tailor the Site to better match your interests. You can remove or block cookies in some circumstances, but this may limit functionality of the Site. You may delete cookies that are already on your computer, and stop cookies from being accepted in the future, by referring to your manufacturer's instructions by clicking "Help" in your browser menu. All browser settings are slightly different, so to manage cookies, you should refer to the relevant settings within your browser. If you would like to obtain more detailed information about types of cookies, how they are used, and how you can manage your cookie preferences, you may want to visit www.aboutcookies.org or www.allaboutcookies.org. You may delete cookies that are already on your computer, and stop cookies from being accepted in the future, by referring to your manufacturer's instructions by clicking "Help" in your browser menu. You can also opt out of a third party vendor's use of cookies by visiting www.networkadvertising.org/choices or <http://optout.aboutads.info>.

- *Volunteered Information.* When you contact us through the Site or communicate with us in any other way, you are voluntarily releasing information to us, some or all of which may be Personal Information.
- *Information from Third Parties.* We may also obtain Personal Information about you from our affiliates or third parties, such as partners with whom we offer mixed/joint services, our service providers, advertisers, social networks (when you grant us permission to access your data on one or more networks), or publicly available sources and data providers.
- *Online Tracking.* This Site does not respond to "Do Not Track" signals.

How We Use Information We Collect

We use information we collect about Site visitors to help us operate the Site, to provide services that you have requested, to complete transactions requested by you, to respond to your inquiries, and for our own marketing purposes. We may also use the information to provide you with certain communication, such as service announcements and administrative messages. We may also monitor and analyze data trends and usage. If you provide your contact information to us, you agree that we may contact you with information regarding our services, including but not limited to newsletters, advertisements and other marketing materials.

We use Google Analytics and associated tools (including Google Ads and Google Tag Manager) to track visitor statistics, to help analyze how the Site is used, and to help us show you advertisements that are relevant to you. Through these tools, we collect information including but not limited to the collection of device-specific information, log information, location information, cookie-related information, and visitor behavior information. The information generated about your use of the Site (including IP address) is transmitted to Google, and this information is then used to evaluate the Site and to compile statistical reports on Site activity, and to provide advertisements in search results, banner ads on third party websites, or in other

forms. We use this information to better understand use of this Site and topics of interest among site visitors. You can view Google’s privacy policy [here](#), and you may opt out of your data being used by Google Analytics at <https://tools.google.com/dlpage/gaoptout/>

The following table provides information relating to our collection and use of your Personal Information. In particular, we have collected and shared the following categories of Personal Information from consumers within the last twelve months:

<u>Personal Information Category</u>	<u>Examples</u>	<u>Purpose for Using or Processing Information</u>
Identifiers	Name, email address, phone numbers, postal address, Internet Protocol address, or similar identifiers	The processing is necessary for the legitimate purpose of administering the Site, for marketing purposes, and for communicating with users.
Internet or other similar network activity	Technical information including your IP address, browser type, domain names, access times and referring website address	We use this information for the legitimate purpose of authenticating users and customers, optimizing performance of the Site, tailoring the Site to each user, monitoring and resolving issues, marketing purposes, communicating with users, and for the detection and prevention of fraud.
Professional or employment-related information	Occupation, employer information	We use this information for the legitimate purpose of communicating with users

How We Disclose Information

We do not sell Personal Information, but we do share Personal Information with others for legitimate business purposes. We will not give any Personal Information to any third parties without your consent or except as otherwise described in this Privacy Policy. We may engage trusted third parties to perform functions and provide services to us. We may share information we collect with those third parties to the extent necessary to perform these functions and provide these services, consistent with the protections in this Privacy Policy. We may further share your Personal Information with third parties who use it for their own purposes if you provide consent.

The table in the previous section provides information regarding the categories of Personal Information we have shared. The following table provides information relating to the categories of third parties with whom we share Personal Information:

<u>Category of Third Parties to Whom Personal Information May be Disclosed</u>	<u>Examples</u>
Communication	ZoomInfo, Jira, Mailchimp, Salesforce, RB2B
Analytics	Google Analytics
Advertising	Google Ads, Google Tag Manager, RB2B

As explained above, we use Google Analytics to provide website analytics and advertisements, and so Personal Information may be disclosed to Google for that purpose. You can read more about how Google uses data at this link: <http://www.google.com/intl/en/policies/privacy/partners>.

We use the services of ZoomInfo to provide messaging, and so Personal Information you provide through use of messaging may be disclosed to ZoomInfo for that purpose. Further information regarding ZoomInfo’s privacy practices can be found at this link: <https://www.zoominfo.com/about-zoominfo/privacy-policy>

We use the services of Atlassian’s Jira Software to provide customer support, and so Personal Information may be disclosed to Atlassian for that purpose. Further information regarding Atlassian’s privacy practices can be found at this link: <https://www.atlassian.com/legal/privacy-policy#what-this-policy-covers>

We use the services of Intuit Mailchimp to provide administrative notifications and newsletters, and so Personal Information may be disclosed to Intuit for those purposes. Further information regarding Intuit’s privacy practices can be found at this link: <https://www.intuit.com/privacy/statement/>

We use the services of Salesforce to track submitted leads and capture leads for marketing campaigns, and so Personal Information may be disclosed to Salesforce for that purpose. Further information regarding Salesforce’s privacy practices can be found at this link: <https://www.salesforce.com/company/privacy/>

We use the services of RB2B to collect contact information regarding visitors to our Site, to generate leads for marketing campaigns, and for internal marketing campaigns, and so Personal Information may be disclosed to RB2B for that purpose. Further information regarding RB2B’s privacy practices can be found at this link: <https://www.rb2b.com/privacy-policy>

Subject to applicable law, and as we deem appropriate, we may also share or disclose your Anonymous Information, public information, and aggregated information that is not reasonably linkable to you or your device with third parties.

If you are located outside of the United States, please note that this Site is hosted on our computer servers in the United States, therefore, your information may be processed and stored in the United States. As a result, United States federal and state governments, courts or law

enforcement or regulatory agencies may be able to obtain disclosure of your information through laws applicable in the United States. Your use of this Site will constitute your consent to the transfer of your information in the United States, which may provide for different data protection rules than in your country. The United States may not necessarily have data protection laws as comprehensive and protective as those in your country of residence; however, our collection,

storage and use of your Personal Information will at times continue to be governed by this Privacy Policy.

If we sell, transfer, or merge parts of our business, or if we buy or merge with another business, we may share your Personal Information. If a change happens to our business, then the new owners may use your Personal Information as set forth in this Privacy Policy.

We may be legally required to disclose or share your Personal Information without your consent in some circumstances, for example, to comply with a court order or law enforcement. We may also share your Personal Information when we believe in good faith that disclosure is necessary to protect our rights or property, protect your safety or the safety of others, investigate fraud, or respond to a government agency, law enforcement, judicial or public authority, or other legal request, or to comply with the law.

We may disclose your Personal Information to our affiliates, subsidiaries, and business partners, as reasonably necessary for purposes of providing services to you and as otherwise set forth herein.

We may also share your Personal Information with our lawyers and other professional advisors, and third party providers of services such as cloud storage, customer relationship management systems, and others who need your Personal Information to provide services to us (or on our behalf).

Links to External Websites; Plugins

Third party websites that are accessible via a link on this Site may use cookies or collect other information when you go to those websites. We do not control the collection or use of your information by these third party websites, and our Privacy Policy does not extend to external websites or companies. You should contact the operators of those websites directly if you have any questions about their collection or use of information about you.

Children

We do not knowingly collect information from children under 16 years of age, without insisting that they seek prior parental consent if required by applicable law. We will only use or disclose Personal Information about a child to the extent permitted by law, to seek parental consent pursuant to local law and regulations or to protect a child.

Security

We operate secure data networks protected by industry standard firewall and password protection systems. We require third parties we contract with to support our business operations to employ reasonable security measures as well. We do not, however, guarantee that unauthorized, inadvertent disclosure will never occur, as we cannot fully eliminate security risks associated with data breaches due to system failures, unauthorized access by third parties, or mistakes.

Retention

Your Personal Information is stored on servers that are operated and maintained by us and by third parties under contract with us. We retain this information for the duration of your business relationship with us, and for a period of time thereafter to analyze the information for our own operations, and for historical and archiving purposes.

Applicable Law

Your use of the Site is governed by and construed in accordance with the laws of the State of Michigan without giving effect to any choice or conflict of law provision or rule. There are some states and countries that have laws granting their residents certain rights related to their Personal Information, as described in further detail in the supplemental privacy notice below. Our Michigan business does not currently conduct business in those states and countries, and we do not currently control or process a sufficient volume of Personal Information about residents of those jurisdictions in order for those laws to apply. However, if you have questions about the handling of your Personal Information, please contact us at support@drivecommerce.com.

Notices

You agree that we may contact you via email to notify you of updates, changes, and notifications required by applicable law.

Changes to This Privacy Policy

We reserve the right to update or change our Privacy Policy at any time and for any reason and you should check this Privacy Policy periodically. Changes to the Privacy Policy will be posted on this Site. Your continued use of the Site after we post any modifications to the Privacy Policy on this page will constitute your acknowledgment of the modifications and your consent to abide and be bound by the modified Privacy Policy.

Contact Information: If you have any requests, complaints or concerns about us or about this Privacy Policy, please contact: support@drivecommerce.com.

SUPPLEMENTAL PRIVACY NOTICES FOR OUT OF STATE RESIDENTS

This section supplements the information in our Privacy Policy above and may give you certain rights as to your Personal Information if you use our services and are residents of the following states under applicable law: California (the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act of 2020 and its implementing regulations (collectively, the “CCPA”)), Virginia (the Virginia Consumer Data Protection Act), Colorado (the Colorado Privacy Act and its implementing regulations), Utah (the Utah Consumer Privacy Act), Connecticut (the Connecticut Data Privacy Act), Oregon (the Oregon Consumer Privacy Act), Texas (the Texas Data Privacy and Security Act), Utah (the Utah Consumer Privacy Act), and when the following laws become effective, Delaware (the Delaware Personal Data Privacy Act), Indiana (the Indiana Consumer Data Protection Act), Iowa (the Iowa Consumer Data Protection Act), Kentucky (the

Kentucky Consumer Data Protection Act), Maryland (the Maryland Online Data Privacy Act), Minnesota (the Minnesota Consumer Data Privacy Act), Montana (the Montana Consumer Data Privacy Act), Nebraska (the Nebraska Data Privacy Act), New Hampshire (New Hampshire SB 255), New Jersey (New Jersey SB 332), Rhode Island (the Rhode Island Data Transparency and Privacy Protection Act), and Tennessee (the Tennessee Information Protection Act). Please note that the rules implementing some of these laws have not yet been finalized. To the extent that these laws apply to our processing of your Personal Data, we will be continuously working to comply with these laws, and we will update our processes, disclosures, and this notice as these implementing rules are finalized. The applicability of these laws to a particular individual or circumstance may vary.

Depending on the state in which you reside, you may have specific rights regarding your Personal Information, including:

- ***The right of access.*** Some states give their residents the right to access the Personal Information we have collected from them, and under certain circumstances to receive a copy of the Personal Information in a structured, commonly used, and machine readable format. The laws of some states allow residents to obtain a portable copy of data they have provided to us.
- ***The right to deletion.*** Some states give their residents the right to request that we delete Personal Information concerning them, subject to certain exceptions set forth in applicable state law. For example, your right to request the deletion of Personal Information does not apply where we need to retain the Information to provide goods or services to you, to comply with the law, to detect or resolve security or functionality-related issues, to conduct research in the public interest, to safeguard the right to free speech, or to carry out actions for internal purposes that you might reasonably expect. Some state laws limit this right to data you have provided to us.
- ***The right to correct inaccurate personal information.*** Some states give their residents the right to request that we correct inaccurate Personal Information, subject to certain exceptions set forth in applicable state law.
- ***The right to opt out.*** Some states provide their residents the right to opt out of the sharing of their Personal Information with third parties for targeted advertising. We do not share Personal Information with third parties for targeted advertising. These states also give their residents the right to opt out of having Personal Information processed for the use of “profiling”, which generally means any form of automated processing performed on personal data to evaluate, analyze, or predict personal aspects related to an identified or identifiable individual’s personal preferences, interests, reliability, behavior, location, or movements. We do not engage in “profiling” in the manner described by these laws. Any details about consumer preferences, if compiled, are to understand your preferences for services we offer and are not used for any automated decision making that would produce legal or similarly significant effects concerning you.
- ***The right to appeal.*** Some states give their residents the right to appeal certain decisions made by us related to your rights. For each request you submit, we will inform you of the

action we have taken in response to your request, and where required by your state, will provide the opportunity to appeal our decision through an appeal process described in the instructions in our response.

- **Non-Discrimination.** You have the right not to be discriminated against for having exercised your rights under applicable law, and unless permitted by law, we will not deny you use of our services or provide you a different level or quality of services in retaliation to your exercise of rights.
- **Sensitive Information.** Some state laws give their residents the right to opt in to the processing of their sensitive information. We do not process sensitive information as that term is defined by applicable laws in those states.

If you would like to exercise one of your rights described above, please send an email to us using the contact details in our Privacy Policy with “Request Regarding US Privacy Information” in the subject line, and provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information, identify the state in which you live, and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. Should you exercise one of your rights, we may require additional certain identifying data from you in order to verify your request. We will honor your request if it complies with applicable state privacy laws. We will respond to your request within 45 days, and in more difficult cases we may extend our response time by another 45 days. We will notify you if your request has been granted or declined, or if exemptions apply.

Supplemental Privacy Notice for California Residents

This section supplements the information in our privacy policy above for California residents, shall apply to you if you are a resident of California, and includes information applicable only to “personal information” of California “consumers” as those terms are defined in the California Consumer Privacy Act and the California Privacy Rights Act (collectively “CCPA”), as amended. The applicability of CCPA to a particular individual or circumstance may vary.

We do not collect, use or disclose sensitive personal information (as that term is defined by CCPA) through the Site.

In addition to the information provided previously relating to our collection and use of your Personal Information, we have collected and shared the following additional category of Personal Information from consumers within the last twelve months:

Personal Information categories listed in California Customer Records statute (Cal. Civ. Code 1798.80(e))	Name, signature, telephone number, fax number	The processing is necessary for the legitimate purpose of administering the Site, for marketing purposes, and for communicating with users.
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If you are a California resident, you may have specific rights regarding your Personal Information, including:

- ***The right to know what personal information we collect and with whom we share your Personal Information.*** You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the last 12 months, including the categories of Personal Information we collected about you, our business or commercial purpose for collecting that Personal Information, and the specific pieces of Personal Information we collected about you. You have the right to request the categories of third parties with whom we share that Personal Information.
- ***The right to deletion.*** You have the right to request that we delete any of your Personal Information we collected from you and retained, subject to certain exceptions set forth in the CCPA. For example, your right to request the deletion of Personal Information does not apply where we need to retain the Information to provide goods or services to you, to comply with the law, to detect or resolve security or functionality-related issues, to conduct research in the public interest, to safeguard the right to free speech, or to carry out actions for internal purposes that you might reasonably expect.
- ***The right to correct inaccurate personal information.*** You have the right to request that we correct inaccurate Personal Information, subject to certain exceptions set forth in the CCPA. We may delete the contested Personal Information as an alternative to correcting it where doing so would not negatively impact you, or where you consent to the deletion.
- ***Non-Discrimination.*** You have the right not to be discriminated against for having exercised your rights under CCPA. Unless permitted by the CCPA, we will not deny you use of our services or provide you a different level or quality of services in retaliation to your exercise of rights.

To request to exercise your rights, please send an email to us using the contact details in our Privacy Policy with “Request for California Privacy Information” in the subject line, and provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information, and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. 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. You may make such a request twice within a 12-month period. If applicable, and after we verify your request, we will respond to you by email. We will respond to your request within 45 days, and in more difficult cases we may extend our response time by another 45 days. We will notify you if your request has been granted or declined, or if exemptions apply.

Supplemental Privacy Notice for Virginia Residents

This section supplements the information in our privacy policy above for Virginia residents, and shall apply to you if you are a resident of Virginia, and includes information applicable only to “personal information” of Virginia “consumers” as those terms are defined in the Virginia Consumer Data Protection Act (“VCDPA”), as amended. The applicability of VCDPA to a particular individual or circumstance may vary.

We do not use or disclose sensitive data as that term is defined in the VCDPA.

If you are a Virginia resident, you may have specific rights regarding your Personal Information, including:

- ***The right to know what personal information we collect and with whom we share your Personal Information.*** You have the right to request that we disclose certain information to you about our collection and use of your Personal Information, including the categories of Personal Information we collected about you, our business or commercial purpose for collecting that Personal Information, and the specific pieces of Personal Information we collected about you. You have the right to request the categories of third parties with whom we share that Personal Information.
- ***The right of access and portability.*** You have the right to request a copy of the Personal Information we have collected from you, and under certain circumstances to receive a copy of the Personal Information in a structured, commonly used, and machine readable format to allow transmission of the Personal Information to another controller without hinderance, where the processing is carried out by automated means.
- ***The right to deletion.*** You have the right to request that we delete any of your Personal Information we collected from you or concerning you and retained, subject to certain exceptions set forth in the VCDPA. For example, your right to request the deletion of Personal Information does not apply where we need to retain the Information to provide goods or services to you, to comply with the law, to detect or resolve security or functionality-related issues, to conduct research in the public interest, to safeguard the right to free speech, or to carry out actions for internal purposes that you might reasonably expect.
- ***The right to correct inaccurate personal information.*** You have the right to request that we correct inaccurate Personal Information, subject to certain exceptions set forth in the VCDPA. We may delete the contested Personal Information as an alternative to correcting it where doing so would not negatively impact you, or where you consent to the deletion.
- ***The right to opt-out.*** You have the right to opt out of the processing of Personal Information for the purpose of targeted advertising, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning you.

To request to exercise your rights, please send an email to us using the contact details in the above Privacy Policy with “Request for Virginia Privacy Information” in the subject line, and provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information, and describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. You may make such a request twice within a 12-month period. If applicable, and after we verify your request, we will respond to you by email within 45 days, and in more difficult cases we may extend our response time by another

45 days. We will notify you if your request has been granted or declined, or if exemptions apply. You also have the right to appeal our refusal to take action on a request within 30 days after receiving our decision, by using the contact details below with “Appeal of VDCPA Decision” in the subject line. We will inform you of our decision in writing within 60 days after receipt of your appeal, with a written explanation of our decision.

Supplemental Privacy Notice for European Economic Area and United Kingdom Residents

This Section shall apply to you if you are a resident of the European Economic Area or the United Kingdom. This section supplements the information provided elsewhere in this Privacy Policy and includes information applicable only to “personal data” of “data subjects” as those terms are defined in the General Data Protection Regulation (“GDPR”), as amended. The applicability of GDPR to a particular individual or circumstance may vary.

If you are a resident of the European Economic Area or the United Kingdom, you may have specific rights regarding your Personal Information, including:

- ***The right to know what personal information we collect and with whom we share your Personal Information.*** You have the right to request that we disclose certain information to you about our collection and use of your Personal Information, including the categories of Personal Information we collected about you, our business or commercial purpose for collecting that Personal Information, and the specific pieces of Personal Information we collected about you. You have the right to request the categories of third parties with whom we share that Personal Information.
- ***The right of access and portability.*** You have the right to request a copy of the Personal Information we have collected from you, and under certain circumstances to receive a copy of the Personal Information in a structured, commonly used, and machine readable format, and the right to transmit the Personal Information to another controller without hinderance, where the processing is carried out by automated means.
- ***The right to deletion.*** You have the right to request that we delete any of your Personal Information we collected from you, subject to certain exceptions. For example, your right to request the deletion of Personal Information does not apply where we need to retain the Information to provide goods or services to you, to comply with the law, to detect or resolve security or functionality-related issues, to conduct research in the public interest, to safeguard the right to free speech, or to carry out actions for internal purposes that you might reasonably expect.
- ***The right to correct inaccurate personal information.*** You have the right to request that we correct inaccurate Personal Information, subject to certain exceptions. We may delete the contested Personal Information as an alternative to correcting it where doing so would not negatively impact you, or where you consent to the deletion.
- ***The right to object.*** In certain circumstances, you have the right to object to the processing of your Personal Information and to request the restriction or suspension of

such processing. In such cases, we will cease processing your information unless we have compelling legitimate grounds to continue processing or where it is needed for legal reasons. Where we use your Personal Information for direct marketing purposes, you can always object using the unsubscribe link in such communications, or using the tools set forth above in the Privacy Policy.

- ***The right to revoke consent.*** If you have provided consent for the processing of your Personal Information, you have the right (under certain circumstances) to withdraw your consent at any time, which will not affect the lawfulness of the processing before your consent was withdrawn. In certain cases, we may continue to process your information after you have withdrawn consent if we have a legal basis to do so or if your withdrawal of consent was limited to certain processing activities. For example, we may keep processing information if we need to do so to comply with a legal obligation.

If you wish to invoke a right under the GDPR, you may contact us using the contact details set forth in the Privacy Policy above. Please use the subject line “GDPR Query” in the subject line and include in your email a sufficiently detailed description of the GDPR right with which you seek assistance. We may need to contact you for further information and reserve the right to charge a fee for certain requests. We will notify you if your request has been granted or declined, or if exemptions apply. If you make a request pursuant to this section but GDPR does not apply, we will provide you notification of its inapplicability in our response to your request. You have the right to make privacy complaints directly to a supervisory authority in your country.