

Capabl, Inc Privacy Policy

Last updated November 23, 2021

This privacy policy ("Privacy Policy") applies to the various websites and cloud-based services owned and operated by Capabl, Inc, and its divisions, affiliates and subsidiaries (collectively "Capabl" or "We"), provided that where a service or affiliate publishes a privacy notice that is materially different from this notice, the other notice shall apply while interacting with such other affiliate or service.

Our products, services and our Site are not intended for individuals for their personal use. Further, access to certain secured areas of our Site are restricted to persons working for or employed by companies that have an agreement with Capabl, whether by having either purchased a subscription, or otherwise having been granted access to our proprietary tools (collectively defined as an "Agreement"), or placed orders with us to receive access to other products and services for the subject company's business needs. Your use of our Site and our products and services are governed by our Terms of Use (www.capabl.co/terms), this Privacy Policy and, where applicable, your company's Agreement with Capabl. **You should familiarize yourself with the terms of your company's agreement with Capabl, as your misuse of our Site, products and/or services may expose you and your company to liability.**

Capabl recognizes the importance of privacy and security for its registered users ("Users") and the business entities that such Users represent ("Customers"), as well as others who access these websites and services ("Visitors"). Capabl websites and services are designed for adult Users and Visitors and are not to be used by anyone under 18. This Privacy Policy describes how Capabl process the information you provide when you access these websites and services or that Capabl receives or obtains about you. This Privacy Policy should be read in conjunction with any agreements between Customer and Capabl (the "Agreements") that apply to the websites and services and with any other documents or guides that are provided from time to time in relation to the websites and services. This Privacy Policy pertains only to your data collected through the Site, so please review your Agreements with Capabl to understand how other data is handled.

Capabl does not sell, trade, or rent User or Visitor personal data to third parties for their commercial purposes. We will not share User information unless you instruct us to do

so, such as processing transactions with third parties via Capabl services or integrations you instruct us to enable with third parties.

Transfer of Information to the U.S. and Other Countries

We are based in the United States, and the information we collect is governed by U.S. law. By accessing or using the Site, or otherwise providing information to us, you consent the processing of your information to fulfill our Agreement with your company or to respond to your business inquiries. The United States' and other applicable territories' have privacy laws which may not be as comprehensive as or equivalent to the law in your country of residence. That said, as noted in this Privacy Policy, please do not provide to us any personal information: **please only communicate with us and provide to us through company-issued devices, phone numbers, and email addresses.**

Where you are using this Site pursuant to your employer's Agreement with us, your company has consented to the transfer of any information to us to enable us to provide to your company its contracted-for services and products. For further information, please speak with your employer.

Personally-Identifiable Information of Children and Individuals Under the Age of 18

We do not knowingly solicit or collect personally-identifiable information from children or individuals under the age of 18. If we learn that we collected or received personal information from a child or individual under the age of 18, we will take reasonable measures to delete such information from our servers and databases and to not use such information for any purpose (except where necessary to protect the safety of the child or others as required by law). If you believe that we might have any information from or about a child or individual under the age of 18, please contact us at:

_____.

Collection and Use of Information by Capabl

User Information

Users and Visitors communicate ("User Information") with Capabl in connection with their business relationship with Capabl and our websites and services. User Information may also be collected through email and other correspondence with Capabl, as well as with third parties or by any other means in connection with providing a service to a User, Customer or Visitor. User Information may include, without limitation, User ID, first and last name, email address, business phone numbers, and country. We also may collect other business information.

Our Site and products/services are intended for use by corporate entities and other businesses. **We do NOT knowingly gather personal telephone numbers, home address or other similar information. PLEASE DO NOT PROVIDE SUCH INFORMATION TO CAPABL. Please see our Terms of Use and your Agreements with Capabl (www.capabl.co/terms) for important information about access credentials.**

The information we collect on or through the Site may also include information that you voluntarily submit to us, which may include:

- Records and copies of your correspondence (including email addresses) if you contact us via the Site, email, written correspondence, or other means;
- Information that you provide by filling in any forms on the Site; and
- Other information received in the course of such communication

We will not sell your data (e.g. your business points of contact) to third parties or share or trade it with them for promotional purposes without your consent. We will share your data (e.g. your business points of contact) with third parties only in the ways that are described in this Privacy Policy.

Capabl and its third-party service providers may use the personal data to:

- a. perform the contracted for or otherwise requested services or in connection with the operation of the services;
- b. monitor and analyze system activity, including how the system is used and the volume and frequency of access, so as to improve the system and services;
- c. contact you to respond to your inquiries, your use of the system, or changes to the system or services and to otherwise operate the system;
- d. comply with any applicable law or other legal or regulatory requirements to respond to a request or subpoena by a government, regulatory or judicial authority where necessary in connection with a dispute, actual or potential litigation, other legal process or an internal or external audit, or where otherwise necessary to protect the interests of Capabl, third-party service providers or other participants in the system;
- e. supplement your data with third-party sources for background verification, including from your employer;

f. take appropriate actions when you ask a question, request support, request access to various thought leadership assets such as white papers, reports, case studies and so on, or participate in an online survey;

g. disclose to a Customer the activities of its authorized Users, which includes providing User Information and other information collected by Capabl to the Customer;

h. to enforce our Agreement with you or your company, or to respond to claims asserted by you or your company; and

g. gather information that does not identify specific Users or Visitors (collectively, "Aggregate Data") from User Information, data, cookies and other information collected on Capabl's websites and use such Aggregate Data for internal and/or commercial purposes. Note that we also collect Aggregate Data on our customers use of our tools, products and systems. This data is de-identified and anonymized.

When you register for an account with us, we will ask you if you wish to receive marketing materials for other or new offerings by Capabl. Capabl may use your personal data to market the products and services of Capabl and third-party service providers to Users and Visitors through the use of post/mail, or email. Please note that if Capabl sends marketing materials to you, you have the right to control your marketing preferences. For example, Capabl will include a working unsubscribe link on all marketing emails so you can unsubscribe at any time. You may review other options to control your marketing preferences in the [Opting Out of Marketing Communications](#) [insert link] section of this Privacy Policy.

Capabl will also send you service-related email announcements when it is necessary to do so. For instance, if a service is temporarily interrupted for maintenance, we might send you an email. You do not have an option to opt out of these emails, but they are not promotional in nature.

Visitor Data

When a User or Visitor accesses Capabl websites and services, Capabl collects, records and retains data about such usage, including but not limited to the User's or Visitor's domain name and internet protocol (IP) address, the name of the webpage from which each User or Visitor entered on a Capabl website or service, the locations each User visits within Capabl, and the amount of time spent on each page (collectively, "Data"). Capabl uses this Data to determine the demographics of Users and Visitors, analyze

trends and add to third parties' aggregate statistics and general information about Capabl. Again, please use only business accounts and devices to interact with us.

User and Visitor Information Supplementation

We may receive information about you from other sources, including publicly available databases or third parties, and from your employer where you are to be given access credentials to our services and tools. This helps Capabl update, expand and analyze our records, and provide products and services that may be of interest to you. If you give us personal information about others or if others give us your information, we will only use that information for the specific reason for which it was provided to us. If you provide us information of others, you expressly represent and warrant to us that you have any necessary consents to provide that information to us.

Examples of the types of personal information that may be obtained from public sources and combined with information We already have about Users and Visitors may include:

- a. information provided by your employer;
- b. information on social media; and
- c. human resource information and basic business contact information when candidates are presented through recruitment agencies and when We use Salesforce.com to work on business contact leads.

Integrated or Linked Third-Party Services

Aggregate or other information not identifiable with any individual may be used or disclosed for other purposes and to other parties as deemed appropriate by Capabl, subject to any obligations of confidentiality under the Agreement(s) and applicable laws.

Some of our webpages may utilize framing techniques to serve content from our partners while preserving the look and feel of our websites and services. Please be aware that you are providing your personal information to these third parties subject to their applicable terms and conditions and not to Capabl.

Capabl also provides links to other websites maintained by third parties unrelated to Capabl. We do not endorse these third party sites, nor do we endorse the services or products you may see on these sites. Please be aware that if you link to a third-party website, that site is not subject to Capabl's Privacy Policy and Capabl has no control

over the use of information disclosed on such sites. Capabl is not responsible for the privacy practices or content of such other sites. Capabl encourages its Users and Visitors to be aware when they leave the Capabl websites and services and suggests that Users and Visitors read the privacy policies of each site visited.

Our websites and services may include social media features, such as the Facebook “Like” button, and widgets, such as the “Share This” button and interactive mini-programs. These features may collect your IP address and the webpage you are visiting, and they may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on our websites. Your interactions with these features are governed by the privacy policy of the company providing them.

Disclosure of Personal Data to Third Parties

In certain situations, Capabl may be required to disclose personal data in response to lawful requests by public authorities. This may involve national security or law enforcement requirements, for example. Capabl, third-party service providers and partners may disclose your personal data to:

- a. any affiliate, agent or subcontractor of Capabl and/or its third-party service providers, as applicable, including companies that provide technical services to Capabl such as data processing companies; these companies are authorized by us to use your personal data only as necessary to provide these services to Capabl;
- b. any affiliate, agent or subcontractor of Capabl and/or its third-party service providers, as applicable, for the purposes of operating the system and, with your consent, for marketing;
- c. any affiliate, agent, subcontractor or adviser of Capabl and/or its third-party service providers, or a government, regulatory or judicial authority, as applicable, in connection with an internal or external audit or examination, a dispute or actual or possible litigation, a request, subpoena or similar legal process, or where disclosure is otherwise permitted or required by law;
- d. any affiliate, agent, subcontractor or adviser of Capabl and/or its third-party service providers, Customers, or a government, regulatory or judicial authority, as applicable, where necessary to protect the interests of Capabl, the public or other participants in the System, such as in the event of suspected fraud or illegal activity; and

e. anyone to whom you authorize Capabl to give your personal data, including parties you have authorized to access your personal data in connection with your activities as a User or Visitor.

Onward Transfers. In the event that Capabl or any of its assets are acquired or become the subject of a merger or acquisition, then your personal data may be transferred with the business or disclosed to potential acquirers or other authorized parties involved in such transaction but shall not otherwise be sold or rented to any third party. You will be notified of this change as described below in “Changes to this Policy.”

Tracking and Targeting Technologies

Capabl uses technologies such as cookies, beacons, tags and scripts directly or through our partners, which may include marketing partners, affiliates, analytics providers and/or service providers such as an online customer support provider. These technologies are used in analyzing trends, administering the websites and services, tracking movements around the sites and gathering aggregated demographic information about Users and Visitors. We may receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

We use cookies to help personalize your online experience. Users and Visitors can control the use of cookies through their individual web browsers (these reference sites can provide more information about how to interact with your web browser <http://optout.aboutads.info/> or <http://www.youronlinechoices.eu/>). There may also be tools within our websites that alert you to the cookies We use and let you make selections about which ones you want to use. You must accept essential cookies, and if you use tools to reject them you may still be able to use our websites and services but your ability to use some features or areas of our sites or services may be limited. If you reject optional cookies, certain features or services may be unavailable to you.

As is true of most websites, We use a third-party tracking utility partner to gather certain information automatically and store it in log files. This information includes an individual’s IP address, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp and clickstream data. We use this information, which does not identify individual Users, to analyze trends, administer the websites, track users’ movements around our websites and gather aggregated demographic information about our user base.

We use local shared objects (LSOs), including HTML5, to store content information and preferences. Third parties with whom We partner to provide certain features on our websites or to display advertising based upon your web browsing activity use LSOs such as HTML5 to collect and store information. Various browsers may offer their own management tools for removing HTML5.

Our third-party partner may use technologies such as cookies to gather information about your activities on our websites and other sites to provide you with advertising based upon your browsing activities and interests. If you wish to not have this information used for the purpose of serving you interest-based ads, you may control these settings in your web browser. The following third-party websites may assist you in doing so: <http://optout.aboutads.info/> or <http://www.youronlinechoices.eu/>. Please note that this does not opt you out of being served ads. You receive non-targeted ads after opting out.

Security

Capabl and its third-party providers have implemented reasonable security measures intended to help protect against the risk of loss, misuse and alteration of any information we process. These measures include using technology tools, limiting employee access and using industry-standard controls such as.

Notwithstanding Capabl's extensive efforts, such security measures may not prevent all loss, misuse or alteration of information disclosed on the websites.

We need your help: do not provide personal points of contact; do not use the same password or passcode to access our resources that you use to access other accounts, business or personal; do not share credentials to access our tools and services with others; and immediately notify your employer if you believe your access credentials provided by your employer have been compromised. You and your employer are responsible for all activity and/or misuse of your access credentials.

ALTHOUGH WE USE REASONABLE SECURITY PRECAUTIONS WITH RESPECT TO PERSONALLY-IDENTIFIABLE INFORMATION, WE CANNOT GUARANTEE THAT PERSONALLY-IDENTIFIABLE INFORMATION STORED ON OUR SERVERS OR TRANSMITTED TO OR FROM THE SITE WILL BE FREE FROM UNAUTHORIZED ACCESS. TO THE FULLEST EXTENT NOT PROHIBITED BY LAW, WE DISCLAIM AND SHALL HAVE NO LIABILITY FOR ANY LOSS OF, UNAUTHORIZED ACCESS OR DAMAGE TO, OR INTERCEPTION OF ANY OF YOUR PERSONALLY-IDENTIFIABLE INFORMATION BEING

STORED ON OUR SERVERS OR ON THE SITE OR TRANSMITTED TO OR FROM THE SITE.

Notice, Access and Choice

Users and Visitors can access their User Information and other appropriate personally identifiable information collected by Capabl by contacting Capabl support as set forth in the Contact section of the website www.capabl.co. If a User believes there are factual errors in such information or would like to update it, the individual may contact Capabl Customer Support or the Customer's Company Administrator and detail the inaccurate information. Capabl and/or the Customer's Company Administrator will verify and correct any factual errors within 30 days. Subject to the last sentence of this paragraph, Users have the right to request that their User Information and other personally identifiable information collected by Capabl be deleted and can do so by contacting Capabl Customer Support. Information will be deleted within 30 days. If applicable law requires a quicker response, We will act within that time frame. Note, however, that we cannot delete your information where we need it to perform our Agreement for your employer, or to enforce or defend claims.

CALIFORNIA RESIDENTS; RESIDENTS OF THE EUROPEAN UNION AND THE UK –YOUR PRIVACY RIGHTS

Our Service is a business – to – business service, and our transactions and related communications with you are not consumer transactions. We nevertheless afforded you certain rights as follows:

- o If you need to correct information we have collected about you, please submit your request to hello@capabl.co. Subject to our verification of your identity and any confirmation needed from your employer, we will correct the same.
- o If you wish to be forgotten (the right of erasure), subject to our verifying your identity, we will accommodate your request subject to the following sentence. If we have your information in relation to a transaction with you and/or your employer and/or of there is a dispute pending between us and/or your employer, we will not be able to accommodate your request. Further, we may need to retain your information in the ordinary course of our business transaction records.
- o We do not sell your information except in the event of an onward transfer pursuant to a sale of our business, whether in a merger, a reorganization or a sale of all or substantially all of our assets.

- o We may disclose your information to our business partners in fulfilling our contract with you and/or your employer and/or to respond to your request for business services.
- o We only receive information about you through this Site if you choose to provide such information to us. Otherwise, we only receive your information pursuant to your employer's transactions and business dealings with us.

We will retain your information for as long as your account is active or as needed to provide you with services. If you wish to cancel your account or request that We no longer use your information to provide you with services, contact us at hello@capabl.co. We will retain, however, and use your information as necessary to comply with our legal obligations, resolve disputes and enforce our Agreements.

If you believe you have additional rights under your applicable jurisdiction's laws which you wish to exercise that are not listed here, please contact us at hello@capabl.co.

Where We rely on your consent to process your personal data, you may withdraw your consent for the processing of your personal data at any time. However, if you do so, Capabl may not be able to provide certain services to you or give you access to parts of the websites.

Opting Out of Marketing Communications

Users and Visitors may choose whether to receive marketing communications relating to Capabl at the time of registration. If a User or Visitor subsequently does not want to receive information about special offers available through Capabl or if a User or Visitor no longer wishes to receive Capabl's newsletter and promotional communications, Users and Visitors may opt out of receiving them by following the instructions included in each newsletter or communication or by contacting Capabl.

Individuals can also unsubscribe from Capabl marketing communications by visiting www.capabl.co. If you wish to have your information removed from our contact database, please visit www.capabl.co. Note that this may create issues with our ability to service your or your employer's Agreement with us.

Modification of this Privacy Policy

We may modify this Privacy Policy at any time, and We encourage you to periodically review this Privacy Policy. If We make material changes to this Privacy Policy, We will

provide notification by email or by means of a notice on our homepage prior to the change becoming effective. Changes to the Privacy Policy will be effective upon posting. We will also provide notification by email or by means of a notice on our homepage in the event of a merger, change in corporate structure or sale of substantially all of Capabl's assets. Capabl may also disclose information to third parties as Capabl, in its sole discretion, believes necessary or appropriate in connection with the merger or consolidation with, or sale of assets to, such third party, provided that such third party agrees to comply with Capabl's Privacy Policy.

Use of System

You represent and warrant that any data you provide to Capabl is submitted in connection with transactions conducted for business purposes only. Access to and use of the websites and services are subject to this Privacy Policy and to the applicable Agreement(s) between your company and Capabl.

Data Retention

Capabl will retain your information for as long as your account is active or as needed to provide you with services, comply with our legal obligations, resolve disputes and enforce our Agreements.

Contact Us

If you have any questions, please use the appropriate contact below:

Accessing and correcting User Information:

Questions about marketing communications:

Questions about this Privacy Policy or about Capabl's handling of your information:

Mailing address:

Capabl, Inc

16708 Setter Point LN

Davidson, NC 28036

This Privacy Policy was last updated on November 23, 2021