

PRIVACY POLICY

Effective July 1, 2020

We take data privacy seriously. This privacy policy explains who we are, how we collect, share and use Personal Information, and how you can exercise your privacy rights. We recommend that you read this privacy policy in full to ensure you are fully informed. However, to make it easier for you to review the parts of this privacy policy that apply to you, we have divided up the document into sections that are specifically applicable to Customers (Section 2), Patrons (Section 3) and Visitors (Section 4). Sections 1 and 5 apply to everyone. To the extent we provide you with notice of different or additional privacy policies, those policies will govern such interactions with our products and services.

1. THE BASICS

A. About VS. RecTrac, LLC d/b/a Vermont Systems (“VS,” “we,” “us,” or “our”) is a technology company that develops, maintains and sells a proprietary club-management software and payments solution, and other related services, for business owners operating primarily in the parks and recreation space. VS’s corporate office is located at 12 Market Place, Essex Junction, VT 05452.

B. Key Terms. In this privacy policy, these terms have the following meanings:

“Customer” is a VS customer. The Customer is the individual, business entity, non-profit, military branch, or municipality contracting with us to receive Services as more specifically identified in the Services Agreement.

“End Users” are a Customer’s authorized and licensed users of the Software, as described in the Order Schedule.

“Patron(s)” mean(s) the individuals who purchase a Customer’s products and/or services and who otherwise interact with the Software. Patrons are our Customer’s customers, clients, members or military service members.

“Personal Information” means any information that identifies or can be used to identify an individual directly or indirectly. Examples of Personal Information include, but are not limited to, first and last name, date of birth, email address, gender, occupation, demographic information, financial data and transaction history.

“Services” mean any and all of those products and/or services offered by us to you under the Agreement. Services may include products or services related to software, hosting, hardware, support and/or payments.

“Software” means our proprietary technology software and any associated module(s), website(s), third-party integration(s), and mobile application(s) (if applicable).

“Site” means our public-facing website, www.vermontsystems.com, or websites that link to www.vermontsystems.com.

“Visitor” means, depending on the context, any person who visits the Site, our offices, or otherwise engages with us at our events or in connection with our marketing or recruitment activities.

“You” and **“your”** means, depending on the context, either a Customer, Patron or a Visitor.

C. Scope of this Privacy Policy. This privacy policy describes our practices and your rights in connection with the Personal Information that we may collect, use or disclose as related to:

- our Services;
- our Software;
- the Site;
- our social media pages;
- any other products or services offered, or emails sent, that direct you to this privacy policy.

By accessing or using any of the VS products or services described above (collectively, “VS Services,” unless referred to individually), you agree to the terms and conditions of this privacy policy.

2. PRIVACY FOR CUSTOMERS

This section applies to the Personal Information we collect and process from Customers (or potential Customers) through the VS Services. If you are not a Customer, the Patron or Visitor section of this policy may be more applicable to you and your data. In this section, “you” and “your” will refer to Customers (and potential Customers), including their End Users.

A. Information We Collect. The Personal Information that we collect depends on the context of your interactions with the VS Services, the settings associated with your Customer or End User account, the products, services and features that you use, your location, and applicable law. However, the Personal Information we collect broadly falls into the following categories:

(i) Information you provide to us. You may provide certain Personal Information to us when you set up your Customer or End User account, access VS Services, consult with our customer service team, send us an email, integrate any of the VS Services with a third-party service or your website, or communicate with us in any other way. This information may include:

- Business contact information (such as name, job title, legal entity, trade name, organizational information, phone number, email address, and country);
- Marketing information (such as your contact preferences);
- Site set-up (such as account logins, email addresses, usernames and passwords);
- Customer Data (which includes any information associated with your Customer site(s) and Customer Data like photos, rosters and Patron Data).
- Troubleshooting and support data (which is data you provide or we otherwise collect in connection with support inquiries we receive from you);
- Payment information (including banking information for remit purposes, account and routing numbers, credit card numbers and associated identifiers, and billing address); and
- Tax information (including your EIN or tax identification number).

(ii) Information we collect automatically. When you use the VS Services, we may automatically collect or receive certain information about your device or usage (“Service Usage Data”). In some (but not all) countries, including countries in the European Economic Area (“EEA”), this information is considered Personal Information under applicable data protection laws. We use cookies and other tracking technologies to collect some of this information. For further information, please review our Cookies Policy available [here](#).

Service Usage Data may include:

- **Device Information.** We collect information about the device and applications you use to access the Software, such as your IP address, your operating system, your browser ID, and other information about your system and connection. If you are using a VS mobile application (to the extent that we offer such a product), we may also collect information about the cellular network associated with your mobile device, your mobile device’s operating system or platform, the type of mobile device you use, your mobile device’s name and unique device ID, and information about the features of our mobile application that you accessed.
- **Log Data.** Our web servers keep log files that record data each time a device accesses those servers and the nature of each access, including originating IP addresses and your activity in the VS Services (such as the date/time stamps associated with your usage, pages and files viewed, searches and other actions you take), device event information (such as system activity and error reports), and hardware settings. We may also access metadata and other information associated with files that you upload into the Software.
- **Usage Data.** We collect usage data about you whenever you interact with the VS Services, which may include the dates and times you accessed the VS Services or your browsing activity on the Site. We also collect information about the performance of the VS Services, including metrics related to Software uptime, usage of our APIs, or the deliverability of emails. If you are using a VS mobile application (to the extent that we offer such a product), we may collect information about how often you use the mobile application and other performance data. This information allows us to improve the operation of the VS Services and facilitate research and analysis of the VS Services.

(iii) Information we collect from other sources. From time to time, we may obtain information about you from third-party sources, such as credit reporting agencies, public databases, social media platforms, marketing partners, and/or third-party data providers. Examples of the information we receive from other sources may include credit histories, demographic information (such as age and gender), device information (such as IP addresses), location data (such as city and state), and online behavioral data (such as information about your use of social media websites, page view information and search results and links). We may use this information, alone or in combination with other Personal Information we collect, to assess the credit risk associated with opening a merchant or sub-merchant account for you, to enhance our ability to provide relevant marketing or content to you, to better provide you with VS Services, and to develop and provide you with more relevant products, features, and services.

B. Use of Personal Information. We may use the Personal Information we collect or receive through the VS Services (alone or in combination with other data we source) for the purposes and on the legal bases identified below:

- To create, administer and assign permissions to your Customer and/or End User account(s) and provide you with related assistance.
- To bill and collect money owed to us by you under the terms of our Agreement with you.
- To perform our obligations under the Agreement with you for the use of any or all of the VS Services; or, where we have not entered into a contract with you, in accordance with our legitimate interests to operate and administer the VS Services. For example, we may create and administer your Customer and/or End User account(s), fulfill and record payment transactions, and provide you with related assistance.
- To send you VS Services alerts in reliance on our legitimate interests in administering the VS Services and providing certain features and functionalities. For example, we may inform you about temporary or permanent changes to the VS Services, send you scheduled maintenance updates, or send you account, security or compliance notifications, such as new features or functionalities, version updates, releases, abuse warnings, and changes to this privacy policy.
- To communicate with you about your site(s), Customer and/or End User account(s), and/or permit customer support to provide you with related support services.
- To enforce compliance with our Terms of Service, the Agreement, other posted VS policies, and applicable law, and to protect the rights and safety of our other Customers in reliance on our legitimate interest to protect against misuse or abuse of the VS Services and, as needed, to pursue available remedies.
- To meet legal requirements, including complying with court orders, valid discovery requests, valid subpoenas, garnishments or tax liens, and other appropriate legal mechanisms.
- To provide information to representatives and advisors, including attorneys and accountants, to help us comply with legal, accounting, and security requirements in reliance on our legitimate interests.
- To prosecute and defend a court, arbitration or similar proceeding.
- To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements.
- To provide, support and improve the VS Services to perform our Agreement with you for the use of VS Services; or, where we have not entered into a contract with you, in reliance on our legitimate interests in administering and improving the VS Services and providing certain features and functionalities. This may include sharing your information with third parties in order to provide and support our VS Services or to make certain features or functionalities of the Software available to you. When we share your Personal Information with third parties, we take steps to protect your information in a manner that is consistent with our obligations under applicable privacy laws. For further information about how we share your information, please refer to Section 5 below.
- To run data analytics or reports in reliance on our legitimate business interests in improving and enhancing our VS Services. For example, we may run a data analytics to better understand Customer, End User and/or Patron use of our VS Services, or to better understand general trends and statistics about the parks and recreation industry or a particular market segment.
- To facilitate social sharing functionality if you consent to such activities.

- To allow you to participate in sweepstakes, contests or similar promotions if you consent to such activities.
- To share information with other marketers (and their service providers) to permit them to send you marketing communications consistent with your choices.
- To send you VS marketing materials that we believe may be of interest to you if you consent to such activities.

C. Third-Party Integrations. We may use the Personal Information we collect or receive through the VS Services, as a data processor or as otherwise stated in this privacy policy, to enable your use of the integrations and plugins you choose to connect to your Customer and/or End User account(s).

D. Cookies and Tracking Technologies. We and our third-party partners may use various technologies to collect and store Service Usage Data when you use the VS Services (as discussed above), and this may include using cookies and similar tracking technologies, such as pixels and web beacons. For example, we use web beacons in the emails you send, which enable us to track certain behavior, such as whether the email sent through the VS Services was delivered and opened and whether links within the email were clicked. The use of web beacons allow us to collect information such as the recipient's IP address, browser, email client type and other similar data as further described above details. We use this information to measure the performance of your email campaigns, to provide analytics information, enhance the effectiveness of the VS Services, and for other purposes described above.

E. Your Data Protection Rights. Depending on the country in which you reside, you may have the following data protection rights:

- To access; correct; update; port; delete; restrict; or object to our processing of your Personal Information.
- You can manage your Customer and/or End User account(s) directly from the VS support portal, or you may contact us directly to seek help with managing such account(s) by emailing us at support@vermontsystems.com. You can also manage information about your Patrons directly from your Customer account(s) to be able to do things like access, correct, update, port or delete information that you receive from your Patrons. Note, if any of your Patrons wish to exercise any of these rights, they should contact you directly. You can also contact us at any time to update your marketing preferences (see Section 5. General Information, C. Your Choices and Opt-Outs below). We take reasonable steps to ensure that the data we collect is reliable for its intended use, accurate, complete and up to date.
- The right to complain to a data protection authority about the collection and use of Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA and UK are available [here](#).
- Similarly, if Personal Information is collected or processed on the basis of consent, you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your Personal Information conducted in reliance on lawful processing grounds other than consent.

If we receive a request from one of your Patrons, we will either direct the Patron to reach out to you, or, if appropriate, we may (but shall not be required to) respond directly to their request.

3. PRIVACY FOR PATRONS

This section applies to the information we process about our Customers' Patrons, the Customer being the controller of such data (as a "data controller") and VS being the processor of such data (as a "data processor"). The Software and our related Services are intended for use by paid Customers and their lawful Patrons. As a result, for much of the Personal Information we collect and process about Patrons through the VS Services, we act as a processor of such information on our Customers' behalf. We are not responsible for the privacy or security practices of our Customers (including their End Users), nor the third parties which Customers may use or contract with for other services provided to them, which may differ from those set forth in this privacy policy. Please check with the Customer with whom you have a business relationship about the privacy policy or policies it may have in place. For purposes of this section, "you" and "your" refer to Patrons.

A. Information We Collect. The Personal Information that we may collect or receive about you broadly falls into the following categories:

(i) Information we receive about Patrons from our Customers. A Customer may provide Personal Information about you to us through the VS Services. When you sign up for a Patron account using the Software, your Personal Information, including your name, email address, address, telephone number and certain payment information, becomes associated with our Customer's account(s) and the particular location within that Customer account where you are a customer, client or member of the Customer. You can update your Personal Information directly from your Patron account.

(ii) Information we collect automatically. When you interact with a marketing campaign that you receive from a Customer or access your Patron account through the Software, we may collect information about your device and your interaction with the marketing email, SMS or the Software. We use cookies and other tracking technologies to collect some of this information. Our use of cookies and other tracking technologies is discussed more below and in more detail in our Cookies Policy available [here](#).

- **Device Information.** We collect information about the device and applications you use to access emails sent through the VS Services, such as your IP address, your operating system, your browser ID, and other information about your system and connection.
- **Usage Data.** It is important to us to ensure the security and reliability of the VS Services that we provide. Therefore, we also collect usage data about your interactions with the VS Services, which may include dates and times you access the Software and your browsing activity on the Site. This information allows us to ensure compliance with our Terms of Service and API Terms of Use, to monitor and prevent service abuse, and to ensure we attain certain usage standards and metrics in relation to the VS Services. We also collect information regarding the performance of the VS Services, including metrics related to Software uptime, periods of slowness, or the deliverability of emails that our Customers may send through the Software. This information allows us to improve the content and operation of the VS Services and facilitate research and perform analysis into the use and performance of the VS Services.

(iii) Information we collect from other sources. From time to time, we may obtain information about you from third-party sources, such as social media platforms and third-party data providers. For example, if you choose to connect your social media account to your Patron account, certain information from your social media account may be shared with us, including information that's part of your or your friend's profiles. We may also collect Personal Information through the VS Services at the direction of our Customers.

B. Use of Personal Information. We may use the Personal Information we collect or receive about you in reliance on our (and where applicable, our Customers') legitimate interests for the following purposes:

- To enforce compliance with our Terms of Service and applicable law. This may include utilizing usage data and developing tools and algorithms that help us prevent violations.
- To protect the rights and safety of Customers, third parties and VS.
- To meet legal requirements, including complying with court orders, valid discovery requests, valid subpoenas, and other appropriate legal mechanisms.
- To provide information to representatives and advisors, including attorneys and accountants, to help us comply with legal, accounting, and security requirements in reliance on our legitimate interests.
- To prosecute and defend a court, arbitration or similar proceeding.
- To respond to lawful requests by public authorities, including to meet national security or law enforcement requirements.
- To provide, support and improve the VS Services. For example, this may include sharing your information with third parties in order to provide and support our VS Services or to make certain features or functionalities of the Software available to you. When we share your Personal Information with third parties, we take steps to protect your information in a manner that is consistent with our obligations under applicable privacy laws. For further information about how we share your information, refer to Section 5 below.
- To run data analytics or reports. Our data analytics or reporting projects use data from our Customers' accounts, including Personal Information belonging to Patrons, to provide and improve the VS Services. We use information, like your transactions history or bookings records, for example, so we can make more informed predictions, decisions, and products for our Customers. If you prefer your data not be used in this manner, you can opt out of data analytics and reporting projects at

any time by emailing us at privacy@vermontsystems.com with the subject heading titled "Opt Out from Data Analytics and Reporting Projects."

- To carry out other business purposes. To carry out other legitimate business purposes, as well as other lawful purposes about which we will notify you.

C. Cookies and Tracking Technologies. We and our third-party partners may use various technologies to collect and store Service Usage Data when you use the VS Services (as discussed above), and this may include using cookies and similar tracking technologies, such as pixels and web beacons. For example, we use web beacons in the emails sent by our Customers, which enable us to track certain behavior, such as whether the email sent through the Software was delivered and opened and whether links within the email were clicked. The use of web beacons allow us to collect information such as the recipient's IP address, browser, email client type and other similar data as further described above details. We use this information to measure the performance of your email campaigns, to provide analytics information, enhance the effectiveness of the VS Services, and for other purposes described above.

D. Your Data Protection Rights. Depending on the country in which you reside, you may have the following data protection rights:

- To access; correct; update; port; delete; restrict or object to our processing of your Personal Information.
- You also have the right to complain to a data protection authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for a data protection authority in the EEA are available [here](#).

As described above, for much of the Personal Information we collect and process about Patrons through the VS Services, we act as a processor on behalf of our Customers. In such cases, if you are a Patron and want to exercise any data protection rights that may be available to you under applicable law or have questions or concerns about how your Personal Information is handled by us as a processor on behalf of our individual Customers, you should contact the relevant Customer that is using the VS Services, and refer to their separate privacy policy.

If you no longer want to be contacted by one of our Customers through the VS Services, please contact the Customer directly to update or delete your data. If you contact us directly, we may either forward your request to the relevant Customer or provide you with the identity of the Customer to enable you to contact them directly.

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

4. PRIVACY FOR VISITORS

This section applies to Personal Information that we collect and process when you visit the Site, and in the usual course of our business, such as in connection with our recruitment, events, sales and marketing activities or when you visit our offices. In this section, "you" and "your" will refer to Visitors.

A. Information we collect

(i) Information you provide to us on the Site or otherwise. Our Site offers various ways to contact us, such as through form submission, email or phone, to inquire about our company, our products and our services. For example, we may ask you to provide certain Personal Information when you express an interest in obtaining information about us or the VS Services, take part in surveys, subscribe to marketing, apply for a role with VS, or otherwise contact us. We may also collect Personal Information from you in person when you attend our events or trade shows, if you visit one of our offices, or via a phone call with one of our sales representatives. You may choose to provide additional information when you communicate with us or otherwise interact with us, and we may keep copies of any such communications for our records.

The Personal Information we collect may include:

- **Business contact information** (such as your name, phone number, email address, address and country);
- **Professional information** (such as your job title and company);

- **Nature of your communication;**
- **Marketing information** (such as your contact preferences); and
- **Any other information you choose to provide us** when completing any 'free text' boxes in our forms.

(ii) Information we collect automatically through the Site. When you visit our Site or interact with our emails, we use cookies and similar technologies such as pixels or web beacons, alone or in conjunction with cookies, to collect certain information automatically from your browser or device. In some countries, including countries in the EEA, this information may be considered Personal Information under applicable data protection laws. Our use of cookies and other tracking technologies is discussed more below, and in more detail in our Cookie Policy available [here](#).

The information we collect automatically includes:

- **Device information** such as your IP address, your browser, device information, unique device identifiers, mobile network information, request information (speed, frequency, the site from which you linked to us ("referring page"), the name of the website you choose to visit immediately after ours (called "exit page"), information about other websites you have recently visited and the web browser you used.
- **Usage data** such as information about how you interact with our emails, Site, and other websites (such as the pages and files viewed, searches, operating system and system configuration information and date/time stamps associated with your usage).

B. Use of Personal Information. We may use information we collect through our Site and in connection with our events and marketing activities (alone or in combination with other data we collect) for a range of reasons in reliance on our legitimate interests, including:

- To provide, operate, optimize and maintain the Site;
- To send you marketing information, product recommendations and non-transactional communications (for example, marketing newsletters, telemarketing calls, SMS, or push notifications) about us, in accordance with your marketing preferences, including information about our products, services, promotions or events as necessary for our legitimate interest in conducting direct marketing or to the extent you have provided your prior consent.
- For recruitment purposes if you have applied for a role with VS.
- To respond to your online inquiries and requests, and to provide you with information and access to resources or services that you have requested from us.
- To manage the Site, including its proper administration and security.
- To manage event registrations and attendance, including sending related communications to you.
- To register visitors to our offices for security reasons and to manage non-disclosure agreements that visitors may be required to sign.
- To improve the navigation and content of the Site.
- To identify any server problems or other IT or network issues.
- To compile aggregated statistics about site usage and to better understand the preferences of our Visitors.
- To help us provide, improve and personalize our marketing activities.
- To carry out research and development to improve the VS Services.

- To conduct marketing research, advertise to you, provide personalized information about us on and off our Site, and to provide other personalized content based on your activities and interests to the extent necessary for our legitimate interests in supporting our marketing activities or advertising our VS Services or instances where we seek your consent.
- To carry out other legitimate business purposes, as well as other lawful purposes, such as data analysis, fraud monitoring and prevention, identifying usage trends and expanding our business activities in reliance on our legitimate interests.
- To cooperate with public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws to the extent this requires the processing or disclosure of Personal Information to protect our rights or is necessary for our legitimate interest in protecting against misuse or abuse of our Site and/or VS Services, protecting personal property or safety, pursuing remedies available to us and limiting our damages, complying with judicial proceedings, court orders or legal processes, or responding to lawful requests.

C. Public Information and Third-Party Websites

- **Social media platforms and widgets.** The Site includes social media features, such as the Facebook Like button. These features may collect information about your IP address and which page you are visiting on our Site, and they may set a cookie to make sure the feature functions properly. Social media features and widgets are either hosted by a third party or hosted directly on our Site. We also maintain presences on social media platforms, including Facebook, Twitter, and Instagram. Any information, communications, or materials you submit to us via a social media platform is done at your own risk without any expectation of privacy. We cannot control the actions of other users of these platforms or the actions of the platforms themselves. Your interactions with those features and platforms are governed by the privacy policies of the companies that provide them.
- **Links to third-party websites.** The Site includes links to other websites, whose privacy practices may be different from ours. If you submit Personal Information to any of those sites, your information is governed by their privacy policies. We encourage you to carefully read the privacy policy of any website you visit.
- **Contests and sweepstakes.** We may, from time to time, offer surveys, contests, sweepstakes, or other promotions on the Site or through social media (collectively, "Promotions"). Participation in our Promotions is completely voluntary. Information requested for entry may include Personal Information such as your name, address, date of birth, phone number, email address, username, and similar details. We use the information you provide to administer our Promotions. We may also, unless prohibited by the Promotion's rules or law, use the information provided to communicate with you, or other people you select, about the VS Services. We may share this information with our affiliates and other organizations or service providers in line with this privacy policy and the rules posted for our Promotions.

D. Cookies and Tracking Technologies. We use cookies and similar tracking technologies to collect and use Personal Information about you, including to serve interest-based advertising. For further information about the types of cookies and tracking technologies we use, why, and how you can control them, please see our Cookies Policy available [here](#).

E. Other Data Protection Rights. Depending on the country in which you reside, you may have the following data protection rights:

- To access; correct; update; port; delete; restrict or object to our processing of your Personal Information. You can exercise these rights by emailing support@vermontsystems.com.
- You may also have the right to complain to a data protection authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority. Contact details for data protection authorities in the EEA are available [here](#).
- Similarly, if we have collected and processed your Personal Information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect the processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. You can also contact us at any time to update your marketing preferences (see Section 5. General Information, C. Your Choices and Opt-Outs below).

We respond to all requests we receive from individuals wishing to exercise their data protection rights in accordance with applicable data protection laws. We may ask you to verify your identity in order to help us respond efficiently to your request.

5. GENERAL INFORMATION

A. How We Share Information. We may share and disclose your Personal Information to the following types of third parties for the purposes described in this privacy policy. For purposes of this section, “you” and “your” refer to Customers, Patrons and Visitors unless otherwise indicated.

(i) Our service providers. Sometimes, we share your information with our third-party service providers working on our behalf for the purposes described in this privacy policy. For example, companies we have hired to help us provide and support our VS Services, including the processing of payments, or assist in protecting and securing our systems and services and other business-related functions. The following is a non-exclusive list of third-party service providers that may process your Personal Information in their capacity as a sub-processor of ours. Please review the relevant privacy policies (links are current as of the date of publication of this privacy policy) for further information about how each third-party handles your Personal Information.

Third Party Name	Privacy Policy Link
Worldpay, LLC	https://online.worldpay.com/terms/privacy
Elavon, Inc.	https://www.elavon.com/privacy-policy.html
CardConnect	https://cardconnect.com/privacy-policy
PlugNPlay	http://www.plugnpay.com/privacy-policy/
VeriFone	https://www.verifone.com/privacy

(ii) Any competent law enforcement body, regulatory body, government agency, court or other third party where we believe disclosure is necessary (a) as a matter of applicable law or regulation; (b) to exercise, establish, or defend our legal rights; or (c) to protect your vital interests or those of any other person.

(iii) A potential buyer (and its agents and advisors) in the case of a sale, merger, consolidation, liquidation, reorganization, or acquisition. In that event, any acquirer will be subject to our obligations under this privacy policy, including your rights to access and choice. We will notify you of the change by sending you an email or posting a notice on our Site.

(iv) Any other person with your consent.

NOTE: We do not sell your Personal Information to any third party for promotional or marketing purposes.

B. Legal Basis for Processing Personal Information (EEA and UK Persons Only). If you are located in the EEA or UK, our legal basis for collecting and using the Personal Information described above will depend on the Personal Information concerned and the specific context in which we collect it.

However, we will normally collect and use Personal Information from you where the processing is in our legitimate interests and not overridden by your data-protection interests or fundamental rights and freedoms. Our legitimate interests are described in more detail in this privacy policy in the sections above titled “Use of Personal Information,” but they typically include improving, maintaining, providing, and enhancing our technology, products, and services; ensuring the security of the VS Services and our Site; and supporting our marketing activities.

If you are a Customer, we may need the Personal Information to perform our Agreement with you. In some limited cases, we may also have a legal obligation to collect Personal Information from you. If we ask you to provide Personal Information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your Personal Information is mandatory or not, as well as of the possible consequences if you do not provide your Personal Information.

Where required by law, we will collect Personal Information only where we have your consent to do so.

If you have questions or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us at support@vermontsystems.com.

C. Your Choices and Opt-Outs

(i) Customer Account(s); Customer Site. In order to keep your Personal Information accurate and complete, you can log in to review and update your account information, including contact and billing information, via your Customer and/or End User account(s), as applicable. If you are a Customer and would like to change the way we communicate with you, including a change in your primary point of contact (whether for billing purposes or otherwise), please send us the request at accountsreceivable@vermontsystems.com.

(ii) Email. If you do not wish to receive emails sent through the Software, you may opt out at any time by following the opt-out or unsubscribe link contained at the bottom of the email itself. Please note that it may take up to ten (10) days to process your request. Please note that if you opt-out from receiving promotional or marketing emails, you may continue to receive emails with information related to your account or our Services. If you do not wish to receive any service-related emails from us, you have the option of deactivating your account.

(iii) SMS (Text Messages). In order to send text messages through the Software, Customers must enable this functionality in their site settings. Once enabled, an individual Patron can control his or her "text messaging address" by entering a phone directly from the Patron's account profile and saving the information. Patron's must verify opt-in consent by entering and confirming a confirmation code sent to the mobile device listed. To revoke consent to receiving text messages, please notify the Customer or remove the mobile number from the "text messaging address" field in the Patron's account profile.

(iv) Cookies. You may also refrain from providing, or withdraw, your consent for cookies. Your browser's help function should contain instructions on how to set your computer to accept all cookies, to notify you when a cookie is issued; or to not receive cookies at any time.

(v) Third Party Analytics Services. We use Google Analytics in conjunction with our Services. Google Analytics is provided by Google, Inc. You can opt-out from Google Analytics service from using your information by installing the Google Analytics Opt-out Browser tool: tools.google.com/dlpage/gaoptout. For more information on the privacy practices of Google, please visit the Google Privacy & Terms web page [here](#).

D. Our Security. We take appropriate and reasonable technical and organizational measures designed to protect Personal Information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the Personal Information. Unfortunately, even with these safeguards, no data transmission or storage system can be guaranteed to be 100% secure. If you have any questions about the security of your Personal Information, you may contact us at support@vermontsystems.com.

Customer and/or End User account(s) require a username and password to login. Customer and End Users must keep their username and password secure, and never disclose it to a third party. Permissions assigned by Customers to authorized staff members (i.e., End Users) should be closely guarded, periodically updated, some level of internal training provided about the security of login credentials. Because the information in a Customer's account is private, account passwords are hashed, which means we cannot see a Customer's and/or End User's password. We cannot resend forgotten passwords either. We will only provide Customer and/or End User with instructions on how to reset them.

E. International Transfers

(i) We operate in the United States. Our servers and offices are located in the United States, so your information may be transferred to, stored, or processed in the United States. While the data protection, privacy, and other laws of the United States might not be as comprehensive as those in your country, we take many steps to protect your privacy.

(ii) Customers, Patrons and Visitors located in Australia. If you are a Customer, Patron or Visitor who accesses VS Services in Australia, this section applies to you. Here are the specific points under the Privacy Act 1988 ("Australian Privacy Act") you should be aware of:

- As stated in the Prohibited Use section of our Terms of Service, information considered to be harassing, discriminatory, defamatory, vulgar, pornographic or harmful to others is not permitted on the VS Services and Customers, End User and Patrons are prohibited from loading any such Personal Information to their account(s).
- Please note that if you do not provide us with your Personal Information or if you withdraw your consent for us to collect, use and disclose your Personal Information, we may be unable to provide the VS Services to you.

- Where we collect Personal Information of our Visitors, the Personal Information we ask you to provide will be information that is reasonably necessary for, or directly related to, one or more of our functions or activities. Please see Section 4 of this privacy policy for examples of the types of Personal Information we may ask Visitors to provide.
- Where we say we assume an obligation about Personal Information, we will also require our integration partners and subcontractors to undertake a similar obligation.
- We will not use or disclose Personal Information for the purpose of our direct marketing to you unless you have consented to receive direct marketing; you would reasonably expect us to use your personal details for marketing; or we believe you may be interested in the material but it is impractical for us to obtain your consent.

You may opt out of any marketing materials we send to you through an unsubscribe mechanism. If you have requested not to receive further direct marketing messages, we may continue to provide you with messages that are not regarded as "direct marketing" under the Australian Privacy Act, including changes to our terms, system alerts, and other information related to your account as permitted under the Australian Privacy Act and the Spam Act 2003 (Cth).

- Our servers are located in the United States. In addition, we or our sub-processors may use cloud technology to store or process Personal Information, which may result in storage of data outside Australia. It is not practicable for us to specify in advance which country will have jurisdiction over this type of offshore activity. All of our subcontractors, however, are required to comply with the Australian Privacy Act in relation to the transfer or storage of Personal Information overseas.
- You may access the Personal Information we hold about you. If you wish to access your Personal Information, please contact us directly by emailing us at support@vermontsystems.com. We will respond to all requests for access within a reasonable time.

If you think the information we hold about you is inaccurate, out of date, incomplete, irrelevant, or misleading, we will take reasonable steps, consistent with our obligations under the Australian Privacy Act, to correct that information upon your request. If you find that the information we have is not up to date or is inaccurate or incomplete, please contact us in writing at support@vermontsystems.com so we can update our records. We will respond to all requests for correction within a reasonable time. If you are unsatisfied with our response to a privacy matter, you may consult either an independent advisor or contact the Office of the Australian Information Commissioner for additional help. We will provide our full cooperation if you pursue this course of action.

F. Retention of Data. We retain Personal Information where we have an ongoing legitimate business or legal need to do so. Our retention periods will vary depending on the type of data involved, but, generally, we will refer to these criteria in order to determine retention periods:

- Whether we have a legal or contractual need to retain the data.
- Whether the data is necessary to provide the VS Services.
- Whether our Customers have the ability to access and delete the data on their own.
- Whether our Customers would reasonably expect that we could retain the data until they remove it or until their account is closed or has been terminated.

G. California Privacy. The California Consumer Privacy Act ("CCPA") provides consumers with specific rights regarding their Personal Information. You have the right to request that businesses subject to the CCPA (which may include our Customer with whom you have a relationship) disclose certain information to you about their collection and use of your Personal Information over the past 12 months. In addition, you have the right to ask such businesses to delete Personal Information collected from you, subject to certain exceptions. If the business sells Personal Information, you have a right to opt-out of that sale. Finally, a business cannot discriminate against you for exercising a CCPA right. When offering services to Customers, we act as a "service provider" under the CCPA and our receipt and collection of any consumer Personal Information is completed on behalf of our Customers in order for us to provide the VS Services. Please direct any requests for access or deletion of your Personal Information under the CCPA to the Customer with whom you have a direct relationship. VS, for its part, does not sell any of your Personal Information to any third party for promotional or marketing purposes. Consistent with California law, if you choose to exercise your applicable CCPA rights, we will not charge you different prices or provide you a different quality of services. If we ever offer a financial incentive or product enhancement that is contingent upon you

providing your Personal Information, we will not do so unless the benefits to you are reasonably related to the value of the Personal Information that you provide to us.

H. Use by Minors. The VS Services are not directed or targeted at children under the age of thirteen (13). We request that minors do not provide Personal Information through the VS Services; instead, any such information on a minor should be submitted to us by the minor's authorized parent or legal guardian.

I. Do Not Track. Certain state laws require us to indicate whether we honor "Do Not Track" settings in your browser. We adhere to the standards set out in this privacy policy and do not monitor or follow any Do Not Track browser requests.

J. Changes to this Privacy Policy. We may change this privacy policy at any time and from time to time. The most recent version of the privacy policy is reflected by the version date located at the top of this privacy policy. All updates and amendments are effective immediately upon notice, which we may give by any means, including, but not limited to, by posting a revised version of this privacy policy or other notice on the Site. We encourage you to review this privacy policy often to stay informed of changes that may affect you. Our electronically or otherwise properly stored copies of this privacy policy are each deemed to be the true, complete, valid, authentic, and enforceable copy of the version of this privacy policy that was in effect on each respective date you visited the Site.

K. Questions & Concerns. If you have any questions or comments, or if you have a concern about the way in which we have handled any privacy matter, please contact us at support@vermontsystems.com. You may also contact us by postal mail at:

RecTrac, LLC d/b/a Vermont Systems
Attn: Privacy
12 Market Place
Essex Junction, VT 05452