

PRIVACY AND COOKIE POLICY

Effective October 18, 2019

TBS Factoring Service, LLC (“we,” “us,” “our,” or “TBS”) is committed to protecting the privacy of anyone who provides us with their information, such as by visiting our website (the “Website”), applying for, registering for, or using our services or web-based applications, or using the TBS: Get Paid Handheld Finance™ App (the “App”). This Privacy and Cookie Policy (the “Policy”) is designed to tell you about our practices regarding collection, use, storage, and disclosure of information, including Personal Identifiable Information (“PII”) (collectively, “Your Information”) we collect via our services, our websites, web-based applications, or any of our mobile applications (collectively, the “Services”) and the consent required for the use of Your Information. Please be sure to carefully read this Policy in its entirety before using the Website or App or submitting information to us in any other way.

WHAT INFORMATION THIS POLICY COVERS. Registration is not required for you to use our Website. If you are merely a visitor, we automatically collect certain information about you, such as computer and software information (such as your IP address) and usage/visit information, including information obtained through cookies (described below). This is anonymous information that does not personally identify you but is helpful for our marketing purposes, and also helps us to improve your experience on our Website. However, there may be circumstances in which you choose to apply for, register for, or use our services, use our App, or receive ongoing updates from TBS. In these cases, TBS may contact registrants to provide them with information about our services, publications, and products, or for other marketing purposes.

Surveys. TBS may conduct surveys via our Website. Survey participants may be asked for PII or other information (name, contact information, etc.) in addition to opinions or feedback. The type of information collected in surveys will vary.

Our Services. When you register for our services, you may be asked for information via onboarding documentation, which may include additional details with respect to the protection of Your Information. Should you provide any information to us in contemplation of receiving our services but then are unable to do so, any such information will be treated as if you were a client. For the types of information that may be requested of you as a client, please see “Client Information” below.

Job Applicants. If you have applied for employment with TBS, Your Information submitted with your job application will be added to our recruitment system and used for recruitment and other customary human resources purposes.

You are legally entitled to request details of the PII we are holding about you. TBS provides you the ability to keep your PII accurate and up-to-date. If at any time you would like TBS to rectify, erase or restrict the processing of your PII, or you would like to (i) obtain confirmation whether or not your PII is processed by TBS, (ii) access your personal information, (iii) exercise your right to data portability or (iv) withdraw your consent to processing, please contact us at privacy@tbsokc.com.

Client Information. If you are our client, we may collect certain information from you or about you, including, without limitation: Personally Identifiable Information (PII) including, but not limited to, your name, address, Social Security number (SSN), Taxpayer Identification Number (TIN), motor carrier number, date of birth, marital status, and family relationships; business information including, but not

limited to, employer identification number (EIN), tax identification number (TIN), corporate documents and filings, insurance information, and internal accounting methods; and personal and business financial information such as financial status, assets, income, tax information, transaction history, account balance, payment history, and banking information. This information may also be obtained from the sources described below and is subject to the conditions stated below.

Data Collected. TBS may automatically collect information about you when you use the Website and/or App. If you access the Services through a mobile device, we will automatically collect information about your geo-location, including your geo-location relative to and within third party merchant locations. In addition, we may collect information such as your mobile device ID, device type, and your use of features, functions, or notifications on the device, as well as signal strength relating to WiFi or Bluetooth functionality, and similar technical data. We may collect this information even if you are not logged in to the Service. If you access the Services through a computer, we will automatically collect information such as your browser type and version, computer and connection information, statistics on page views, traffic to and from the Website and/or App, IP address and standard web log information. If you use the Services through a mobile device and you do not want us to collect your geo-location information you may change your preferences through the “Settings” feature on your device.

Sources. Your Information referenced in this policy may be obtained or received from sources such as (i) Your transactions with us, our affiliates, and third parties; (ii) interviews with any of the foregoing parties; and (iii) agreements, applications, forms, statements, and other documents received from you or any of the foregoing parties; (iv) Your use of our App or Website; (v) Your inquiries by mail, telephone, email or face-to-face conversations; (v) public records, and (vi) any other information you voluntarily submit to us.

Disclosure. Except as stated in this Policy, we will not sell, license, transmit, or disclose Your Information outside of TBS.

Internal Use. We restrict access to Your Information to that personnel who have a business need to access it. We maintain physical, electronic and procedural safeguards to protect such Information from unauthorized access, acquisition or alteration.

Security. We use various security devices and methods where appropriate to protect Your Information depending on the nature of the Service. No data transmission over the Internet or method of electronic storage is 100 percent secure or error-free. We will take reasonable measures to protect Your Information from loss, misuse, alteration or destruction; however, we cannot guarantee or warrant the security of that Information. Accordingly, we cannot be held responsible for unauthorized or unintended access that is beyond our control.

Fulfillment, Changes, and Communications. We use Your Information for the purpose for which you provided it, such as to fulfill your request for services or information, to process and administer your requests, statements, to activate any online account you may have with us, and to exercise any contractual rights. We may also use Your Information to notify you of changes to this Website or App, to provide you with news, email offers and other information, to let you know about other information and services that may be of interest to you, and to tailor our online or other offerings to your preferences.

Third Party Policies. If we use agents, contractors, or other companies to perform services on our behalf, we will require that they protect Your Information in accordance with this Policy. On the other hand, you must be comfortable with the privacy policies of any other sites You authorize to gather information from us, as the privacy policies of such other sites will govern the use of your Personally Identifiable Information once it has been transmitted by us.

Website Analysis. We may also combine anonymous usage information collected from your use of any of the Services with that of other users to determine which features and areas of the Services are most popular. This aggregated information does not contain PII.

Permitted Disclosures. We may disclose Your Information to the following parties under the following circumstances: (i) to you, if you direct us to do so; (ii) to unaffiliated financial services providers, transfer agents, custodians and trustees, banks, financial representatives, proxy services, vendors, affiliates, licensees, licensors, affiliates, solicitors, printers or third parties who assist us or who perform services on Our behalf in order to provide you with products and services or to affect transactions that you request or authorize; (iii) to third parties to market their products or services to you if you have consented to such disclosures; (iv) to third parties as part of general trending or analytical data; (v) to third parties if we are compelled to do so by law; (vi) to third parties in order to protect any account you may have with us from fraud, misfeasance, malfeasance or other wrongful act; (vii) to enforce or apply our Terms of Service and other agreements, including for billing and collection purposes; and (viii) for any other purpose disclosed by us when you provide Your Information.

Disclosure Required by Law. From time to time, we may be required to disclose Your Information in response to a court order, subpoena, government investigation or as otherwise required by law. We also reserve the right to report to law enforcement or other government agencies any activities that we, in good faith, believe to be unlawful. We also may disclose certain Information when we believe that such disclosure is reasonably necessary to protect the rights, property, and safety of others or ourselves.

What are Cookies? Cookies are small text files placed on your computer by the websites that you visit. A cookie file is stored in your web browser and allows the Website or a third party to recognize you and make your next visit easier and the Website more useful for you. The use of cookies is now standard for most websites. Essentially, cookies are a user's identification card for the TBS servers. Web beacons are small graphic files linked to our servers that allow us to track your use of our Website, App, web-based applications, and related functionalities.

Managing Cookies on Your Device. TBS uses or may use cookies and/or web beacons to help personalize content and to provide you with an improved user experience. By using our Website or App, you consent to the deployment of cookies. You can control and manage cookies using your browser (see below). Please note that removing or blocking cookies can impact your user experience and some functionality may no longer be available.

We use both session and persistent cookies on the Website and we use different types of cookies to run the Website:

- Essential/strictly necessary cookies: Some cookies we use are essential to the functioning of the Website.

- Analytical/performance cookies: Allow us to recognize and count the number of visitors and see how visitors move around the Website when using it. This helps us improve the way the site functions.
- Functionality cookies: Used to recognize you when you return to the Website. This enables us to personalize our content for you, greet you by name, and remember your preferences.
- Targeting cookies: Record your visit to the Website, the pages you have visited, and the links you have followed. We will use this information to make the Website more relevant to your interests.
- Third-party cookies: Some content or applications, including advertisements, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies in conjunction with web beacons or other tracking technologies to collect information about you when you use our Website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content. In addition to our own cookies, we may also use these third party cookies to report usage statistics of the Website and refine marketing efforts. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see below.
- Tracking cookies: Follow on-site behavior and tie it to other metrics, allowing better understanding of usage habits.
- Optimization cookies: Allow real-time tracking of user conversion from different marketing channels to evaluate their effectiveness.
- Partner cookies: Provide marketing conversion metrics to our partners so they can optimize their marketing efforts.

Using your Browser to Control Cookies. Most browsers allow you to view, manage, delete and block cookies for a website. Be aware that if you delete all cookies, then any preferences you have set will be lost, including the ability to opt-out from cookies as this function requires placement of an opt out cookie on your device.

Google Analytics. Our sites use Google Analytics, which uses cookies and similar technologies to collect and analyze information about the use of the services and report on activities and trends. If you are a registered user of our Websites and/or services or offerings, we may use this information, in combination with other information that you provide, to improve the services and other offerings of the program or website. This service may also collect information regarding the use of other websites, apps, and online resources.

You can learn about Google's practices by going to www.google.com/policies/privacy/partners/ and may exercise the opt-out provided by Google by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>, or you can prevent Google Analytics from recognizing you on return visits to this site by disabling cookies on your browser. For additional information please see "How Google uses data when you use our partners' sites or apps," located [here](#).

IP Address. Your IP address is automatically assigned to your computer by your Internet Service Provider. An IP address may be identified and logged automatically in our server log files whenever a user accesses the Website(s), along with the time of the visit and the page(s) that were visited. Collecting IP addresses is standard practice and is done automatically by many websites, applications, and other services. We use IP addresses for purposes such as calculating usage levels, diagnosing server problems and administering the Website(s). We may also derive your approximate location from your IP address.

Notice of Privacy Rights to California Residents. If you are a California resident, California law requires that we provide you with a summary of your privacy rights under the California Online Privacy Protection Act (the “Act”), the Shine the Light Law (the “Law”), and the California Business and Professions Code and Civil Code (the “Codes”). As required by the Act, the Law, and the Codes, at your request we will provide you with the categories of personally identifiable information that we collect through this Website and the categories of third party persons or entities with whom such personally identifiable information may be shared for direct marketing purposes. We are required to inform you, at your request: (1) the categories of personally identifiable information we collect and what third parties we share that information with; (2) the names and addresses of those third parties; and (3) examples of the products marketed by those companies. We are also required to allow you to control with whom we can and cannot share that information. To obtain this information, please send a request by email. When contacting us, please indicate your name, address, and what personally identifiable information you do not want us to share with third parties. The request should be emailed to us at privacy@tbsokc.com and labeled “California Customer Choice Notice.” Please allow thirty (30) days for a response. Also, please note that there is no charge for controlling the sharing of your personally identifiable information or requesting this notice.

Third Party Links. Please be aware that the Services may sometimes contain links to other sites that are not covered by this Policy. We are not responsible for the information collection, use, disclosure or security policies or practices of any third party social media platform provider or other organization, including with respect to any Personal Identifiable Information you disclose to other organizations through or in connection with the Website or App, such as by using third party messaging services linked or integrated through the Website or App.

Security. TBS works to protect the confidentiality and security of information we obtain in the course of our business. Access to such information is limited, and policies and procedures designed to safeguard the information from loss, misuse, and improper disclosure are in place.

Retention Period. We will retain Your Information for as long as needed or permitted in light of the purpose(s) for which it was obtained. The criteria used to determine our retention periods include: (i) the length of time we have an ongoing relationship with you and provide the Services to you (for example, for as long as you have an account with us or keep using the Services); (ii) whether there is a legal or business obligation to which we are subject (for example, certain laws require us to keep records of your transactions for a certain period of time before we can delete them); or (iii) whether retention is advisable in light of our legal position (such as in regard to applicable statutes of limitations, regulatory investigations, or other legal matters).

No Information from Individuals Under 18. Our Services are not intended for use by individuals under the age of 18. TBS believes in protecting the privacy of children. With this belief, we do not knowingly

collect or maintain PII through our Services from persons under 18 years of age, and no part of our Services is directed to persons under 18 years of age. We will take appropriate steps to delete any PII of persons less than 18 years of age that has been collected on our Services without verified parental consent upon learning of the existence of such PII.

Changes to How We Disclose/Use Your Information. TBS gives you choices regarding the collection and usage of Your Information. If you do not want us to share Your Information with unaffiliated or non-agent third parties for promotional purposes, or if you do not wish to have your Information used by TBS to promote our own or third parties' products or services, you can opt-out by emailing us at privacy@tbsokc.com. If you have registered for any TBS related updates and do not wish to receive future e-mails, please visit our unsubscribe page within the application.

Changes to this Policy. TBS reviews this Policy from time to time, and this Policy is subject to change. Any change, update, or modification will be effective immediately upon posting on the Website. It is our policy to post any changes we make to our privacy policy on this page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page. The date the Policy was last revised is identified at the top of the page. You are responsible for periodically visiting our Website and this Policy to check for any changes.

Access. Inquiries about the accuracy of identifying information previously submitted to TBS through our Services, or requests to have outdated information removed, should be directed to: privacy@tbsokc.com. TBS is committed to providing reasonable and practical access to visitors to allow them the opportunity to identify and correct any inaccuracies. When requested and practical, TBS will delete identifying information from current operational systems (when it is no longer necessary in relation to the purposes for which it was collected or processed).

When PII is retained, TBS assumes responsibility for keeping an accurate record of the information once a visitor has submitted and verified the data. TBS does not assume responsibility for verifying the ongoing accuracy of the content of PII. When practically possible, if TBS is informed that any PII collected through the Website or App is no longer accurate, TBS will make appropriate corrections based on the updated information provided by the authenticated visitor.

Users Outside the United States of America. If you are a resident of a country within the European Union or are otherwise accessing our site from outside the United States of America, by using this site and providing us your PII, you hereby explicitly acknowledge and agree to (i) the transfer of such information to the United States and (ii) the collection, use and disclosure of your personally identifiable information in accordance with this Policy.

Contact Us. If you have questions or you do not feel that your concerns have been addressed in this Policy, please contact us at privacy@tbsokc.com.