

Vitruvi™ Privacy Policy

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Vitruvi™ Privacy Policy

Fresnel Software Corporation (“**Vitruvi**” or “**we**” or “**us**” or “**our**”) respects the privacy of our users (“**user**” or “**you**”). This Privacy Policy explains how we collect, use, disclose, and safeguard your information when you visit our mobile application (the “**Application**”), our web application (the “**Platform**”) and our corporate website <https://www.vitruvi.cc> (the “**Website**”). Collectively, the Application, the Platform and the Website are referred to as the “**Sites**”. Please read this Privacy Policy carefully.

IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, PLEASE DO NOT ACCESS THE APPLICATION, PLATFORM OR WEBSITE.

We reserve the right to make changes to this Privacy Policy at any time and for any reason. We will alert you about any changes by updating the “Last updated” date of this Privacy Policy. You are encouraged to periodically review this Privacy Policy to stay informed of updates. You will be deemed to have been made aware of, will be subject to, and will be deemed to have accepted the changes in any revised Privacy Policy by your continued use of the Site after the date such revised Privacy Policy is posted.

This Privacy Policy does not apply to the third-party online/mobile store from which you install the Application. We are not responsible for any of the data collected by any such third party.

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1. COLLECTION OF YOUR INFORMATION

We may collect information about you in a variety of ways. The information we may collect depends on the content and materials you use, and includes:

1.1 Personal Data. Collection of personal information by you filling in forms or by corresponding with us by post, phone, email or otherwise. You may also provide personal information when you inquire about our Services, subscribe to publications, request marketing materials or communications to be sent to you and when you register for and/or attend an event (e.g. a Vitruvi sponsored or hosted event or a third-party event where Vitruvi exhibits). Furthermore, when you contact us (online or offline) in connection with a request for information, to access our Site, and to provide you with support, we collect personal information necessary to fulfill your request, to grant you access to the Site, to provide you with support, and to be able to contact you. The information that is stored for communicating with you for support and marketing purposes are:

- a) Company Email Address
- b) First Name
- c) Last Name
- d) Company Phone Number
- e) Company Name
- f) Business Type
- g) Occupation/Job Title
- h) LinkedIn URL / Name
- i) IP Address / Geolocation
- j) Information voluntarily provided, including but not limited to the following: survey information, marketing data, and any other information submitted during the course of normal correspondence with Fresnel Software or its third-party partners.

1.2 Derivative Data. Information our servers automatically collect when you access the Site, such as your native actions that are integral to the Application and Platform, including site navigation to pages and features selections in elements.

1.3 Geo-location Information. We may request access or permission to and track location-based information from your mobile device, either continuously or while you are using the Application, to provide location-based services. If you

wish to change our access or permissions, you may do so in your device's settings however this may limit the capability of the Application.

- 1.4 Mobile Device Access.** We may request access or permission to certain features from your mobile device, including your mobile device's Bluetooth®, calendar, camera, contacts, microphone, reminders, sensors, SMS messages, social media accounts, storage, and other features. If you wish to change our access or permissions, you may do so in your device's settings.
- 1.5 Mobile Device Data.** Device information such as your mobile device ID number, model, and manufacturer, version of your operating system, phone number, country, location, and any other data you choose to provide.
- 1.6 Push Notifications.** We may request to send you push notifications regarding your account or the Application. If you wish to opt-out from receiving these types of communications, you may turn them off in your device's settings. However, this may limit the capability of the application.
- 1.7 Third-Party Data.** Information from third parties, such as personal information, if you connect your account to the third party and grant the Application permission to access this information.

2. USE OF YOUR INFORMATION

Having accurate information about you permits us to provide you with a smooth, efficient, and customized experience. Specifically, we may use information collected about you to:

- a) Administer app features and customized permissions.
- b) Assist law enforcement and respond to subpoena.
- c) Compile statistical data and analysis for use internally or with third parties.
- d) Create and manage your account.
- e) Deliver targeted tips, guides, newsletters, and other information regarding the Site to you.
- f) Email you regarding your account or work order.
- g) Enable user-to-user communications.
- h) Fulfill and manage purchases, orders, payments, and other transactions related to the Site.
- i) Generate a personal profile about you to make future visits to the Site more personalized.

- j) Increase the efficiency and operation of the site.
- k) Monitor and analyze usage and trends to improve your experience with the Site.
- l) Notify you of updates to the Site.
- m) Offer new products, services, mobile applications, and/or recommendations to you.
- n) Perform other business activities as needed.
- o) Prevent fraudulent transactions, monitor against theft, and protect against criminal activity.
- p) Process payments and refunds.
- q) Request feedback and contact you about your use of the Site.
- r) Resolve disputes and troubleshoot problems.
- s) Respond to product and customer service requests.
- t) Send you a newsletter.
- u) Solicit support for the Site.

3. DISCLOSURE OF YOUR INFORMATION

We may share information we have collected about you in certain situations. Your information may be disclosed as follows:

- 3.1 By Law or to Protect Rights.** If we believe the release of information about you is necessary to respond to legal process, to investigate or remedy potential violations of our policies, or to protect the rights, property, and safety of others, we may share your information as permitted or required by any applicable law, rule, or regulation. This includes exchanging information with other entities for fraud protection and risk reduction.
- 3.2 Third-Party Service Providers.** We may share your information with third parties that perform services for us or on our behalf, including data analysis, email delivery, hosting services, customer service, and marketing assistance.
- 3.3 Marketing Communications.** With your consent, or with an opportunity for you to withdraw consent, we may share your information with third parties for marketing purposes, as permitted by law.
- 3.4 Interactions with Other Users.** If you interact with other users of the Application and Platform, those users may see your name, profile photo, and descriptions of your activity, including in app activity.

- 3.5 Comment Postings.** When you post comments, contributions or other content to the Website, your posts may be viewed by all users including our staff members and third-party providers.
- 3.6 Affiliates.** We may share your information with our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.
- 3.7 Business Partners.** We may share your information with our business partners to offer you certain products, services or promotions.
- 3.8 Sale or Bankruptcy.** If we reorganize or sell all or a portion of our assets, undergo a merger, or are acquired by another entity, we may transfer your information to the successor entity. If we go out of business or enter bankruptcy, your information would be an asset transferred or acquired by a third party. You acknowledge that such transfers may occur and we acknowledge that the successor entity will be required to honor all Privacy Policies related to the Application and the Platform.
- 3.9 Third Parties.** We are not responsible for the actions of third parties with whom you share personal or sensitive data, and we have no authority to manage or control third-party solicitations. If you no longer wish to receive correspondence, emails or other communications from third parties, you are responsible for contacting the third party directly.

4. TRACKING TECHNOLOGIES

- 4.1 Cookies and Web Beacons.** We may use cookies, web beacons, tracking pixels, and other tracking technologies on the Site to help customize and improve your experience. When you access the Site, your personal information is not collected through the use of tracking technology. You can remove or reject cookies, but be aware that such action could affect the availability and functionality of the Site. You may not decline web beacons. However, they can be rendered ineffective by declining all cookies.
- 4.2 Internet-Based Advertising.** Additionally, we may use third-party software to serve ads on the Site, implement email marketing campaigns, and manage other interactive marketing initiatives. This third-party software may use cookies or similar tracking technology to help manage and optimize your online experience with us.
- 4.3 Website Analytics.** We may internally or also partner with selected third-party vendors to allow tracking technologies and remarketing services on the Site

through the use of first party cookies and third-party cookies, to, among other things, analyze and track users' use of the Site, determine the popularity of certain content, and better understand online activity. By accessing the Site, you consent to the collection and use of your information internally and by these third-party vendors. You are encouraged to also review our third-party privacy policy and contact them directly for responses to your questions.

5. SECURITY OF YOUR INFORMATION

We use administrative, technical, and physical security measures to help protect your personal information. Personal information is stored on secure systems with limited access. Transmission of data over the internet and between systems utilizes encryption protocols to protect against unauthorized interception of data.

6. OPTIONS REGARDING YOUR INFORMATION

If you do not consent to the way in which we may use your personal information, please do not submit any personal information to us. Please note that, if you do not provide us with certain personal information, we may be unable to provide you with requested services, or those services may not be as good as they otherwise could be.

6.1 Account Information. You may at any time review or change the information in your account or terminate your account by:

- a) Logging into your account settings and updating your account.
- b) Contacting us using the information provided in *Section 12 HOW TO CONTACT US*.

6.2 Account Termination. Upon your request to terminate your account, we will deactivate or delete your account and information from our active databases. However, some information may be retained in our files to prevent fraud, troubleshoot problems, usage tracking, assist with any investigations, enforce our Terms of Use and/or comply with legal requirements.

6.3 Emails and Communications. If you no longer wish to receive correspondence, emails, or other communications from us, you may opt-out by:

- a) Contacting us using the information provided in *Section 12 HOW TO CONTACT US*.
- b) If you do not wish to receive emails about special offers and other promotions from us, click the unsubscribe link located in our emails.
- c) If you no longer wish to receive correspondence, emails, or other communications from third parties, you are responsible for contacting the third party directly.

7. RETAINING AND DELETING PERSONAL DATA

- 7.1** Our data retention policies and procedures are designed to help ensure that we comply with our legal obligations in relation to the retention and deletion of personal data.
- 7.2** Personal data that we process for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes. The length of time for which we retain data depends on the purposes for which we collected and use it and/or as required to comply with applicable laws.
- 7.3** In some cases, it is not possible for us to specify in advance the periods for which your personal data will be retained. In such cases, we will determine the period of retention based upon the performance of our services, and any applicable industry and governmental standards.
- 7.4** We may also retain your personal data where such retention is necessary for compliance with a legal obligation to which we are subject, or in order to protect your vital interests or the vital interests of another natural person.

8. ADDITIONAL NOTICE TO RESIDENTS OF THE EUROPEAN ECONOMIC AREA (“EEA”)

- 8.1 Your Data Protection Rights.** You may request access to or ask us to correct, update, or delete your Personal Information. We will consider your request in accordance with applicable laws. In addition, you can object to processing of your Personal Information, ask us to restrict processing of your Personal Information, or request portability of your Personal Information. You can exercise these rights by contacting us using the *How To Contact Us* information provided below. Similarly, if we have collected and processed your Personal Information with your consent, you have the right to withdraw your consent at any time by contacting us. Withdrawing your consent will not affect any processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent. Lastly, you have the right to address your concerns to a data protection authority about our collection and use of your Personal Information. For more information, please contact your local data protection authority.
- 8.2 Legal Basis for Processing Personal Information.** If you are a resident of the EEA, our legal basis for collecting and using the Personal Information described in this Policy will depend on the Personal Information concerned and the specific context in which we collect it. However, we will normally collect 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. Typically, our legitimate interests include the following: improving, maintaining, providing, and enhancing our Application, Platform, technology, products, content, and services we provide to you; and conducting marketing activities. In other situations, where required by law, we will collect your Personal Information only where we have your consent to do so. If you have any questions about or need further information concerning the legal basis on which we collect and use your Personal Information, please contact us using the contact details provided in the How to Contact Us section below.

8.3 International Data (Cross-Border) Transfers. Fresnel Software Corporation is headquartered in Canada, with offices based in the United States. If you are located anywhere outside of these countries (including in the EEA), please be aware that some information we collect (including Personal Information), will be transferred to, processed and stored in Canada and the United States. We have taken appropriate safeguards to require that your Personal Information will remain protected in accordance with this Policy and applicable law.

- a) Some of these safeguards include requiring protection to the Personal Information we process from the EEA in accordance with European data protection laws, including Regulation (EU) 2016/679 (the General Data Protection Regulation (“GDPR”)).
- b) We transfer, process, and store your Personal Information in Canada, the United States and other locations where our cloud infrastructure providers maintain servers. The data protection laws in these countries may differ from those of the country in which you are located (and/or a citizen of), and your Personal Information may be subject to access requests from governments, courts, or law enforcement in these countries in accordance to their laws. By providing us with your Personal Information, you consent to this transfer.

9. ADDITIONAL INFORMATION FOR CALIFORNIAN RESIDENTS: YOUR CALIFORNIA PRIVACY RIGHTS

The California Consumer Privacy Act of 2018 (“CCPA”), in effect as of January 1, 2020, requires businesses that collect personal information of California residents to make certain disclosures regarding how they collect, use and disclose such information. The CCPA allows California residents, upon a verifiable consumer request, to request access, in a portable and (if technically feasible) readily usable form, to certain items and categories of Personal Information that we have collected about the consumer, the categories of sources for that information, the business or commercial purposes for collecting the information, and the categories of third parties with which the information was shared. California residents also have the right to submit a request

for deletion of information under certain circumstances. Consistent with California law, if you choose to exercise your rights, we won't treat you negatively for making such a request. If you wish to submit a request, please fill out this [Web Form](#). Please note that you must verify your identity and request before further action is taken. As a part of this process, government identification may be required. Consistent with California law, you may designate an authorized agent to make a request on your behalf. In order to designate an authorized agent to make a request on your behalf, you must provide a valid power of attorney, the requester's valid government-issued identification, and the authorized agent's valid government-issued identification.

10. CHILDREN'S PRIVACY

Vitruvi Applications, Platforms and website do not target or knowingly collect any Personal Information from children under the age of 18. If you are under the age of 18, do not use our Applications, Platforms or website and do not provide any information to us through our website. If we learn we have collected or received any Personal Information from a child under the age of 18 without verification of parental consent, we will delete that information. If you believe we may have collected or received any information about a child under the age of 18, please contact us using the contact details provided in the *How to Contact Us* section below.

11. CUSTOMER TESTIMONIALS, COMMENTS, AND REVIEW

We post customer testimonials, comments, and reviews on our Website, which may contain personal information. We will obtain your consent via email prior to posting the testimonial and the name of the person providing the testimonial. If you wish to change or delete your testimonial, you can contact us using the *How to Contact Us* section below

Our Website also offers publicly accessible blogs or community forums. You should be aware that any information you provide in these areas may be read, collected, and used by others who access them. To request removal of your personal information from our blog or community forum, you can contact us using the *How to Contact Us* section below. In some cases, we may not be able to remove your personal information, in which case we will let you know if we are unable to do so and why.

12. HOW TO CONTACT US

If you have any questions about how your personal information is used, or if you want to access, correct, or remove your personal information, please contact us at privacy@vitruvi.cc. You may also write to us at: Fresnel Software Corporation, #700, 140 10th Ave SE, Calgary, AB T2G 0R1.

13. CHANGES TO THIS POLICY

Just as our business changes, from time to time this Policy may also change to reflect new or different privacy practices. We will do so by posting additions or modifications to this page. We encourage you to review this Policy periodically.