



## CAROFFER, LLC

### PRIVACY POLICY

*Updated as of June 3, 2019*

#### Introduction

CarOffer, LLC (“**CarOffer**” or “**we**”) provides a real-time live bidding online auction service and related mobile and desktop applications and services (collectively, the “**CarOffer Platform**”) for access to and use by Dealers and Authorized Users. We take your privacy seriously and invest significant effort in determining how your information is used in connection with the CarOffer Platform. As a result, we have prepared this Privacy Policy (this “**policy**”) to ensure you understand our practices for collecting, using, maintaining, protecting and disclosing that information.

This policy forms part of and is subject to the CarOffer, LLC Terms and Conditions of Services (the “**Terms**”). The Terms can be found at CarOffer’s website at <https://www.caroffer.com/terms>. To the extent there is any conflict between this policy and the Terms, the Terms shall control. Capitalized terms used in this policy and not otherwise defined have the meanings given to them in the Terms.

This policy applies to information we collect in connection with the CarOffer Platform, including information you provide:

- on our website ([www.caroffer.com](http://www.caroffer.com)) and related pages;
- in e-mail, text and other electronic messages between you and us;
- through mobile and desktop applications you use or download in connection with the CarOffer Platform;
- when you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this policy.

It does not apply to information collected by:

- us offline or through any other means, including on any other website operated by CarOffer or any third party (including our affiliates and subsidiaries); or
- any third party (including our service partners, affiliates and subsidiaries), including through any application or content (including advertising) that may be provided in connection with the CarOffer Platform.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. By accessing or using the CarOffer Platform, you are agreeing to this policy and our treatment of your information in accordance with this policy.

This policy may change from time to time. All changes are effective immediately when we post them and apply to all access to and use of the CarOffer Platform thereafter. We may also notify you about significant changes in the way we treat personal information by sending a notice to the primary email address specified in your CarOffer Platform account or by placing a prominent notice via the CarOffer Platform. Nevertheless, your continued use of the CarOffer Platform after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

#### Children Under the Age of 13

Through the CarOffer Platform, we provide a real-time live bidding online auction service. The CarOffer Platform, including our websites and mobile and desktop applications, are not intended for children under 13 years of age,

and we do not knowingly solicit personal information from or market to children under the age of 13. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at [info@caroffer.com](mailto:info@caroffer.com).

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of the CarOffer Platform, including information:

- by which you may be personally identified, such as name, postal address, e-mail address and telephone number ("**personal information**");
- regarding your physical location (if you have activated a mobile application with us and permitted your mobile device to transmit location data);
- that is about you but does not identify you individually; or
- about your internet connection, the equipment you use to access the CarOffer Platform and usage details.

We collect this information:

- directly from you when you provide it to us.
- automatically during your use of the CarOffer Platform. Information collected automatically may include usage details, IP addresses and information collected through cookies, web beacons and other tracking technologies.
- from third parties—for example, our service partners.

**Information You Provide to Us.** The information we collect on or through the CarOffer Platform may include information:

- to process your applications and related documents required to become an enrolled Dealer or Authorized User and to make decisions regarding enrollment and registration;
- transferred from your dealer management system (DMS) and customer relationship management system (CRM) solely for the purpose of enabling your use of the CarOffer Platform;
- to verify, evaluate and/or monitor your creditworthiness;
- to provide for payment processing;
- to assist with the collection of any amounts owing by you to us or our service partners;
- to contact you in response to any transactions, requests, complaints or comments you may have;
- to contact you to provide you with information regarding our business or the CarOffer Platform;
- to provide advertisements to you through the CarOffer Platform, including our website, email messages, mobile applications or other methods of communication;
- to help us to develop, evaluate and improve our sales and marketing strategies and techniques;
- to operate and improve the CarOffer Platform;

- to provide third parties with information necessary to permit that third party to conduct business with us or effectively provide you with services in connection with the CarOffer Platform;
- to assist us and third parties in evaluating the vehicle industry; and
- to respond to legal process and reasonable inquiries from regulatory or investigative authorities.

**Information We Collect Through Automatic Data Collection Technologies.** As you navigate through and interact with the CarOffer Platform, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, including:

- details of your usage of the CarOffer Platform, including traffic data, location data, logs and other communication data and the resources that you access and use with the CarOffer Platform.
- information about your computer and internet connection, including your IP address, operating system and browser type.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

The information we collect automatically may include personal information, or we may maintain it or associate it with personal information we collect in other ways or receive from third parties. It helps us to improve the CarOffer Platform and to deliver a better and more personalized service, including by enabling us to:

- estimate our audience size and usage patterns;
- store information about your preferences, allowing us to customize aspects of the CarOffer Platform according to your individual interests;
- speed up your searches;
- recognize you when you return.

**Cookies.** We also collect information from and about the devices you use to access the CarOffer Platform. This includes things like IP addresses, the type of browser and device you use, and identifiers associated with your devices. Your devices, depending on their settings, may also transmit location information to the CarOffer Platform. A cookie is a small amount of data, which often includes an anonymous unique identifier, and is sent to your browser from a website computer and stored on your computer's hard drive. Cookies are required to use the CarOffer Platform. We use cookies to record current session information. We may, from time to time, use similar technologies, including web beacons, pixel tags, flash objects, location tracking or third-party widgets for purposes of enhancing your web or mobile experience or for purposes of allowing you to share information on another platform, such as a social media platform. We generally use technologies like cookies to provide, improve, protect and promote the CarOffer Platform. You can set your browser to not accept cookies, but this may limit your ability to use CarOffer Platform.

**AuctionAccess® Number.** We may also collect your AuctionACCESS® number and use it to link your registration information with the information maintained by AutoTec, LLC in your AuctionACCESS® membership profile. To create an AuctionACCESS® profile and learn more about what types of information AutoTec, LLC collects about its members and discloses to CarOffer and other wholesale auction operators, please visit <https://www.auctionaccess.com>. AutoTec, LLC is not affiliated with CarOffer and collects information about its members under its separate privacy policy using processes that we do not control. Supplying registration information is voluntary; however if you do not supply the information necessary to register, you will not be able to use the CarOffer Platform.

### **Third-party Use of Cookies and Other Tracking Technologies**

Some content or applications on the CarOffer Platform are served by third parties, including service partners, content providers and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use the CarOffer Platform. 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.

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.

### **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information, to:

- provide our business to you, including providing the CarOffer Platform, establishing and maintaining your user account and providing customer support;
- fulfill any other purpose for which you provide it;
- carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection;
- perform data analysis, including market and consumer research, trend analysis, demographic analysis and financial analysis;
- notify you about changes to the CarOffer Platform or any other products or services we offer or provide;
- allow you to participate in interactive features on the CarOffer Platform;
- use it for or any other purpose with your consent.

We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy to:

- our subsidiaries and affiliates.
- service providers and other third parties we use to support our business and who are bound by obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of CarOffer's assets, whether as a going concern

or as part of bankruptcy, liquidation or similar proceeding, in which information held by CarOffer is among the assets transferred.

- fulfill the purpose for which you provide it.
- use it for any other purpose disclosed by us when you provide the information.
- with your consent.

We may also disclose your personal information:

- to comply with any court order, law or legal process, including to respond to any government or regulatory request.
- to enforce or apply the Terms or terms of sale and other agreements, including for billing and collection purposes.
- if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of CarOffer, our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **Your California Privacy Rights**

California Civil Code Section § 1798.83 permits users of the CarOffer Platform that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to [info@caroffer.com](mailto:info@caroffer.com) or write us at: 2701 E. Plano Parkway, Suite 100, Plano, Texas 75074.

### **Changes to Our Privacy Policy**

We will post any changes we make to this policy on this page. You are responsible for ensuring we have an up-to-date active and deliverable e-mail address for you, and for periodically visiting the CarOffer Platform and <https://www.caroffer.com/privacy> to check for any changes.

### **Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at: [info@caroffer.com](mailto:info@caroffer.com).