

WEBSITE PRIVACY POLICY

Updated 5-17-2022

At 46 Labs LLC is committed to honoring the privacy of our Website Visitors. The following policy outlines information gathering, use and disclosure practices with respect to Website Visitor information that is collected by 46 Labs or submitted by a Website Visitor to gain information about us or our services. 46 Labs is the controller of and responsible for the information obtained or shared on our Website. When we mention “we”, “us”, or “our” in this policy we are referring to 46 Labs LLC. We strive for compliance with consumer privacy laws including the GDPR and CCPA. Our website is for adult users, and we do not knowingly collect information about children. If you have questions about this policy, please contact our Data Privacy Officer as set out in Section 6.

1. Terms used in this Policy.

- 1.1. “Cookie” means information referred to in the technology industry as a web cookie, Internet cookie, browser cookie is a small piece of data sent from a website and stored on the user's computer by the user's web browser while the user is browsing to record the user's browsing activity, user provided and stored information for the website, or transactions with a website.
- 1.2. “EU Countries” shall mean and refer to the following countries: Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the UK
- 1.3. “Personally Identifiable Information” or “PII” shall mean personal data and information about a Website Visitor including:
 - 1.3.1. email address;
 - 1.3.2. Technical information including IP address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform, and other technology on the devices you use to access the Website;
 - 1.3.3. Information about how you use our Website;
 - 1.3.4. a Website Visitor’s hosting company;
 - 1.3.5. your preferences about receiving marketing information from us.
- 1.4. “WPP” shall mean this Website Privacy Policy.
- 1.5. “Website” shall mean site www.46labs.com.
- 1.6. “Website Visitor” shall mean a person who access the public Website of 46 Labs. A User may also be a Website Visitor.

2. PII Collected by 46 Labs.

- 2.1. Cookies. We may use Cookies to collect PII about Website Visitors such as domain name, host from which Website Visitor accesses the Internet, the IP address of their computer, browser software or operating system they use. This information may be aggregated to measure such things as the number of visits, average time spent on the site, the number of pages viewed, and methods by which our site was found. 46 Labs may use such information to evaluate the use of our site and to continuously improve the content and services being provided. We may use Cookies or similar technology to better manage our Website and to assist us in providing tailored information and services. Website Visitors may set their browser to decline the receipt of a Cookie; however, certain features of our sites may not function properly or be available if the

browser is configured to disable Cookies. The cookies we use are available at the cookie options menu on our website.

- 2.2. E-Mail. 46 Labs' policy is not to read or disclose private e-mail communications that are transmitted by Website Visitors using the Website except to respond if directed to us.
- 2.3. Third Party Links. 46 Labs Website may contain links to other third-party websites that may include plug-ins or other applications. 46 Labs accepts no responsibility or liability for the content, products or services offered, independent actions, or the privacy and security practices employed by these other independent sites. We would suggest that you carefully review the privacy policies of these sites.

2.4. How we collect, use, transfer, and retain PII.

2.4.1. Collect. You may give us your PII by filling in forms or by corresponding with us by mail, phone, email or otherwise. This includes PII you provide when you:

- contract for services;
- subscribe to our service or publications;
- request marketing to be sent to you;
- enter a competition, promotion or survey; or
- give us feedback or contact us.

2.4.2. Use. 46 Labs may share aggregate anonymized data relating to the transactions on the site for marketing, research, and other purposes. The only PII collected about visitors to the Website is that which is provided by them voluntarily. 46 Labs will not make any PII that is gathered on our site available to unaffiliated organizations for purposes unrelated to the business of 46 Labs unless (a) disclosed to the Website Visitor at the time of collection, (b) after subsequently obtaining their approval, or (c) as required by federal, state and local laws or government regulations. In the circumstances where information is to be disclosed under paragraph 2.4.2 (c), 46 Labs will use its best efforts to disclose only the information required by law, subpoena or court order.

2.4.3. Transfer. We share your personal data within 46 Labs. This may involve transferring your data outside the local Geography

- Many of our external third parties are based outside the EU Countries so their processing of your personal data will involve a transfer of data outside these countries.
- Whenever we transfer your personal data out of the EU Countries, we ensure a similar degree of protection is afforded to it by ensuring at least one of the following safeguards is implemented [DELETE AS APPLICABLE]:
 - We will only transfer your personal data to countries that have been deemed to provide an adequate level of protection for personal data.
 - Where we use certain service providers, we may use specific contracts approved for use in the EU Country which give personal data the same protection it has in the specific EU Country.
- Please contact us if you want further information on the specific mechanism used by us when transferring your personal data out of your country.

2.4.4. Retention of Personally Identifiable Information.

2.4.4.1. Retention. 46 Labs will only retain copies your PII as reasonably necessary to comply with governmental regulation, orders, to resolve disputes, troubleshoot problems, and as otherwise reasonably necessary. By Law, we may have to keep basic

information about our Website Visitors. These retention periods can vary by geography. The current retention periods for the Jurisdictions we serve are:

- United States: for up to 18 months following a Website visit.
- EU Countries: for up to 6 years following a Website visit.
- All other jurisdictions: for up to 18 months following a Website visit.

3. **Disclosures of PII.** We may share your personal data with the parties set out below for the purposes described.

3.1. Internal Third Parties. Other companies or individuals acting as processors who are based in the United States and other locations that provide IT support and administration or review information as part of reporting to our leadership team.

3.2. External Third Parties. Service Providers who provide website administration and updates for us. Notably, Liquidfish (<https://www.liquid.fish/>).

3.3. Professional advisers acting as processors including lawyers, bankers, auditors and insurers based in the United States and who provide consultancy, banking, legal, insurance and accounting services.

3.4. Third parties to whom we may choose to sell, transfer or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal data in the same way as set out in this privacy policy.

4. **Data Security.** 46 Labs has put in place appropriate security measures to prevent User's personal data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your personal data to 46 Labs' employees, agents, contractors and other third parties who have an organizational need to know. They will only process your personal data on our instructions, and they are subject to a duty of confidentiality. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so. 46 Labs makes no warranty, guarantee, or representation that use of our 46 Labs Network and Services are protected from all viruses, security threats or other vulnerabilities or that User information will always be secure.

5. **Modification and Update.** 46 Labs reserves the right to modify this WPP any time by publication to www.46labs.com/service-terms/.

6. **Your Rights and Contacting 46 Labs regarding this Website Privacy Policy.**

6.1. Rights. In certain Countries, you have the right to make a complaint to your local regulator for consumer or data protection regulator. Under certain circumstances, you have rights under data protection laws in your country in relation to your Personally Identifiable Information. This can include access to, correction of, erasure of, restricting access to, or withdrawal of consent to use your Personally Identifiable Information. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. Please contact us with questions about these rights.

6.2. Contacting us. For matters concerning this policy including questions regarding violations or your rights to access or control your private information, please contact us at:

46 Labs LLC

Attn: Data Privacy Officer – Daniel Howard

1503 E. 19th St. Edmond OK, 73013

By email: support@46labs.com Subject Line: Data Privacy Officer

By phone: +1 512-831-3664 ask for Support Desk