



## PRIVACY POLICY

*[LAST UPDATED JUNE 7, 2024]*

This is the Privacy Policy of Clearspan LLC, and its affiliated companies and subsidiaries (collectively, “Clearspan,” “We”, “Us” and “Our”) regarding your use and interaction with Clearspan and its website: <https://clearspancloud.com> and all related software applications, websites, portals and cloud servers (collectively, the “Site”).

By using our Site, you consent to this Privacy Policy and to Clearspan’s **Terms of Use** (the “Terms”) and **Acceptable Use Policy** (the “AUP”), which can be found here (<https://clearspancloud.com/legal-notices/>), each as amended from time to time.

We will not sell, share, or rent this information to others in ways other than those outlined in this Privacy Policy. Clearspan collects information from our users at several different points on the Site. Personal Information (defined below) provided by users (“you”) will be used by Clearspan to improve the Site and provide a more personalized experience for the user, but information which identifies a specific individual will not be disclosed to others without the user’s permission unless necessary to provide services which the user has requested.

This online privacy policy applies only to information collected through our website and not to information collected offline.

Any capitalized terms not defined herein shall have the meaning ascribed to them in the. In the event of a conflict between this Privacy Policy and the Terms, the provisions of this Privacy Policy will prevail.

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**General.** We may ask for information that personally identifies you or allows us to contact you including (but not limited to): your name, phone number, e-mail address, and postal address (collectively, “Personal Information”). Generally, this information is requested when you contact us for information, place an order for our products or services, or when you complete a survey.

We use your Personal Information for the following primary purposes:

- i. To make our Site easier for you to use by not having to enter information more than once.
- ii. To help you quickly find information on the Site.
- iii. To alert you to special offers, updated information and other services from our company, affiliates, and business partners.

### **What kinds of information and data do we collect?**

We may ask for certain personal data to make our services available to you. We only ask for information if you contact us or fill out a contact form. You may, however, visit our site anonymously. Clearspan will retain your personal data only for as long as is necessary for the purposes detailed in this Privacy Policy.

In addition, from our Site Clearspan collects personal data through web form submissions, primarily for the purpose of answering your inquiries and engaging in support. Clearspan also collects anonymous information about how visitors use our web site; for example, Clearspan utilizes web analytics software to track, in aggregate, the number of unique views received by the pages of the web site, the domains from which users originate along with many other analytical data points. Through the use of web analytics software, Clearspan Site uses "cookies" to assist the tracking of how users engage our website.

Depending on which Services or products you use, we collect different kinds of information from or about you that Clearspan will also automatically gather and store in log files, such as: IP addresses, browser types, ISPs, referring/exit pages, operating systems, date/time stamps, and movements around the Site. The Site also gathers demographic information and other information from you based on your responses to surveys and similar Site services. At no time will Clearspan require a child to disclose more information than is reasonably necessary in an activity as a condition of participation.

We do analyze website functionality for performance for purposes of improving our Site. Our priority is to educate and make it easy for customers to understand what data we collect, why we collect it, and how we use it.

You understand that you shall be solely responsible for the accuracy and truthfulness of the Personal Information shared with us. In the event you share any Personal Information on behalf of a third person, you shall ensure that you have the necessary authority to share such Personal Information with us.

### **Who is collecting the data?**

Clearspan and collaborating third parties in order to provide service to our Users.

### **Our Legal Basis for Collecting Data**

We will not process your Personal Information without a lawful basis to do so. We will process your Personal Information only on the legal bases of consent, contract, or on the basis of our legitimate interests, provided that such interests are not overridden by your privacy rights and interests.

### **How do we protect your information?**

We implement a variety of security measures to maintain the safety of your personal information when you place an order.

We offer the use of a secure server. All supplied sensitive/credit information is transmitted via Secure Socket Layer (SSL) technology and then encrypted into our Payment gateway providers database only to be accessible by those authorized with special access rights to such systems and are required to keep the information confidential.

### **Your Rights Regarding the Data We Collect.**

With respect to the data we collect from you, you have the following rights:

- 1) the right to be informed about the data we collect;
- 2) the right to access and review the data we have collected from you;
- 3) the right of rectification or correction of any data we have collected from you;
- 4) the right to have any/all data we collect removed;
- 5) the right to restrict how we process data we collect from you;
- 6) the right to data portability;
- 7) the right to object to our collection of data; and
- 8) the right to prevent direct marketing, automated decision-making and profiling.

If you wish to take advantage of any of the above rights, please contact us and we will comply at no charge to you. To review, request a copy of, or delete your account information you may contact us via e-mail at [privacy@clearspancloud.com](mailto:privacy@clearspancloud.com)

### **Our Data Retention Period.**

We typically maintain your data for as long as you use our Site and/or our services. We also reserve the right to retain any/all data from our users and former users indefinitely unless/until the user requests deletion of their data, or in the event we are legally required to remove the data, whichever occurs first.

We will generally only retain your Personal Information for so long as is necessary to fulfil the purposes for which it was collected, as set out under this section above. However, in the following circumstances, we may be required to retain, preserve or disclose your Personal Information for a longer period of time:

- in order to comply with applicable laws or regulations;
- in order to comply with a court order, subpoena or other legal process;
- in response to a request by a government authority, law enforcement agency or similar body (whether situated in your jurisdiction or elsewhere);
- where we believe it is reasonably necessary to comply with applicable laws or regulations; or
- in order to enforce Clearspan Terms of Service or this Privacy Policy, protect our rights, property or safety, or the rights, property, or safety of our affiliate companies or other users of Clearspan.

### **How do we use collected information?**

We do not sell, trade, or otherwise transfer to outside parties your personally identifiable information. This does not include trusted third parties who assist us in operating our website, conducting our business, or servicing you, so long as those parties agree to keep this information confidential. We may also release your information when we believe release is appropriate to comply with the law, enforce our site policies, or protect ours or others' rights, property, or safety. However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

Clearspan uses the collected Personal Data to provide and maintain our Services and provide customer support for our Services. Clearspan will only use your Personal Data to provide you with news, special offers or general information only if you have willingly Opted In to receive such information.

## **Clearspan may collect and use your Personal Information for the following purposes:**

### Providing and improving our products.

We are able to deliver our Services, personalize content and make suggestions for you by using this information to understand how you use and interact with our Services and the people or things you're connected to and interested in on and off our Services. We also use information we have to provide shortcuts and suggestions to you. When we have location information, we use it to tailor our Services for you and others, such as helping you check in and find local events in your area or telling your friends that you are nearby. We conduct surveys and research, test features in development and analyze the information that we have in order to evaluate and improve products and services, develop new products or features and conduct audits and troubleshooting activities.

### To process transactions

Your information, whether public or private, will not be sold, exchanged, transferred, or given to any other company for any reason whatsoever, without your consent, other than for the express purpose of delivering the purchased product or service requested.

### Promoting safety and security.

We use the information we have to help verify accounts and activity, and to promote safety and security on and off our Services, such as by investigating suspicious activity or violations of our terms or policies.

### Communicating with you.

We use your information to send you marketing communications, communicate with you about our Services and let you know about our policies and terms. We also use your information to respond to you when you contact us.

### Sending emails or pushing notifications

We may occasionally also send emails such as company news, updates, related product or service information, etc., and we will use your basic Personal Information to respond to inquiries, questions, and/or other requests. We may also use your Information for the purpose of sending you direct marketing (whether by messaging within our services, by email or by other means) that offer or advertise our products and services and/or the products and services of selected third parties. You may at any time change your preferences or turn off notifications, which will alter or cease the specific notifications you receive. You may also cancel your account at any time, in which case we will cease sending you reminder emails, but you may continue getting shared content from others until you specifically turn off those notifications. We may use a third-party mailing list service for company announcements or occasional marketing emails, and you may need to unsubscribe from these emails separately than other types of emails.

**Collected Information.** Clearspan may collect information from you in several different ways including the following:

- **Requests.** When you request information from us, by phone or e-mail, through the Site, or by requesting to join our mailing list, we may collect certain personally identifiable information from you. If you respond to a survey or sign up contest or drawing, we may request certain Personal Information. We use this information to provide you with information, customer service, or other services related to your request.

- **Log Files.** As is true of most websites, we gather certain information automatically and store it in log files. This information includes Internet Protocol (IP) addresses, browser type, Internet Service Provider (ISP), referring/exit pages, operating system, date/time stamp, and movements around the site, and to gather demographic information about our user base as a whole. We do not link this automatically collected data to personally identifiable information.
- **Correspondence.** If you send us personal correspondence, such as an email or letter, we may collect such information into a file specific to you.
- **Third Party Referral.** We may collect certain personally identifiable information regarding you, when a third party may voluntarily provide such information, in particular when using the “Send to A Friend” option present on our mailings.
- **Public/Sponsored Events.** Clearspan participates in many public events and events with multiple sponsors, such as trade shows and seminars. The events generally collect certain personally identifiable information from all attendees and distribute this data in whole or in part to all the event sponsors including Clearspan. While we cannot control and are not responsible for the practices of other sponsors for these events, Clearspan will maintain the privacy of its copy of your Personal Information received in this way.
- **Links.** The Site may contain links to other sites. However, please be aware that Clearspan is not responsible for and cannot control the privacy policies of such other sites. We encourage you to be aware when you leave the Site, and to read the privacy policies of each and every web site that collects personally identifiable information. This Privacy Policy applies solely to information collected by Clearspan Site.
- **Site Usage.** Clearspan may monitor your activities, preferences, and transactional data (such as your IP address) relating to your use of the Site and/or services and log this information. This information may be used to diagnose Site technical problems. We also use personal and non-Personal Information in aggregate or statistical form in order to improve our products, services and procedures. This means that information from many persons and/or web site visits is grouped together in a way that does not disclose the Personal Information of any particular person. For example, we track how many people have expressed interest in a particular product and what kinds of web browsers are most often used when visiting our web site. Among other things, this information helps us determine which of our products and services are successful and which should be changed or discontinued.
- **Cookies.** Cookies are data files that are written onto your computer by a website or software application (such as our Site) and stay there unless they expire or are removed by you. Cookies enable us to recognize your computer when you revisit the Site and recall your Site preferences to enhance your experience in using the Site. We do not use cookies to collect or use any information about your visits to other websites and do not knowingly allow any third party to create cookies or otherwise collect any information from our Site. Consult your browser Help menu to learn more about how you can configure your browser software to notify you when your computer receives a new cookie. Note that you may also be able to configure your browser to disable the creation of cookies entirely (although your full interactive use of the Site may be adversely impacted if you do this. For example, you may not be able to place on-line orders for our

products.) This Privacy Policy covers the use of cookies by this Site only and does not cover the use of cookies by any advertisers or third parties.

- **Web Beacons.** Web beacons are very small, invisible graphics present on web pages or emails that help us track when the page or email has been accessed. Some parts of the Site, emails and other files may use web beacons, also known as clear gif technology or action tags. We do not use web beacons to collect, use or store any Personal Information about you.
- **Customer Service.** Based upon the personally identifiable information you provide us, we may send you a confirmation e-mail to act as a receipt of your purchase. We will also communicate with you in response to your inquiries and to provide the services you request. We will also communicate with you in connection with services you request from Clearspan.

**California Online Privacy Protection Act Compliance.** Because we value your privacy, we have taken the necessary precautions to be in compliance with the California Online Privacy Protection Act. We therefore will not distribute your personal information to outside parties without your consent. Also, if you are a resident of California, you are granted specific rights regarding access to your personal information. California Civil Code Section 1798.83, also known as the "Shine The Light" law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below. If you are under 18 years of age, reside in California, and have a registered account with the Website, you have the right to request removal of unwanted data that you publicly post on the Website. To request removal of such data, please contact us using the contact information provided below, and include the email address associated with your account and a statement that you reside in California. We will make sure the data is not publicly displayed on the Website, but please be aware that the data may not be completely or comprehensively removed from all our systems (e.g. backups, etc.).

**Children 18 Years of Age and Younger.** You must be 18 or over to use the Site. We are in compliance with the requirements of COPPA (Children's Online Privacy Protection Act), we do not collect any information from anyone under 13 years of age. Our website, products and services are all directed to people who are at least 13 years old or older.

#### **Disclosure of Collected Information.**

- a. Information from the Site.** Clearspan will never disclose to non-affiliated third parties without your prior approval your e-mail address, phone number, or other Personal Information that we collect via the Site. However, we reserve the right to outsource certain activities to certain third parties. In such cases, we strictly limit the information provided to these third parties to the minimum necessary for them to perform the functions for which we have retained them and prohibit them from using the information for any other purpose or retaining it after it is no longer needed.
- b. Law Enforcement.** Clearspan, however, will cooperate with official law enforcement inquiries,

such as fraud investigations and subpoenas, and will disclose your information when necessary to comply with state and federal laws and regulations.

**c. Business Transition.** In the event we go through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of our assets, your personally identifiable information will likely be among the assets transferred.

**d. Disclaimer.** We cannot ensure that all of your private communications and other Personal Information will never be disclosed in ways not otherwise described in this Privacy Policy. By way of example (without limiting the foregoing), we may be forced to disclose Personal Information to the government or third parties under certain circumstances, third parties may unlawfully intercept or access transmission or private communications, or users may abuse or misuse your Personal Information that they collect from the Site.

**Security.** Clearspan is committed to ensuring that your ordering information, including your customer information, is protected while you are on the Site. Clearspan uses appropriate and reasonable measures to maintain the security of your Personal Information. This includes procedures followed by our personnel to prevent data loss or theft, physical security of our servers and information stores and electronic security such as firewalls, password-protected databases and secure connections. Clearspan may use certain third parties for services such as advertising, marketing and order fulfillment. We only work with third parties whose privacy policies and security practices are equal to or more stringent than our own and who agree to strictly limit their use of the information we provide them to fulfill the functions for which they have been retained. You should be aware, however, that no data transmitted over the Internet, sent through the mail or stored on a computer is 100% secure and that we cannot guarantee the security of your personal data while in transmission to us. Public computers in particular should never be considered secure. You should never give out Personal Information on the Site, or its message board, in chat rooms and other publicly viewable locations. In addition, there exist malicious programs, typically called computer viruses or trojan horses, which can be used to capture information off your computer's hard drive or while you are entering it into a web form or sending it by email. You should always use the appropriate anti-virus and personal security technology to protect yourself. Lastly, if you have been assigned a login ID and/or password for use on an Clearspan system (for example, a login for our web store to purchase products), you should never give out that information to others.

**Enforcement.** If for some reason you believe Clearspan has not adhered to the principles of this Privacy Policy, please notify us, and we will do our best to determine and correct the problem promptly.

**Disputes.** This Privacy Policy shall be interpreted and governed by the laws of the United States and the State of Texas, without regard to conflicts of laws. Any dispute arising out of this Privacy Policy shall be settled by final and binding arbitration conducted in Dallas, Texas, by one neutral arbitrator knowledgeable in the subject matter covered by this Privacy Policy, in accordance with this Section and the then current Commercial Arbitration Rules of the American Arbitration Association ("AAA"). The successful party in the arbitration shall be awarded by the arbitrator that party's costs and expenses, including attorneys' fees and administrative fees of the AAA. An award may be confirmed and judgment entered in any court having competent jurisdiction. Except as otherwise provided for herein, any litigation initiated under such act or otherwise shall be conducted in a court of competent jurisdiction located in Dallas County, Texas.

**Notification of Privacy Policy Changes.** We reserve the right to change this Privacy Policy at any time, and you may visit this page to learn of our revised Privacy Policy. All such changes shall be binding on you 14 calendar days after they are initially posted on the Website unless you are a new user, in which case they are binding on you immediately.

**Notices.** Any notices or other communication required or permitted to be made or given by either Party pursuant to this Privacy Policy will be in writing, in English, and will be deemed to have been duly given when delivered if delivered to the address specified herein or such other address as Clearspan may specify in writing. All notices must be sent to or via email to: [privacy@clearspancloud.com](mailto:privacy@clearspancloud.com) or by post to:

ATTN: Legal  
Clearspan  
5360 Legacy Drive  
Plano, TX 75024  
United States

**Contact Us.** If you have any questions or suggestions regarding our privacy policy, please contact us through the “**Contact Us**” section of the Site, or via email to: [privacy@clearspancloud.com](mailto:privacy@clearspancloud.com)

**Representations and Warranties.** By using this Site, you represent that you are seeking this Site for personal reasons and that you are not an attorney or an agent of an attorney conducting an investigation to a potential claim related to the Site, any material available through the Site, or Clearspan. You also represent that you are not engaging in activities in an attempt to reverse engineer the Site, portions of the Site, or any materials available through the Site. You also represent that any information you provide is true and accurate.

**Customer Reference.** You agree (i) that Clearspan may identify you as a recipient of services and use your logo in client lists, sales presentations, marketing materials and press releases, and (ii) to develop a customer profile for use by Clearspan on Clearspan websites for promotional purposes.