

Privacy Policy

Last Updated: October 2018

This Privacy Policy explains how Conklin & deDecker Associates, Inc. ("Company") collects, uses, shares, and protects Personal Information (defined below) when you ("You" or "Your") access and use the Company website (either the public website or the password protected, restricted access website) or a Company mobile application (collectively, the "Site"), as well as Your choices about the collection and use of such Personal Information. Capitalized terms used in this Privacy Policy but not defined herein shall have the meaning given in Company's Terms of Use located at www.conklindd.com or the Company's End User License Agreement ("EULA") located at www.conklindd.com.

1. What is Personal Information?

"Personal Information" is information that, either alone or in combination with other information, identifies You. When Company combines other information (i.e., information that does not, on its own, identify You) with such Personal Information, Company treats the combined information as Personal Information.

2. How Company Collects and Uses Personal Information

A. Information that You Provide to Company (to the extent applicable)

Company collects the following types of information that You provide to Company:

- Contact, Account, and Payment Information.

Company processes Personal Information that You provide through creation and management of Your account, such as Your name and email address. Company also processes payment information, via a third-party service provider, if You choose to make payment to Company using the Site.

Company processes this Personal Information only as necessary to provide the Site to You under the terms of Company's Terms of Use and/or EULA or for Company's legitimate interests in providing a Site that meets Your needs and expectations. For example, Company uses this information to accept payments from You; respond to Your inquiries regarding the Site; facilitate Company's account recovery services in the event You forget Your log-in credentials; and for other purposes related to the reasons for which You provide Your Personal Information.

Company uses Your email address to contact You from time to time in furtherance of Company's legitimate interests in providing You with information regarding the Site, such as payment receipts, information regarding critical updates to the Site, and security notices. Company also uses Your e-mail address to send You other types of communications, including customer surveys and notices of special promotions.

The only time Company will ever email You requesting alternative methods of payment is if Company wants You to call the Company to provide Company with an alternate payment method. If You receive any other email requesting an alternative method of payment (without a request for You to call the Company) You should not provide any information in response to such request and You should report such email to Company.

Company communicates with users on a regular basis via e-mail to provide requested services, and Company also communicates by phone to resolve customer complaints or investigate suspicious transactions. Company uses Your e-mail address to confirm Your opening of an account, to send You notice of payments that You send through the Site, to send information about important changes to Company's products and services, and to send notices and other disclosures required by law. Generally, You cannot opt out of these communications, but they will be primarily informational in nature rather than promotional.

In connection with independent audits of Company's financial statements and operations, the auditors may seek to contact a sample of Company's customers to confirm that Company's records are accurate. However, these auditors cannot use Personal Information for any secondary purposes.

- Log-in Credentials.

Company processes Log-in Credentials to enable You to log into and use the Site. Company processes this Personal Information only as necessary to provide the Site to You under Company's Terms of Use and/or EULA.

- User Content and Metadata.

Company processes User Content that You submit through the Site to facilitate the Site and to make certain features available to You. Company also may process "metadata" related to such User Content. Metadata is usually technical data that is associated with User Content. Company process User Content and related metadata only as necessary to provide the Site to You under Company's Terms of Use and/or EULA.

B. Information Company Receives from Your Use of the Site

Company collects the following types of information through Your use of the Site:

- Cookies, Device Identifiers, and Similar technologies

When You use or access the Site, Company uses cookies, device identifiers, and similar technologies such as pixels, web beacons, and local storage to collect information about how You use the Site. Company processes the information, including Personal Information, collected through such technologies to further Company's legitimate interests in operating the Site, enhancing Your experience through personalization, and helping Company better understand the features of the Site that You and other users are most interested in.

Most browsers provide You with the ability to block, delete, or disable cookies, and Your mobile device may allow You to disable transmission of device identifiers. If You choose to reject cookies or block device identifiers, some features of the Site may not be available or some functionality may be limited or unavailable. Please review the help pages of Your browser or mobile device for assistance with changing Your settings.

With respect to Do Not Track Signals ("DNT") sent to Company by Your browser, Company does not respond to DNT signals at this time. To learn more about how DNT works, please visit <http://allaboutdnt.com/>.

- Log File Information:

When You use the Site, Company's servers automatically record information, including Your Internet Protocol address ("IP Address"), browser type, referring URLs (e.g., the site You visited before coming to the Site), number of clicks, and how You interact with links on the Site, domain names associated with Your internet service provider, pages viewed, and other such information (collectively, "Log File Information"). Company may also collect similar information from emails sent to You which then help Company track which emails are opened and which links are clicked by recipients. Company uses Log File Information collected from Company's implementation of the Site to further Company's legitimate interests in securing the Site by identifying potential threats and vulnerabilities, and in analyzing the effectiveness of Company's Site to improve the Site's function and content.

3. SHARING OF PERSONAL INFORMATION

Company will not disclose Your Personal Information except as set forth in this Privacy Policy or with Your consent.

This section describes to whom Company discloses Personal Information, and for what purposes:

- Company's Site Providers. Company employs service providers to perform tasks on Company's behalf and to assist Company in providing the Site. Company takes appropriate measures to help ensure that Company's service providers provide the same level of protection for Your Personal Information as Company does.
- Company may share aggregated statistical data with Company's business partners or for public relations. For example, Company may disclose that a specific percentage of Company's users are based in California. However, this aggregated information is not tied to Your Personal Information.

- Company may share Your Personal Information with Company's parent, subsidiaries and joint venture partners to help coordinate the services Company provides to You, enforce Company's Terms of Use and/or EULA, and promote trust and safety.
- Company uses IP addresses, browser types and access times to analyze trends, administer the Site, improve Site performance and gather broad demographic information for aggregate use.
- Companies Involved in Mergers and Acquisition Transactions. If Company sells or otherwise transfers all or part of Company's assets to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, or liquidation), any information collected through the Site, including Personal Information, may be among the items sold or transferred.
- Law Enforcement, Government Agencies, and Courts. Company may disclose Personal Information at the request of law enforcement or government agencies or in response to subpoenas, court orders, or other legal process to establish, protect, or exercise Company's rights or to defend against a legal claim or as otherwise required or allowed by law, or to protect the rights, property, or safety of any other person. Company may also disclose Personal Information to investigate or prevent a violation by You of any contractual or other relationship with Company or Your illegal or harmful activity.

4. PERSONAL INFORMATION TRANSFERRED FROM OUTSIDE THE U.S.

If You are using the Site from outside the United States, please be aware that Your information may be transferred to, stored, and processed in the United States. The data protection laws of the United States might not be as comprehensive as those in Your country. By using the Site, You consent to Your information being transferred to the United States for the purposes described in this Privacy Policy.

5. HOW WE PROTECT THE CONFIDENTIALITY OF YOUR PERSONAL INFORMATION

Company uses commercially reasonable safeguards to help keep the information collected through the Site secure and takes reasonable steps (such as requesting a unique password) to verify Your identity before granting You access to Your account. Company restricts access to Your Personal Information to employees who need to know that information in order to provide products or services to You. Company maintains commercially reasonable physical, electronic and procedural safeguards to guard Your Personal Information.

Despite these efforts to store Personal Information in a secure operating environment that is not available to the public, Company cannot guarantee the security of Personal Information during its transmission or its storage on Company's systems. Further, while Company attempts to ensure the integrity and security of Personal Information, Company cannot guarantee that Company's security measures will prevent third parties such as so-called hackers from illegally obtaining access to Personal Information. **Company does not represent or warrant that Personal Information about You will be protected against, loss, misuse, or alteration by third parties.**

The security of Your Personal Information also relies on Your protection of Your Log-in Credentials. You may not share Your Log-in Credentials with anyone. Company will never ask You to send Your password or other sensitive information to Company in an e-mail, though Company may ask You to enter this type of information on the Site, which will always have a URL ending with info@conklindd.com.

Any e-mail or other communication requesting Your password, asking You to provide sensitive account information via email, or linking to a website with a URL that does not contain or end with conklindd.com should be treated as unauthorized and suspicious and should be reported to Company immediately.

6. CHILDREN'S PRIVACY

Company does not knowingly collect or solicit any Personal Information from children. The Site and its content are not directed at children under the age of 16. In the event that Company learns that it has collected Personal Information from a child without parental consent, Company will promptly take steps to delete that information.

7. YOUR DATA SUBJECT RIGHTS

You can review the Personal Information You provided Company and make any desired changes to such information, or to the settings for Your account, at any time by logging in to Your account on the Site in the Profile page of the "My Account" tab.

If You would like to access, amend, erase, export (i.e., data portability), or object to or restrict the processing of, Your Personal Information, You may submit a request to info@conklindd.com. Company will promptly review all such requests in accordance with applicable laws.

Depending on where You live, You may have a right to lodge a complaint with a supervisory authority or other regulatory agency if You believe that Company has violated any of the rights concerning Your Personal Information. Company encourages You to first reach out to Company at info@conklindd.com, so Company have an opportunity to address Your concerns directly before You do so.

8. OPTING OUT

Company may send notifications, newsletters, promotions, or other information via email ("Communications"). You may choose to stop receiving Communications by indicating Your preference in Your account profile or settings. You may also follow the unsubscribe instructions in any email You receive. Please note that certain Site-related Communications are necessary for the proper functioning and use of the Site and You may not have the ability to opt out of those Communications.

9. RETENTION OF PERSONAL INFORMATION

Company will retain Your Personal Information for the period necessary to fulfill the purposes for which Your Personal Information has been collected as outlined in this Privacy Policy unless a longer retention period is required by law.

10. OTHER WEBSITES AND SERVICES

Company is not responsible for the practices employed by any websites or services identified on or linked to or from the Site, including the information or content contained within them. Company encourages You to investigate and ask questions before disclosing Your Personal Information to third parties.

11. CHANGES TO COMPANY'S PRIVACY POLICY

Company may modify or update this Privacy Policy from time to time, so please review it periodically. Company may provide You with notice of material changes to the Privacy Policy as appropriate under the circumstances. **UNLESS OTHERWISE INDICATED, ANY CHANGES TO THIS PRIVACY POLICY WILL APPLY IMMEDIATELY UPON POSTING TO THE SITE.**

12. HOW TO CONTACT COMPANY

If You have any questions about this Privacy Policy or the Site, please email Company at info@conklindd.com.