

Privacy Statement (last updated April 13, 2022)

At KindWorks, we prioritize our culture by living [our values](#) in every decision, interaction, and touchpoint. Trust, along with Kindness, is foundational to our core values. We know you are trusting us when you use our products, and we take that trust very seriously.

Here we describe the privacy practices for our products, websites, and services. We encourage you to learn about the data we collect, how we use it, the controls we give you over your information, and the measures we take to keep it safe. Prioritizing the protection of your data is a critical way in which we live our values every day.

I. Introduction

KindWorks.AI Inc. (“KindWorks,” “KindWorks.AI,” “us,” “we,” “our”) is committed to protecting the privacy of our users, and strives to provide a safe, secure user experience. This Privacy Statement sets forth the online data collection and usage policies and practices that apply to this website, its associated community sites, and the KindWorks.AI application (collectively the “Sites”). This privacy policy does not apply to any third-party websites, service or applications, even if they are accessible through the Sites.

By registering or using the Sites, you agree to the processing activities set forth in this Privacy Policy with respect to your Personal Information.

II. Revisions to this Privacy Policy

Any information that is collected via our Sites is covered by the Privacy Policy in effect at the time such information is collected. We may revise this Privacy Policy from time to time. When we do so, we will update the “Last Updated Date” above to indicate when those changes will become effective.

III. Collection and Use of Information

Information Collected or Received from You

Our primary goals in collecting information are to provide and improve the Sites, to administer your use of the Sites, to enable you to enjoy and easily navigate the Sites, and to respond to your inquiries submitted via the Sites. To achieve these goals, we may collect information that can reasonably be used to directly or indirectly identify a person (hereinafter “Personal Information” or “PI”). We use this information for the purposes of providing our services, responding to any queries you may have, operating and improving the web site, fostering a positive user experience and delivering the products and services that we offer.

This information may include:

Contact Information: Depending on how you choose to use the Sites, you may provide us with contact information such as your: name, physical address, email address, or telephone number.

Device Information: Depending on how you access the site, we may collect information regarding the type of device on which the Sites are used or downloaded, the operating system name and version of the device used to access the Sites, device manufacturer, application version accessed on your device, device ID, IP address, and geolocation data.

Demographic Information: We may collect certain information about population characteristics from you. This information includes your zip code or postal code, age, preferences, gender, race or ethnicity, occupation, career history, interests and favorites. We do not consider this information to be PI given that it will be deidentified and anonymized such that it cannot be linked to you as an individual.

Information Collected Using Cookies and Other Web Technologies

Like many website owners and operators, we use automated data collection tools such as Cookies and Web Beacons to collect certain information.

“Cookies” are small text files that are placed on your hard drive by a Web server when you access our Site. We may use both session Cookies and persistent Cookies to identify that you’ve logged in to the Site and to tell us how and when you interact with our Site. We may also use Cookies to monitor aggregate usage and web traffic routing on our Site and to customize and improve our Site. Unlike persistent Cookies, session Cookies are deleted when you log off from the Site and close your browser. Although most browsers automatically accept Cookies, you can change your browser options to stop automatically accepting Cookies or to prompt you before accepting Cookies. Please note, however, that if you don’t accept Cookies, you may not be able to access all portions or features of the Site. Some third-party service providers that we engage (including third-party advertisers) may also place their own Cookies on your hard drive. Note that this Privacy Policy covers only our use of Cookies and does not include use of Cookies by such third parties.

“Flash Cookies” are local stored objects used to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings that are used for browser cookies.

“Web Beacons” (also known as Web bugs, pixel tags or clear GIFs) are tiny graphics with a unique identifier that may be included on our Site for several purposes, including to deliver or communicate with Cookies, to track and measure the performance of our Site, to monitor how many visitors view our Site, and to monitor the effectiveness of our advertising. Unlike Cookies, which are stored on the user’s hard drive, Web Beacons are typically embedded invisibly on web pages (or in an e-mail).

Information About You Provided by Third Parties

In certain instances, we may also acquire Personal Information (including personal, demographic, behavioral and indirect information) about you from third parties with whom we have a business relationship.

IV. Ownership of Information

KindWorks is the developer and owner of the Sites. KindWorks provides the KindWorks.AI application to an entity (“Customer”) for which you may be an individual authorized for use who has been supplied with a KindWorks.AI user account (“User”). Subject to the terms of our Customer Agreements, the Customer, not KindWorks.AI, owns all electronic data or information submitted by Customer and/or its Users to the Service (“Customer Data”). While we may have a license to collect and process your PI on behalf of the Customer, any such information belongs to the Customer.

V. How Information Is Used

Once you provide us with your Personal Information, we may use it in the following ways:

- 1) To personalize your Kindness journey
- 2) To present our website and the KindWorks.AI application to you;
- 3) To provide you with information, products, or services that you request from us;
- 4) To fulfill the purposes for which you provide the information;
- 5) To provide you with notices about your account/subscription, including expiration and renewal notices;
- 6) To carry out our obligations and enforce our rights arising from any contracts with you, including for billing and collection or to comply with legal requirements;
- 7) To notify you about changes to our website or any products or services we offer or provide through it or the KindWorks.AI application;
- 8) To improve our website, the KindWorks.AI application, products or services, marketing, or customer relationships and experiences;
- 9) To allow you to participate in interactive features, social media, or similar features on our website or the KindWorks.AI application;
- 10) To measure or understand the effectiveness of the advertising we serve to you and others, and to deliver relevant advertising to you;
- 11) In any other way we may describe when you provide the information;
- 12) For any other purpose with your consent.

VI. Information that We Share with Third Parties

We will not share any PI that we have collected from or about you with any third party except as described in this Privacy Policy.

Information Shared in Order to Provide our Services

We may share your PI to the extent necessary to provide the Sites. This includes, but is not limited to, updating, securing, and troubleshooting, as well as providing support.

Information Shared with Our Service Providers

We may engage third-party services providers to work with us to administer and support our business. These third-party services providers have access to your PI only for the purpose of performing services on our behalf. Examples include hosting our web servers, analyzing data, providing marketing assistance, processing credit card payments, and providing customer service. These companies and individuals may be located in a country whose data protection legislation is different from your country, and they will have access to your Personal Information as necessary to

perform their functions, but they may not share that PI with any other third party or use that data for any other purpose.

Information Disclosed in Connection with Business Transactions

We may disclose PI to a third party in the event of reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any of our business, assets, or stock, including in connection with bankruptcy or similar proceedings.

Information Disclosed for Our Protection and the Protection of Others

We may disclose your PI if legally required to do so, pursuant to a request from a governmental entity, or if we believe in good faith – after considering your privacy interests and other factors – that such action is necessary to:

- 1) Conform to legal requirements or comply with legal processes (including subpoenas);
- 2) Enforce or apply our terms of use and other agreements, including for billing and collections purposes;
- 3) Protect our property rights, rights and safety or property, rights and safety of a third party, our affiliated companies, or the public in general; or
- 4) Stop any activity that we consider illegal, unethical, or legally actionable.

Information Disclosed in an Aggregated or Anonymized Manner

We also share information about visitors to the Sites with our partners, other site visitors, and other third parties so that they can understand the kinds of visitors to the sites and how those visitors use the sites in order to serve advertisements to you on our sites or other sites with which we have a business relationship. However, such information is not considered PI because it is anonymized and aggregated in such a way that it cannot reasonably be linked back to the individual.

Information Disclosed to Others in Accordance with Your Preferences

We may disclose such PI to third parties if you consent to such disclosure. For example, when configuring your profile, you may have the option to indicate that you would like to receive information about the opportunities, products or services of third parties.

VII. International Transfer

Your PI may be transferred to, and maintained on, computers located outside of your state, province, country or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you're located outside the United States or Canada and choose to provide your PI to us, we may transfer your PI to the United States or Canada and process it there.

In these circumstances, the governments, courts, law enforcement, or regulatory agencies of that country may be able to obtain access to your personal information through the laws of the foreign country. Whenever we engage a service provider, we require that its privacy and security standards adhere to this policy and applicable privacy legislation.

VIII. Your Choices About Your Information

Information Collected by Us

We respect the choices that you make with respect to your privacy and therefore provide you with the following options with respect to your PI. You may request:

- Access to your PI to know what information we have collected about you;
- That we correct your PI if such data is out of date or incorrect; or
- That we delete any PI that you have provided to us (please note that if you choose to exercise your right to delete, we cannot delete your PI without also deleting your user account).

In the event you decide to exercise these rights, we will do our best to honor your request upon a verified request.

Information Collected by Others

When you use our Sites, certain information is collected via web technologies as described above. That technology can sometimes be used to track your online activities and provide you with personalized advertising. If you do not wish to submit your cookies or receive advertising, you can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent.

To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this Website may not be accessible or may not function properly. For more information about tracking technologies, see Information We Collect Through Cookies and Other Automatic Data Collection Technologies.

Please note that we do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can also access these websites to learn more about online behavioral advertising and how to stop websites from placing cookies on your device. Opting out of a network does not mean you will no longer receive online advertising. It does mean that the network from which you opted out will no longer deliver ads tailored to your web preferences and usage patterns.

IX. The Security of Your Information

KindWorks.AI takes reasonable administrative, physical and electronic measures to safeguard your Personal Information from unauthorized access or inappropriate use by third parties. Please be aware, however, that no method of transmitting and storing information over the internet is completely secure. Accordingly, we cannot guarantee the absolute security of any information and you should ensure that you do not post sensitive information, including personality profiles, to the KindWorks.AI Sites.

X. Data Retention

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

XI. Our Policy Toward Children

The Sites are not directed to children under 13 and we do not knowingly collect PI from children under 13. If we learn that we have collected PI of a child under 13 without verification of parental consent, we will take steps to delete such information from our files as soon as possible.

XII. Contact Us

If you have any questions regarding this policy or would like to exercise your rights, please contact us at Privacy@KindWorks.AI.

XIII. Your Rights as a California Resident

Scope of this Privacy Notice

This privacy notice describes the Personal Information we collect or process about California residents in connection with our Site, how we use, share, and protect that Personal Information, and what your rights are concerning Personal Information that we collect or process.

In this privacy notice, "Personal Information" has the same meaning as under the California Consumer Privacy Act (CCPA), California Civil Code Section 1798.83: information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal Information does not include information that has been de-identified or aggregated.

Personal Information We Collect and Share, and For What Purpose

In the past 12 months, we have collected and/or shared the following Personal Information of visitors when they interact with our Sites, as described in detail above:

- 1) Information Collected or Received from You
- 2) Information Collected Using Cookies and Web Technologies
- 3) Information Shared in Order to Provide our Services
- 4) Information Shared with Our Service Providers
- 5) Information Disclosed in Connection with Business Transactions
- 6) Information Shared with Third Parties to Market their Products or Services
- 7) Information Disclosed for Our Protection and the Protection of Others
- 8) Information Disclosed to Others in Accordance with Your Preferences

As described in detail above, we use your Personal Information for a variety of purposes to operate, assess activity on, and improve the performance of our Sites, including the following:

- 1) To administer and provide the Sites
- 2) For research and development

- 3) To communicate with you about our Site
- 4) To market, promote, and drive engagement with our Site
- 5) For customer support
- 6) For safety and security
- 7) To protect our legitimate business interests and legal rights

Except as described in detail above, we will not share with third parties information about you without your consent.

We do not share your Personal Information with third parties for third party marketing purposes without your consent.

Your Rights as a California Resident

Under California law, users who are California residents have specific rights regarding their Personal Information. These rights are subject to certain exceptions described below. When required, we will respond to most requests within 45 days unless it is reasonably necessary to extend the response time.

Right to Disclosure of Information

You have the right to request that we disclose certain information regarding our practices with respect to Personal Information. If you submit a valid and verifiable request and we confirm your identity and/or authority to make the request, we will disclose to you any of the following at your direction:

- 1) The categories of Personal Information we have collected about you in the last 12 months.
- 2) The categories of sources for the Personal Information we have collected about you in the last 12 months.
- 3) Our business or commercial purpose for collecting that Personal Information.
- 4) The categories of third parties with whom we share that Personal Information.
- 5) The specific pieces of Personal Information we collected about you.
- 6) If we disclosed your Personal Information to a third party for a business purpose, a list of the Personal Information types that each category of recipient received.

Right to Delete Personal Information

You have the right to request that we delete any of your Personal Information collected from you and retained, subject to certain exceptions. Upon receiving a verified request to delete your Personal Information, we will do so unless otherwise authorized by law.

How to Exercise these Rights

You may submit a verifiable consumer request to us for disclosure or deletion of Personal Information by clicking [here](#).

We will respond to verifiable requests for disclosure or deletion of Personal Information free of charge, within 10 days of receipt.

In order to protect your privacy and the security of your information, we verify consumer requests by matching Personal Information that you provide with information in our possession, in order to confirm your identity. Any additional information you provide will be used only to verify your identity and not for any other purpose.

You may designate an authorized agent to make requests on your behalf. You must provide an authorized agent written permission to submit a request on your behalf, and we may require that you verify your identity directly with us. Alternatively, an authorized agent that has been provided power of attorney under Probate Code sections 4000–4465 may submit a request on your behalf.

Right to Opt Out of Sales of Your Personal Information

You have a right to opt-out of the sale of your Personal Information. You may, at any time, direct businesses that sell your Personal Information to third parties not to sell your Personal Information.

We do not sell your Personal Information and therefore do not provide any mechanism for you to exercise the right to opt out.

Right to Non-Discrimination

You have the right not to be discriminated against for the exercise of your California privacy rights described above.

XIV. Your Rights as a Resident of the European Union or United Kingdom

You have the right to object, on grounds relating to your particular situation, at any time to processing of your personal data which is based on our legitimate interests, as described in Section V. “How Information Is Used”, including profiling based on those provisions; and, where your personal data are processed for direct marketing purposes, you have the right to object at any time to processing of your personal data for such marketing, which includes profiling to the extent that it is related to such direct marketing.

Furthermore, you have the right to request access to and rectification or erasure of your personal data, as well as to restriction of processing or to data portability. You also have the right to object to processing or to submit a complaint with supervisory authority.

Where the processing is based on consent, you have the right to withdraw consent at any time.