

HAPPYML, LLC

PRIVACY POLICY

Last updated July 26, 2023

HappyML, LLC, its affiliates and subsidiaries (collectively “HappyML,” “we,” “our” or “us”) knows you care about how your Personal Information is used and shared, and we take your privacy seriously. Please read the following to learn more about our Privacy Policy. By using or accessing HappyML’s Website or by using any of HappyML’s materials or services (the “Services”) in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we may collect, use, and share your information in the following ways.

Changes to this Privacy Policy

HappyML may make changes to this Privacy Policy. The most current version of the Privacy Policy will govern HappyML’s use of information about you and will be located at [<INSERT LINK HERE TO PRIVACY POLICY PAGE>](#). If HappyML makes material changes to this Privacy Policy, HappyML will notify you by posting a notice on our website and may send an email to the address HappyML has on file for your account, if applicable.

This Privacy Policy explains:

1. The type of information we collect
2. How HappyML collects your information, including tracking and cookies
3. How HappyML uses your personal information
4. How you can correct or update the information HappyML has
5. Rights to object or restrict processing of Personal Information
6. Who we may share information with
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8. Linked sites and services
9. Data security
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11. Notice of privacy rights to California residents
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13. Children’s Privacy and Note to Parents and Guardians
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15. How to contact us

1. The type of information we collect

HappyML may collect information that you provide to HappyML in connection with your use of the Services when you:

- Register your account with HappyML as a user of the Services (“Customers”)
- Make changes to your user profile information
- Send email messages, forms, or other information to HappyML or other users using the Services, or

- Install, use or otherwise interact with the Services.

This information may include your first and last name, your address, email address, telephone number, your location, and any additional information you provide to HappyML during the account registration process or via the Services.

HappyML may also collect certain technical information about your use of the Services. This technical information may include technical information about your device(s), browser type and version, geo-location information, computer and connection information, statistics on page views, traffic to and from the Services, ad data, Wi-Fi connection information, internet protocol (“IP”) address, and standard web log information.

Additionally, when expressing an interest in obtaining additional information about the Services or registering to use the Services, we require you to provide us with personal contact information, such as your name, company name, address, phone number, and email address (“Required Information”). Although we use third party service providers to process payments, when purchasing access to the Services, we may require you to provide our payment processing service providers with financial and billing information, such as billing name and address, credit card number, and the number of employees within your company that will be using the Services (“Financial Information”). We may also ask you to provide additional information, such as company annual revenues, number of employees, or industry (“Optional Information”). Required Contact Information, Billing Information, and Optional Information about Customers are referred to collectively as “Customer Data.”

2. How HappyML Collects Your Information; Tracking and Cookies

When you register for an account with HappyML, we may ask you to provide us with certain information in order to create your account, and to provide you with our Services. This information is collected by us when you fill out forms that may be provided to you through the Services.

HappyML, and third parties we interact with, including our third-party service providers, may use cookies, web beacons, hashed identifiers derived from email addresses for the purposes of cross-device tracking for targeted advertising, local shared objects (sometimes called “flash cookies”), and similar technologies in connection with your use of the Services to provide and support the Services (collectively referred to in this policy as “Cookies”). Cookies are small data files that may have unique identifiers, and reside, among other places, on your mobile device, in emails we send to you, and on our applications. Locally shared objects or “flash cookies” are data files that can be created on your computer by the websites you visit and are a way for websites to store information for later use. Locally stored objects are different than cookies because they are stored in different parts of your computer than cookies. Web beacons are small strings of code that provide a method for delivering a graphic image on a web page or in an email message for the purpose of transferring data.

We sometimes use service providers to help us provide certain products and services or to integrate other features. These third-party providers may collect information when you view or use them, including information about you and your device or browser. They may do this using Cookies or similar technologies. These third-party providers also may use these technologies to help share information with us, like how you use their website or application. To learn more about the information they collect or receive, review their privacy policies.

As part of using our Services, HappyML's Customers may submit to HappyML electronic data or information ("Submitted Data") that constitutes personal information of other individuals. Such data may include an individual's name, email address, phone number or any other data that the Customer chooses to submit to us. HappyML generally has no direct relationship with the individuals to whom Submitted Data may pertain. HappyML processes Submitted Data on behalf of our Customers and any uses of Customer Data by HappyML are done so pursuant to our Terms of Services or a separate agreement in place between HappyML and the applicable Customer, which governs our treatment of Submitted Data.

3. How HappyML Uses Your Information

HappyML may use your information to:

- Provide access to the Services to communicate with you
- Personalize, customize, measure, and improve HappyML's products, services, content, and advertising
- Prevent, detect, and investigate potentially prohibited or illegal activities or a breach of the applicable agreement(s) between you and HappyML
- Analyze the accuracy, effectiveness, usability, or popularity of the Services
- Generate and review reports and data about HappyML's user base and Services usage patterns
- Compile aggregate data for internal and external business purposes
- Resolve disputes and troubleshoot problems; and
- Contact you with information, including promotional, marketing, and advertising information and recommendations that HappyML believes may be of interest to you.

Consistent with applicable laws, including United States CAN-SPAM laws, if you do not wish to receive commercial emails, you may unsubscribe following the instructions on any email. We may still send you administrative notices, however.

We endeavor to protect the privacy of your account and other Personal Information we hold in our records, but unfortunately, we cannot guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of user information at any time. In particular, you acknowledge that HappyML is not responsible for any loss of any passwords or login information which you receive for access to HappyML Services which results from your failure to keep that information secure.

4. Correcting and Updating Your Information

Customers may update or change their account information through their account settings accessible using the Customer account page included in the Services. Access to your HappyML account page will require your Services username and password. To update your Information or to delete your account information, please email privacy@happyml.com.

You can access or change your profile and contact information or delete your account through the HappyML settings page. If you choose to delete or deactivate your account, you can no longer retrieve content or reactivate your account.

You have the right to request access to any Personal Information which HappyML may have about you by contacting privacy@happyml.com. The information will be provided in a machine-readable format. You may also ask that we transfer the Personal Information to a third party, which we will do if technically feasible.

You also have the right to review, add and update your Personal Information. You may also request the deletion of your Personal Information where:

- the personal information is no longer necessary in relation to the purposes for which it was collected or otherwise processed,
- you withdraw consent to HappyML's possession of the information on which the processing is based and where there is no other legal ground for HappyML's retention of the information,
- you object to HappyML's possession of the information and there is no overriding legitimate basis for the retention,
- the personal information has been unlawfully obtained or processed, or
- the personal information has to be erased for compliance with a legal obligation in the European Union, the United Kingdom or other law to which HappyML is subject.

When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our records after your deletion of such information from your account. We may use any aggregated data derived from or incorporating your Personal Information after you update or delete it, but not in a manner that would identify you personally.

If your individual personal information has been submitted to us by a Customer as Submitted Data and you wish to exercise any rights you may have to access, correct, amend, or delete such data, please first inquire with the Customer (or his/her organization) directly.

Consent to Commercial Electronic Messages

If you provide us with an email address, you expressly consent to receiving Commercial Electronic Messages from HappyML about your use of the Website, the Services and our Products. If you have any questions about HappyML's Commercial Electronic Messages, you can contact HappyML at:

HappyML, LLC

Attn: Privacy Officer
4211 Meadow Ridge Drive
Carrollton, TX 75010

or by emailing privacy@happyml.com

In addition, you may opt out of receiving Commercial Electronic Messages at any time by emailing privacy@happyml.com.

5. Rights to Object or Restrict Processing of Personal Information

If HappyML has your Personal Information as a result of your relationship with one of HappyML's customers, you should first contact that customer before contacting HappyML. You may, however, at any time revoke your consent to the collection, processing and use of your Personal Information by emailing privacy@happyml.com. Upon receipt of your request, HappyML will delete your personal data provided HappyML may retain any data which is required for billing and accounting purposes or which is subject to legal retention requirements. In addition, if you discover any errors in data, you may contact us by emailing privacy@happyml.com and we will correct it. You can always opt not to disclose information to us, but keep in mind some information may be needed to take advantage of product features or may be required by your relationship with one of HappyML's customers.

Right to be informed of appropriate safeguards where Personal Information is Transferred to a Third Country or to an International Organization

HappyML enters into agreements with its customers regarding the safeguards that have been put in place to protect your Personal Information for transfer outside of the United Kingdom, Switzerland or the European Economic Area. For transfers to countries without an adequacy decision by the United Kingdom, Switzerland or the European Commission, HappyML puts appropriate safeguards through contractual obligations.

6. Who We May Share Information With

HappyML may disclose the information we collect from you to the following third parties:

Users of the Services; Public Information. When you share information with us via the Services, HappyML may share your information to other users, in accordance with the privacy settings you have chosen for your account or that are applicable to that information. To the extent you share any information to a public audience or via a publicly accessible portion of the Services such as an online customer community or forum, that information may be available to anyone who has access to that customer community or forum.

Credit Card Processing. When you make a payment to HappyML through our payment page, we may collect credit card information from you in order to properly process your payment. We do not store your credit card information on our servers and no one at HappyML can access your

credit card information. All credit card information that you share with us is maintained by a third-party payment processing merchant. We use industry standard encryption techniques and methods to protect all information sent to the payment processing merchants' servers. Once your information reaches the payment processing merchant it resides on their server that is protected both physically and electronically.

HappyML's solution Providers. HappyML may share your information with third-party contractors, agents, collaborators, or service providers who provide certain services to HappyML or on HappyML's behalf, such as operating and supporting the Services. HappyML may also request your information from a previous service provider, which we need to provide our services to you. Alternatively, HappyML may pass on your information to a service provider that HappyML customers have chosen to replace HappyML.

Companies that Acquire HappyML's Business or Assets. If HappyML becomes involved in a merger, acquisition, sale of assets, securities offering, bankruptcy, reorganization, or dissolution or if the ownership of all or substantially all of HappyML's business relating to the Services otherwise changes, HappyML may provide your information to a third party or parties in connection with the applicable transaction.

HappyML's Affiliates. HappyML may share some or all of your information with HappyML's subsidiaries, corporate affiliates, joint ventures, or other companies under common control with HappyML.

HappyML Customers. If HappyML has received your information as part of Submitted Data, HappyML may share that information, or any modifications or revisions to that information with that Customer.

Switching Services Providers. HappyML may request your information from your previous service provider, which we need to provide our services to you. Alternatively, HappyML may pass on your information to a service provider that you have chosen to replace HappyML.

Aggregate Information. HappyML may share information relating to our visitors and users with affiliated or unaffiliated third parties on an aggregate basis, however this information will not identify you personally.

Legal Requirements. HappyML may share your information with law enforcement, governmental agencies, or authorized third parties, in response to a request relating to a criminal investigation or alleged illegal activity or any other activity that may expose HappyML, you, or any other HappyML user to legal liability, or to protect HappyML's rights or property, or during emergencies when safety is at risk. HappyML may also share your information in response to court orders, subpoenas, or other legal or regulatory requests, and HappyML may provide access to your information to HappyML's legal counsel and other consultants in connection with actual or potential litigation. HappyML shall remain liable under the Principles if its agent processes

such personal information in a manner inconsistent with the Principles, unless HappyML proves that it is not responsible for the event giving rise to the damage.

7. How We Handle “Do Not Track” Requests

You may be able to adjust your browser settings or other settings so that “do not track” requests are sent to our websites and mobile applications. HappyML does not use any tracking technology that would respond to any “do not track” requests that are sent to our services. HappyML does not collect personally identifiable information about your online activities over time and across different websites when you use the Services; however, certain service providers that use Cookies may collect your personally identifiable information over time and across different websites.

8. Linked Sites and Services

HappyML’s website or mobile application may, from time to time, contain links to and from the websites of our partner networks, advertisers and affiliates. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for these policies. Please check these policies before you submit any personal data to these websites.

9. Data Security

HappyML takes reasonable measures to protect the information you provide to HappyML or submit through the Services against misuse, loss, theft, unauthorized use, disclosure, or modification. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk and your information may be disclosed to third parties in unforeseeable situations or situations that are not preventable even when commercially reasonable protections are employed, such as in the case that HappyML or if the Services are subject to a hacking or other attack. Once we have received your information, we will use strict procedures and security features to try to prevent unauthorized access.

10. Retention of Your Information

We retain information about you only for as long as it is necessary and relevant for HappyML’s operations, and for HappyML’s customers to work with their consumers. Information about you that is no longer necessary and relevant for HappyML’s operations will be disposed of securely. HappyML may also retain information collected from you to comply with the law, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigation, and take other actions permitted by law or disclosed in this Privacy Policy.

11. Notice of Privacy Rights to California Residents

The California Consumer Privacy Act requires businesses to disclose whether they sell Personal Data. As a business covered by the CCPA, we do not sell Personal Data. We may share Personal Data with third parties or allow them to collect Personal Data from our sites or Services if those third parties are authorized service providers or business partners who have agreed to our contractual limitations as to their retention, use, and disclosure of such Personal Data, or if you use HappyML sites or Services to interact with third parties or direct us to disclose your Personal Data to third parties.

California law requires that we detail the categories of Personal Data that we disclose for certain “business purposes,” such as to service providers that assist us with securing our services or marketing our products, and to such other entities as described in Sections 8 and 10 of this Privacy Statement. We disclose the following categories of Personal Data for our business purposes:

- Identifiers;
- Commercial information;
- Internet activity information;
- Financial information; and
- Inferences drawn from any of the above information categories.

California law grants state residents certain rights, including the rights to access specific types of Personal Data, to learn how we process Personal Data, to request deletion of Personal Data, and not to be denied goods or services for exercising these rights.

If you are a California resident under the age of 18, you may ask us to remove content or information that you have posted to our website(s). Please note that your request does not ensure complete or comprehensive removal of the content or information, because, for example, some of your content may have been reposted by another user.

For information on how to exercise your rights, please refer to Section 15 of this Privacy Statement. If you are an authorized agent wishing to exercise rights on behalf of a California resident, please contact us using the information in the “Contacting Us” section above and provide us with a copy of the consumer’s written authorization designating you as their agent. We may need to verify your identity and place of residence before completing your rights request.

12. Notice of privacy rights to residents of the European Union Area and the United Kingdom

You have the right to ask us not to process your personal data for marketing purposes. We will usually inform you (before collecting your data) if we intend to use your data for such purposes or if we intend to disclose your information to any third party for such purposes. You can exercise your right to prevent such processing by checking certain boxes on the forms we use to collect your data. You can also exercise the right at any time by contacting us at privacy@happyml.com

13. Children’s Privacy and Note to Parents and Guardians

We do not knowingly collect Personal Information from children under 16 years of age. The Services are not directed to children under the age of 16 and children under 16 are not permitted to use the Services. If we become aware that we have unknowingly collected Personal Information from a child under the age of 16, we will make commercially reasonable efforts to delete such information from our database. If you are a parent or guardian of a child under the age of 16, and you believe that your child has provided us with Personal Information, please contact us using the information in section 15 at the end of this Privacy Policy.

14. Users Outside the U.S. and Designated Countries

This section only applies to individuals who do not reside in the United States, the European Economic Area, Switzerland, or United Kingdom.

We primarily store data about you, including personal information, on servers located and operated within the United States. If you reside outside of the United States, to provide an operate the Services, you acknowledge, agree and consent to sending and storing your personal information outside of the country where you reside or are located, to the United States. Therefore, our collection and use of your personal information may be subject to the United States laws related to privacy and use of personal information. These laws, including what is determined to be “personal data and/or information” are different and may be less protective than those applicable to you in your country of residence.

15. How to Contact Us

If you have questions or complaints regarding HappyML’s Privacy Policy or practices, please contact privacy@happyml.com or via postal mail at

HappyML, LLC
Attn: Privacy Officer
4211 Meadow Ridge Drive
Carrollton, TX 75010

Effective July 26, 2023