

PRIVACY POLICY

Effective Date: February 8th, 2021

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1. INTRODUCTION

Flexspace Technologies, Inc. (“Company” or “we” or “us” or “our”) values your privacy. In this Privacy Policy (“Policy”), we describe what information we collect from you as a user of our Site or Service, why we collect and use it, and how you can manage and delete your data.

1.1. Definitions

“Personal Information” refers to (i) any information that identifies, relates to, describes, is reasonably capable of being associated with you, or could reasonably be linked, directly or indirectly, with you, and (ii) any information that is associated with you and thus could potentially be used to identify or reidentify you, including when combined with other information from or about you. Personal Information also includes personal data protected under the GDPR, if applicable to you.

“GDPR” means the Regulations (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, known as the General Data Protection Regulation.

“Site” refers to our website, which includes all pages within the www.flexspace.tech host directory and subdomains, and all pages hosted on Company servers regardless of domain.

“Service” means our services available through our Site and any mobile applications we may provide.

1.2. Data Controller

Company is the data controller and responsible for your information under this Policy. The following is our contact information:

- Flexspace Technologies, Inc.
950 Tower Lane, Suite 2100 #6.
Foster City, CA 94404

By visiting the Site, or using any of our Service, you agree that your Personal Information will be handled as described in this Policy. Before using the Service or submitting any Personal Information to us, please review this Policy carefully and contact us at help@flexspace.ai if you have any questions. If you do not agree to this Policy, please do not access the Site or otherwise use the Service. Your use of our Site or Service, and any dispute over privacy, is subject to this Policy and our [Terms of Use](#), including any applicable limitations on damages and provisions for the resolution of disputes.

2. INFORMATION WE COLLECT

We ask for and collect information about you when you use our Site or Service. We collect this information directly from you, from third parties, and automatically through your use of our Site or Service.

2.1. Information we collect directly from you. We collect Personal Information when you register or access the Site or Service. The Personal Information collected during these interactions may vary based on what you choose to share with us. To register for the Site or Service, you must submit your email address and a password that you create for user authentication purposes. To make a reservation for office space, we ask you to provide your full name, email address, company name, and phone number. We will only record your email address when you submit it to us as part of the user registration or reservation process. We collect the location of the facilities in which you make reservations and the time and date of your reservations. We do not collect data about your race, ethnicity, religion, sexual orientation, health, trade union membership, or political affiliation information. We do not collect or store your payment data, as our payment processor collects and stores such data.

2.2. Information we collect automatically. When you access our Site or Service, we may automatically collect and log the following information about your use of our Site or Service through cookies and other technologies: your domain name; your browser type, device name, and operating system; the URLs you requested to access; the dates, methods, and the status code of requests; your IP address; the time, frequency, and length of time you visit our Site or use our Service; the number of bytes transferred; or the URLs of pages that referred you to the Site.

2.2.1. Web Server Logs. When you visit the Site or access the Service, our web server may record some automatically collected information, described in Section 2.2, in its server log. We use server log information to help diagnose problems with our server and to administer our Site or Service by identifying which parts or features of our Site or Service are most heavily used. We also use this information to tailor Site or Service content to user needs and to generate aggregate statistical reports. Web server logs are retained on a temporary basis, during which time their contents are accessible to Site or Service administrators, and then deleted completely from our systems. Unless required by legal process, we do not link IP addresses to any Personal Information. This means that user sessions will be tracked by IP address, but a user's identity will remain anonymous.

2.2.2. Cookies and similar technologies

2.2.2.1. Cookies. We and our third-party service providers may use cookies to track information about your use of our Site or Service. Cookies are alphanumeric identifiers that we store on your computer or mobile device. Some cookies allow us to make it easier for you to navigate our Site or Service, while others are used to enable a faster login process or to allow us to track your activities at our Site or Service. There are two types of cookies: session and persistent cookies.

- *Session Cookies*. Session cookies exist only during an online session. They disappear from your computer or device when you close your browser or power off your computer or device. We use session cookies to allow our systems to uniquely identify you during a session or while you are logged into the Site or Service. This allows us to process your online transactions and requests and verify your identity, after you have logged in, as you move through our Site or Service.
- *Persistent Cookies*. Persistent cookies remain on your computer or device after you have closed your browser or turned off your computer or device. We use persistent cookies to track aggregate and statistical information about user activity.

2.2.2.2. Disabling cookies. Most web browsers automatically accept cookies, but if you prefer, you can edit your browser options to block them in the future. The Help portion of the toolbar on most browsers will tell you how to prevent your computer from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Separately, you may opt out of our non-essential cookies. Visitors to our Site who disable cookies will not be able to browse certain areas of the Site or use the Service.

2.2.2.3. Other websites. This Site may contain links to and embeds of other websites. The websites to which the Site links may also install cookies on your computer, log your access to their web pages, or collect user-identifying information directly from you, once you proceed to browse those websites. We are not responsible for the privacy policies of other websites to which the Site provides links. Please visit the relevant websites to review their privacy policies.

2.2.3. “Do Not Track” signals. Currently, our systems do not recognize browser “do-not-track” requests. You may, however, disable certain tracking as discussed in this section (e.g., by disabling cookies), but such disabling will impair use of the Site and Service.

2.3. Legal basis for processing of Personal Information

Where required by applicable law, we rely on certain legal bases for our collection and processing of Personal Information, including your consent, necessity to perform a contract, or our legitimate interest. In the case of Personal Information collected by us to contact you with information and updates about the Company, we rely on your consent and our legitimate interest. The particular legal basis for the processing of your Personal Information is based on the purpose for which such information was provided or collected. For example:

- *Necessary for the performance of contracts*. We use Personal Information as necessary for the performance of contracts with you, or in order to provide our Site

and Service to you. For example, we are not able to provide our Site and Service unless you provide us with certain necessary Personal Information, such as that required for our registration process. We also rely on this same basis to transfer your Personal Information to third-party service providers that assist us in providing the Site or Service to you (e.g., a payment processing service). This collection and processing of such Personal Information is based on Article 6 paragraph 1(b) of the GDPR.

- *With your consent.* We may also process your Personal Information if we have received your consent or to respond to your communications or inquiries. Please note that if we rely on consent, you may withdraw your consent at any time, but such withdrawal will not affect the lawfulness of the processing prior to the withdrawal. You can withdraw consent by contacting us at help@flexspace.ai. This collection and processing of your Personal Information is based on your consent in accordance with Article 6 paragraph 1(a) of the GDPR.
- *For our legitimate interests.* We also process Personal Information for our legitimate interests, such as for marketing purposes or to otherwise inform you of our business operations, and to improve our services. For example, the legal basis for the processing of information we obtain through the use of cookies and third-party analytics is our legitimate interest in improving the performance of our Site and Service and analyzing its use. The legal basis for the transmission of information to third parties in case we become involved in a sale or transfer of assets, bankruptcy, reorganization, dissolution, or any other transaction is our legitimate interest in preparing and executing the applicable measure. The legal basis for the transmission of information to law enforcement, governmental agencies, or authorized third parties is the compliance with a legal obligation. The legal basis for the transmission of information to our legal counsel and other consultants in connection with actual or potential litigation is our legitimate interest in receiving consulting services. This collection and processing of such Personal Information on grounds of legitimate interest is based on Article 6 paragraph 1(f) of the GDPR.

2.4. Children's Data

Our Site and Service are intended for general audiences and not directed or intended for children under the age of 13. You may not use our Site and Service if you are under the age of 13. If you are under 13, do not use or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. We do not knowingly collect Personal Information from children under 13. If we become aware that a user of our Site or Service is under the age of 16 in the EU or under 13 in the U.S., and has submitted information to us without verifiable parental or guardian consent, we will remove that user's information and deactivate their account. If you have reason to believe that we may have accidentally received Personal Information from a child in your jurisdiction, please contact us immediately at help@flexspace.ai.

2.5. Third Party Data

If your reservation for office space or your other use of our Site or Service contains the Personal Information of third parties ("**Third Party Data**"), you shall be responsible for obtaining all applicable consents and providing notice to the relevant third party prior to submitting their Third Party Data to us. Because we are a data processor of Third Party

Data, you, as data controller, are solely responsible to receive and respond to any data subject requests regarding Third Party Data.

3. HOW WE USE INFORMATION WE COLLECT

We use your information for the following purposes:

3.1. Provide our service

We use your information to provide our Site and Service, communicate with you about your use of our Site and Service, to respond to your inquiries, and for other customer service purposes.

3.2. Improve and develop our services

We use your information to ensure our Site and Service are working as intended, to analyze how users access and use our Site and Service, both on an aggregated and individualized basis, to maintain and improve the content and functionality of our Service, to develop new services, and for other internal research and analytical purposes.

3.3. Offer promotions

We use your information for marketing and promotional purposes. For example, we may use your information, such as your email address, to send you news, promotions, or to otherwise contact you about information regarding the Service or information we think may interest you. When you submit your email address to the Site or Service during registration, we will ask you whether you want to receive periodic announcements from the us by email. Accepting emailed announcements is entirely optional and not a condition of registration, and you may change your email settings at any time to subscribe or unsubscribe to these mailings.

3.4. Fraud prevention and compliance

We use your information to prevent fraud, criminal activity, or misuses of our Site and Service, and to ensure the security of our IT systems, architecture and networks. We also may use your information to comply with legal obligations and legal process and to protect our rights, privacy, safety or property, and that of our affiliates, you, or other third parties.

4. HOW WE SHARE AND DISCLOSE YOUR INFORMATION

4.1. Sharing with your consent

Where you have provided consent, we share your information, including Personal Information, as described at the time of consent and only for the purpose for which you have provided your information to us. We will not sell, lend, or disclose to third parties any Personal Information collected from our users, except as described in this Policy.

4.2. Service providers

We may disclose the information we collect from you to third parties, such as service providers, vendors, or agents who perform functions on our behalf, including, but not limited to, payment processors, providers of hosting services, cloud services and other information technology services providers, email communication software, and email newsletter services. Pursuant to our instructions, these parties may access, process or store Personal Information in the course of performing their duties to us. These parties will be prohibited from using or sharing Site or Service user information for any purpose other than performing functions on our behalf.

4.2.1. Office space facilities. We disclose to the office space facilities in which you make the reservations your reservation information through our Site or Service, including your full name, email address, company name, phone number, the location of the facilities in which you make reservations, and the time and date of your reservations. Such information may also be governed by the specific privacy policies and terms of service of these facilities. Please contact the facilities directly for information on their privacy policies and practices.

4.3. In response to legal process

We ordinarily do not disclose to third parties the information we collect from you, such as Site usage by individual IP addresses, but we may do so without further notice to you in very limited circumstances when complying with the law, a judicial proceeding, court order, or other legal process.

4.4. To protect us and others

We also may disclose the information we collect from you where we believe it is necessary to respond to requests by law enforcement, to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person, violations of this Policy, of our [Terms of Use](#), or as evidence in litigation in which we are involved.

4.5. Aggregate and de-identified information

We may share aggregate or de-identified information about users with third parties and publicly for marketing, advertising, research, or similar purposes.

Please note that except as noted in the sections above, we will not sell or share your Personal Information with any third party for their direct marketing purposes without your consent.

5. THIRD-PARTY ANALYTICS

We use automated devices and applications, such as Google Analytics, to evaluate usage of our Site and Service. We also may use other analytic means to evaluate our Service. We use these tools to help us improve our Service, performance, and user experience. These entities may use cookies and other tracking technologies to perform their services. We do not share your Personal Information with these third parties. We also do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

For information about how you can opt out of receiving targeted advertising from many providers, please contact us at help@flexspace.ai.

6. THIRD-PARTY LINKS

The Site and Service may contain links to other websites not operated or controlled by us, including social media services (“Third Party Sites”). The information that you share with Third Party Sites will be governed by the specific privacy policies and terms of service of the Third Party Sites and not by this Policy. By providing these links we do not imply that we endorse or have reviewed these Third Party Sites and we are not responsible for the information practices of such Third Party Sites. Please contact the Third Party Sites directly for information on their privacy practices and policies.

7. YOUR RIGHTS

In certain circumstances, providing Personal Information is optional. However, if you choose not to provide Personal Information that is needed to use some features of our Service, you may be unable to use those features.

7.1. Rights relating to my Personal Information

You may request access, modification, or deletion of Personal Information that you have submitted to us by contacting us at help@flexspace.ai. For example, you may ask us to correct, update, or delete your Personal Information. We will reply to and honor such requests to the extent required by law. We may need to retain some information in order to comply with law, and to defend or exercise our legal claims. Please note that copies of information that you have updated, modified, or deleted may remain viewable in cached and archived pages of the Site for a period of time.

EU residents may also request to exercise certain additional rights under the GDPR, as described in Section 10 of this Policy.

7.2. Non-U.S. Users

If you use the Site or Service outside of the United States of America to submit any of your own Personal Information, you consent to having your Personal Information transferred to and processed in the United States of America, which may have less protections than your jurisdiction of residence.

7.3. What choices do I have regarding use of my Personal Information for marketing?

We may send periodic informational or promotional emails to you if you have signed up for such information on the Site or Service. You may opt-out of such communications by following the opt-out instructions contained in the e-mail. Please note that it may take up to 10 business days for us to process opt-out requests. If you opt out of receiving emails about recommendations or other information we think may interest you, we may still send you e-mails about your account or any Service you have requested or received from us.

7.4. Data retention

We, generally, retain Personal Information as long as necessary to fulfill the purposes for which the Personal Information was collected, including for as long as you use our Service. We may continue to retain such Personal Information even after you cease to use any particular Service, as reasonably necessary to comply with applicable laws and our legal obligations, resolve disputes, prevent fraud and abuse, enforce our agreements, and protect our legitimate interests.

7.5. Nevada

Generally, the Company does not sell personal information of Nevada residents as that term is defined under Nevada law. Out of an abundance of caution and according to Nevada law, any Nevada consumer who wants to opt out of the sale of personal information may submit a request by contacting us at help@flexspace.a. If we think the opt-out right applies, we will take reasonable steps to verify your identity and the authenticity of the request. We will then process the request in accordance with Nevada law.

8. SECURITY OF YOUR PERSONAL INFORMATION

You use the Service at your own risk. We implement commercially reasonable technical, administrative, and organizational measures to protect your Personal Information both online and offline from loss, misuse, and unauthorized access, disclosure, alteration or destruction. However, no system or electronic transmission is ever fully secure, impenetrable, or error free. In particular, e-mail sent to or from us may not be secure. We cannot completely guarantee the security of our database, nor can we guarantee that the information you supply will not be intercepted while being transmitted to us over the Internet. Therefore, you should take special care in deciding what information you send to us via the Service or e-mail. Please keep this in mind when disclosing any Personal Information to us via the Internet. In addition, we are not responsible for circumvention of any privacy settings or security measures contained on the Service, or Third Party Sites.

We have implemented commercially reasonable precautions to protect the information we collect from loss, misuse, and unauthorized access, disclosure, alteration, and destruction. Please be aware that despite our efforts, no data security measures can guarantee 100% security.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

9. CALIFORNIA PRIVACY LAWS

We take your privacy as a California resident seriously. The Company is not currently subject to the California Consumer Privacy Act ("CCPA") and does not sell your Personal Information as that term is defined in the CCPA, but intends to comply with the CCPA once it meets the thresholds for such compliance. We will modify this Policy at that time to provide the necessary disclosures and rights under the CCPA. If you are a California resident who has provided Personal Information to the Company, or a California resident that reasonably believes that the

Company collected or stores their Personal Information, you may make a request to us under Section 7.1.

In addition, the Company does comply with the California “Shine the Light Law” under California Civil Code § 1798.83. Under that law, California residents who have provided Personal Information to the Company may obtain information regarding the Company’s disclosures, if any, of Personal Information to third parties for third-party direct marketing purposes. Requests must be submitted to the following address: help@flexspace.ai. Within 30 days of receiving such a request, we will provide a California Privacy Disclosure, which will include a list of certain categories of Personal Information disclosed during the preceding calendar year to third parties for their direct marketing purposes, along with the names and addresses of the third parties. This request may be made no more than once per calendar year.

10. NOTICE OF PRIVACY RIGHTS OF EUROPEAN DATA SUBJECTS

For persons located in the EEA (“EU Data Subjects”), we will process your Personal Information in accordance with the GDPR. EU Data Subjects have the following rights:

- *The right to be informed:* You have the right to information as to whether or not and to which extent we process which of your Personal Information. We are publishing this Policy to keep you informed as to what we do with your Personal Information.
- *The right to access:* You have the right to access your information that the Company holds about you.
- *The right to rectification:* If the information that the Company holds about you is inaccurate or not complete, you have the right to ask us to rectify it. If that data has been passed to a third party with your consent or for legal reasons, then we must also ask them to rectify the data.
- *The right to erasure:* You have the right to request the Company to erase all your Personal Information so long as we do not have a legal reason to continue to process and hold it. This is sometimes called the “right to be forgotten”.
- *The right to restrict processing:* You have the right to ask the Company to restrict how we process your data. This means we are permitted to store the data but not further process it. We keep just enough data to make sure we respect your request in the future.
- *The right to data portability:* You have the right to request that we provide you or a third party that you designate with certain of your Personal Information in a commonly used, machine readable format. Please note, however, that data portability rights apply only to Personal Information that you provided directly to us as the data controller and only where our processing is based on consent or the performance of a contract.
- *The right to object:* You have the right to object to the Company processing your data even if it is based on our legitimate interests, the exercise of official authority, direct marketing (including data aggregation), and processing for the purpose of statistics.
- *The right to withdraw consent:* If you have given us your consent to process your data but change your mind later, you have the right to withdraw your consent at any time, after which the Company will stop processing your data.

- *The right to complain to a supervisory authority:* You have the right to complain to the supervisory authority in your EU member state of habitual residence, your place or work, or the place of the alleged violation, if you consider that the Company has not responded to your requests to solve a problem or if the processing of your Personal Information violates data protection laws.

Submitting Requests. If you are an EU Data Subject, you may exercise any of your rights in this section in relation to your Personal Information by sending written notice to us at help@flexspace.ai. We will respond to requests connected with your rights above in the time and to the extent required by the GDPR. Please note, however, that certain Personal Information may be exempt from such rights pursuant to applicable data protection laws. In addition, we will not respond to any request unless we are able to appropriately verify the requester's identity. We may charge you a reasonable fee for subsequent copies of personal information that you request. In addition, if we consider that a request is manifestly unfounded or excessive, we may either request a reasonable fee to deal with the request or refuse to deal with the request.

11. CHANGES TO THIS PRIVACY POLICY

This Policy is current as of the Effective Date set forth above. As we periodically review our security measures and Privacy Policy, the Service may change from time to time. As a result, we may change this Policy at any time, so please be sure to check back periodically. We will post any changes to this Policy on the Site, unless another type of notice is required by the applicable law. If we make any changes to this Policy that materially affect our practices with regard to the Personal Information we have previously collected from you, we will endeavor to provide you with notice in advance of such change by highlighting the change on our Site or if you have an account with us, providing notice to the email address in your account (for this reason you should make sure to update your account information promptly if it changes). By continuing to use our Service or providing us with Personal Information after we have posted an updated Privacy Policy, or notified you by other means if applicable, you consent to the revised Privacy Policy and practices described in it.

12. CONTACT US

If you have questions or complaints about this Policy or our information practices, please contact us at help@flexspace.ai.