

**QENCODE, CORP.**

**PRIVACY POLICY**

*Last Updated January 12, 2022*

Qencode, Corp. (“**Qencode**”, “**we**”, “**us**” or “**our**”) is committed to protecting your (“**you**” or “**your**”) privacy and empowering you with this privacy policy (this “**Privacy Policy**”). This Privacy Policy explains how we collect, use, disclose, and apply the information collected when you use or access online website (<https://cloud.qencode.com>), products, services, or applications (collectively, the “**Services**”). Our Terms of Service (the “**Terms**”) are expressly incorporated herein by reference and are an integral part hereof. The Terms can be found here: <https://cloud.qencode.com/qencode-terms-of-service.pdf>.

By using the Services or interacting with us, you are agreeing to this Privacy Policy. Please read the following carefully to understand how we collect, use, disclose, and maintain information that can be used to identify you. In addition, this Privacy Policy describes your choices for use, access, and correction of your personal information. If you do not agree to be bound by this Privacy Policy, please stop using the Services.

**1. Changes to this Privacy Policy.** We may change this Privacy Policy from time to time. Laws, regulations, and industry standards evolve, which may make those changes necessary, or we may make changes to our Services. We will post the changes to this page and encourage you to review this Privacy Policy to stay informed. If we make changes that materially alter your privacy rights, we may provide additional notice, such as via email or through the Services. If you disagree with the changes to this Privacy Policy, you should deactivate your Services account.

**2. Information We Collect and Receive.** We collect your information in a variety of ways when you interact with the Services. We collect information about you when you create an account and use the Services and we do so in order to deliver the Services to you, to help improve your experience, and to support our business functions. More information about the categories and sources of information is provided below.

**2.1 Information You Provided to Us.** We collect information that you decide to share with us. At times, we may require you to provide certain information in order to use certain parts of our Services, fulfill your requests, or provide you with certain Services.

**2.1.1 Registering for an Account.** If you establish an account with us, we may require you to provide your name, email address, physical address, payment information, and a password to create your account. All payment data is stored by Stripe, Inc., our third-party payment processor, and you should review its privacy policies.

**2.1.2 Content.** We collect information from the videos that you choose to upload to the Services.

**2.1.3 Content Information.** You also may choose to send us information about yourself in an email containing inquiries about the Services and we use this information in order to help us respond to your inquiry. You may also choose to submit information to us via other methods, including: (i) in response to marketing or other communications, (ii) through social media or online forums, or (iii) in connection with an actual or potential business relationship with us.

**2.2 Information We Obtain from Others.** If you choose to log in to the Services through a social network (such as GitHub, Google, or Slack) or other third-party platform or otherwise connect your account on a third-party platform to your account through the Services, we may collect personal information about you from that platform or network. For example, this information may include your username, user ID, email address and other contact information, and your affiliations. We may also collect information about you from other publicly available sources.

**2.3 Information We Automatically Collect.** We automatically collect certain information from you when you use the Services, including internet or other network activity information such as your IP address, geolocation-related data (as described below), unique device identifiers, browsing and search history (including content you have viewed in the Services), and Cookies (as defined below).

**2.3.1 Log information.** We retain information about you when you access and use the Services. This information can include the following: Internet Protocol (“**IP**”) address, timestamps, browser information, Internet Service Provider “**ISP**”, webpages visited, and the URL of the webpage you visited before navigating to our Services.

**2.3.2 Usage Information.** We monitor user activity in connection with the Services and may collect information about the applications and features you use, websites you visit, as well as types and amount of the Services you use.

**2.3.3 Crash and Error Information.** If the Services crash or return an error, we may collect data to determine the cause of the error using first or third party services. The crash or error information collected may include the following: Device IP address, device name, operating system version, application configurations(s), the time and date, and other statistics.

**2.3.4 Cookies and Other Technologies.** Our Services may use cookies and other technologies (such as “pixel tags”, “web beacons”, “clear GIFs”, links in emails, JavaScript, device IDs assigned by Google or Apple, or similar technologies) (“**Cookies**”) to collect information and support certain features of our Services. Cookies allow us and third-parties to obtain information about your visits to and use of our Services, including analyzing your visiting patterns. Although you are not required to accept Cookies when you visit our Services, you may be unable to use all of the functionality of our Services if your browser restricts our Cookies. We use this information to process your requests and to deliver online and mobile advertisements, messages, and content for us and others that are specific to your interests. The information we collect from Cookies does not identify you personally but in some cases, we may link it to your personal information. Below, we explain the different types of Cookies that may be used on the Services.

- (i) Necessary Cookies are essential to enable your use of the Services and to identify and prevent security risks, such as storing your session information to prevent others from changing your password without your username and password.
- (ii) Preference Cookies are used to remember your settings and preferences and to improve your experience on our website and in using our Services. For example, we may use these Cookies to remember your language preferences.
- (iii) Session Cookies are stored only temporarily during a browsing session and are deleted from your device when you close the browser. We use these Cookies to support the functionality of the Services and to understand your use of the Services—that is, which pages you visit, which links you use, and how long you stay on each page.

- (iii) Statistics Cookies help collect information about your use of the Services and enable us to improve the way it works. These Cookies give us aggregated information that we use to monitor the Service's performance, count page visits, spot technical errors, see how users reach the Services, and measure the effectiveness of marketing (including emails).
- (iv) Marketing Cookies are used to show users display advertisements across websites. The intention is to display ads that are relevant and engaging for the individual user and thereby more valuable for publishers and third-party advertisers. We do not display ads for any website besides our own.
- (v) Unclassified Cookies are Cookies that we are in the process of classifying, together with the providers of individual Cookies.

2.3.5 *Analytics*. We may also use [Google Analytics](#) and other service providers like [FullStory](#) to collect information regarding visitor behavior and visitor demographics on our Services.

### **3. How We Use Your Information.**

(a) We may use the personal information that we collect for our legitimate interests and the limited purpose of providing the Services and related functionality and services, as described in the Terms and in this Privacy Policy, and as permitted by applicable laws. These purposes include circumstances where it is necessary to provide or fulfill the Services requested by or for you or where you have given us your express consent. We may use your personal information to:

- (i) Provide the information, products, and services you request;
- (ii) Service your account and provide you, if you are a registered user, with effective customer service;
- (iii) Better understand your needs and interests, and provide you with a personalized experience when you use our Services;
- (iv) Contact you with special offers and other information we believe will be of interest to you (in accordance with any privacy preferences you have expressed to us);
- (v) Contact you with information and notices related to your use of our Services;
- (vi) Invite you to participate in surveys and provide feedback to us (in accordance with any privacy preferences you have expressed to us);
- (vii) Improve our products and service offerings and develop new products and service offerings, improve our marketing and promotional efforts, and improve the content, functionality, and usability of the Services;
- (viii) Enforce our Terms;
- (ix) Promote security and protect against and prevent fraud, claims, and other liabilities;

- (x) Verify the information you provide to us as well as the representations and warranties you make to us in the Terms or on the Services;
- (xi) Meet our internal and external audit obligations;
- (xii) Evaluate your interest in employment and contact you regarding possible employment with us;
- (xiii) Help you, if you are one of our employees, perform your job functions and to manage our workforce; and
- (xiv) Use for any other purpose for which we provide notice at the time of collection.

(b) We may aggregate and/or de-identify information collected through the Services and from other sources so that such information can no longer be linked to you or your device (“**Aggregate/De-Identified Information**”). We may use Aggregate/De-Identified Information for any purpose, including, without limitation, for research and marketing purposes

#### **4. How We Share and Disclose Information.**

**4.1 Service Providers.** We provide access to or share your personal information with select third parties who perform services on our behalf. They have access to perform these services but are prohibited from using your personal information for other purposes. They provide a variety of services to us, including, for example, billing, sales, marketing, product content and features, advertising, analytics, research, customer service, data storage, security, fraud prevention, payment processing, and legal services.

**4.2 Business Partners.** Sometimes we may also collaborate with other organizations and we may share your personal information to jointly offer products and services.

**4.3 Your Consent.** We may share your personal information for other purposes pursuant to your consent or with your further direction. If you access third-party services, such as Google, GitHub, or Slack, to login to the Services, these third-party services may be able to collect your personal information, including information about your activity on the Services, in accordance with their privacy policies.

**4.4 Aggregate/De-Identified Data.** From time to time, we may share Aggregate/De-Identified Information about use of the Services, such as by publishing a report on usage trends. The sharing of such data is unrestricted.

**4.5 Legal Reasons.** We may also disclose your personal information when we, in good faith, believe disclosure is appropriate to comply with the law, a court order, or a subpoena. We may also disclose your personal information to prevent or investigate a possible crime, such as fraud or identity theft; to protect the security of our Services; to enforce or apply our policies or other agreements; or to protect our own rights or property or the rights, property or safety of our users or others. We will attempt to notify our users about legal demands for their personal information when appropriate in our judgment unless prohibited by law or court order or when the request is an emergency. We may dispute such demands when we believe, in our discretion, that the requests are overbroad, vague, or lack proper authority.

**4.6 Sale, Merger, or Other Business Transfer.** As we continue to develop our business, we may buy, merge, or partner with other companies. In such transactions (including in contemplation of such transactions), personal information may be among the transferred assets. If a portion or all of our assets are sold or transferred to a third-party, your personal information would likely be one of the transferred business assets. If such transfer is subject to additional mandatory restrictions under applicable laws, we will comply with such restrictions.

## **5. Your Choices.**

(a) You can manage Cookies through your web browser. Most browsers will tell you how to stop accepting new Cookies, how to be notified when you receive a new Cookie, and how to disable existing Cookies. You can find out how to do this for your particular browser by clicking “help” on your browser’s menu or by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org). Please note, however, that without Cookies you may not be able to take full advantage of all our website features. In addition to the browser-based controls, you can manage third party Cookies by visiting [www.aboutads.info/choices/](http://www.aboutads.info/choices/). To separately make choices for mobile apps on a mobile device, you can download DAA’s AppChoices application from your device’s app store. Alternatively, for some devices you may use your device’s platform controls in your settings to exercise choice. Please note you must separately opt out in each browser and on each device. Advertisements on third party websites that contain the AdChoices link may have been directed to you based on information collected by advertising partners over time and across websites. These advertisements provide a mechanism to opt out of the advertising partners’ use of this information for interest-based advertising purposes.

(b) If you have registered for an account, you may access, review, and update certain personal information that you have provided to us by logging into your account and using available features and functionalities or by contacting us in accordance with the “Contact Us” section below.

(c) You have a choice at any time to stop us from sending you emails for marketing purposes by following the “unsubscribe” link included in these messages. Please note that despite any indicated email marketing preferences, we may continue to send you administrative emails regarding Qencode, including, for example, notices of updates to our Terms or this Privacy Policy, notifications of new survey opportunities, if we choose to provide such notices to you in this manner.

(d) If you do not provide the personal information that we need to provide the Services, we may not be able to provide with the Services or certain functionalities. We will tell you what personal information that you must provide in order to receive the Services.

(e) If you choose to connect to the Services through your social media account or another third-party platform, you may be able to use your settings in your account with that platform to limit the information we receive from it. If you revoke our ability to access information from a third-party platform, that choice will not apply to information that we have already received from that third party.

(f) Some browsers offer a “do not track” (“**DNT**”) option. Since no common industry or legal standard for DNT has been adopted by industry groups, technology companies, or regulators, we do not respond to DNT signals. We will make efforts to continue to monitor developments around DNT browser technology and the implementation of a standard.

**6. Security.** We take reasonable precautions intended to help protect your personal information that we collect. Unfortunately, no system or online transmission of data is completely secure, and we cannot guarantee the security of data transmitted across the Internet. If you believe that information you provided to us is no longer secure, please notify us immediately using the contact information provided below.

7. **European Residents.** If you are a resident of the European Economic Area, we rely on our legitimate interest as described in this Privacy Policy to process your personal information. Additionally, subject to any exemptions as provided by law, you may have certain rights regarding the personal information we maintain about you. We offer you certain choices about what personal information we collect from you, how we use that information, and how we communicate with you. If at any time you wish to exercise your rights, please reach out to us in accordance with the “Contact Us” section below.

7.1 **Right of Access.** If you ask us, we will confirm whether we are processing your personal information and, if so, provide you with a copy of that personal information along with certain other details. If you require additional copies, we may need to charge a reasonable fee.

7.2 **Right to Rectification.** If your personal information is inaccurate or incomplete, you are entitled to ask that we correct or complete it.

7.3 **Right to Erasure.** You may ask us to erase your personal information in some circumstances, such as where we no longer need it or you withdraw your consent (where applicable) and there is no other legal basis for processing.

7.4 **Right to Restrict Processing.** You may ask us to restrict or ‘block’ the processing of your personal information in certain circumstances, such as if you contest its accuracy or object to us processing it.

7.5 **Right to Data Portability.** You have the right to obtain your personal information from us that you consented to give us or that was provided to us as necessary in connection with our contract with you, and if the processing is carried out by automated means.

7.6 **Right to Object.** You may ask us at any time to stop processing your personal information, and we will do so: (a) if we are relying on a legitimate interest to process your personal information, unless we demonstrate compelling legitimate grounds for the processing or your data is needed to establish, exercise, or defend legal claims; or (b) we are processing your personal information for direct marketing and, in such case, we may keep minimum information about you (for example, in a suppression list) as necessary for our and your legitimate interest to ensure your opt out choices are respected in the future and to comply with data protection laws.

7.7 **Right to Withdraw Consent.** If we rely on your consent to process your personal information, you have the right to withdraw that consent at any time, but this will not affect any processing of your data that has already taken place.

7.8 **Right to lodge a Complaint.** If you have a concern about our privacy practices, including the way we handled your personal information, you can report it to the data protection authority that is authorized to hear those concerns.

## 8. **California Residents.**

(a) If you are a resident of the State of California, you have certain rights afforded to you under the California Consumer Privacy Act or the “CCPA”. When we say “**Personal Information**” in this section, we mean information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you. Personal Information does not include information that is aggregated or information that cannot be reasonably linked to you.

(b) We collect Personal Information and Non-Personal Information for the business and commercial purposes described in the section above titled “How We Use Your Information”, and we share Personal Information with the categories of third parties described in the section above titled “How We Share and Disclose Information”. We do not sell (as such term is defined in the CCPA) the Personal Information we collect (and will not sell it without providing a right to opt out).

(c) Subject to certain limitations, the CCPA provides California residents the following rights:

- (i) You have the right to request that we disclose to you the Personal Information we collect, use, or disclose, and information about our data practices;
- (ii) You have the right to request that we delete your Personal Information that we have collected from you;
- (iii) You have the right to request that we no longer sell your Personal Information to third parties;
- (iv) We will not discriminate against you for exercising any of these rights.

(d) California residents may make a request pursuant to their “right to know”, “right to request deletion”, and/or “right to opt-out” under the CCPA by contacting us in accordance with the “Contact Us” section below. In order to verify your request to know or delete information, we may require you to provide us with certain information to be used solely for the purpose of verifying your identity.

(e) Under the CCPA, you may exercise these rights yourself or you may designate an authorized agent to make these requests on your behalf. We may request that your authorized agent have written permission from you to make requests on your behalf and may need to verify your authorized agent’s identity.

**9. Nevada Residents.** Under Nevada law, certain Nevada consumers may opt out of the sale of “personally identifiable information” for monetary consideration (as such terms are defined under Nevada law) to a person for that person to license or sell such information to additional persons. We do not engage in such activity; however, if you are a Nevada resident who has purchased services from us, you may submit a request to opt out of any potential future sales under Nevada law by contacting us in accordance with the “Contact Us” section below. Please note we will take reasonable steps to verify your identity and the authenticity of the request. Once verified, we will maintain your request in the event our practices change.

**10. Information Retention.** We will retain personal information required to comply with privacy requests, manage active accounts, as required by law, in order to resolve disputes, or enforce our agreements. We will retain the personal information we process on behalf of our users as directed by them. We may also retain copies of your personal information for disaster recovery purposes, to prevent fraud or future abuse, or for legitimate business purposes, such as analysis of Aggregate/De-Identified Information, account recovery, and auditing our records.

**11. Data Processing and Data Transfers.** Your information, including personal information, may be transferred to – and maintained on – computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ from those of your jurisdiction.

If you are located outside the United States and choose to provide information to us, please note that we transfer the data, including personal information, to the United States and process it there. Your consent to this Privacy Policy followed by your submission of such information represents your agreement to that transfer. We will take all the steps reasonably necessary to ensure that your data is treated securely and in accordance with this Privacy Policy and no transfer of your personal information will take place to an organization or a country unless there are adequate controls in place including the security of your personal information and other information.

**12. Links to Third-Party Websites and Social Media Platforms.** The Services may provide the ability to connect to other websites. These websites may operate independently from us and may have their own privacy notices or policies, which we strongly suggest you review. If any linked website is not owned or controlled by us, we are not responsible for its content, any use of the website, or the privacy practices of the operator of the website.

**13. Children's Privacy.** The Services are directed to individuals at the age of 18 and over. We do not knowingly collect personal information from individuals under the age of 18. If we become aware of individuals who have provided us with personal information and are under the age of 18, we will take steps to deactivate the account and delete the personal information. If you become aware of information from individuals under the age of 18 which has been provided to us, please contact us in accordance with the "Contact Us" section below.

**14. Contact Us.** If you have any questions or concerns about our Privacy Policy, please contact us via email at [support@qencode.com](mailto:support@qencode.com).