

# PROCONEX, INC.

## PRIVACY POLICY

### Introduction

This Policy applies to all websites owned or operated by Proconex, Inc. and its subsidiaries and affiliates. Proconex has adopted this Policy to inform you of its policies with respect to information collected from our websites. Please take a few minutes to read the following Policy so that you understand how we treat your personal information.

### 1. Purposes and Certain Terms

- (a) This is a website-only privacy policy and does not apply to the handling of personal or other data collected by Proconex or its affiliates/owner-operators by means other than this Website.
- (b) This privacy policy also does not apply to business or commercial information. Our obligations regarding business or commercial information are governed entirely by the [Proconex Website Terms of Use](#).
- (c) In this Privacy Policy:
  - “Policy” means this Privacy Policy, as amended from time to time.
  - “Proconex” or “we”, “our” and “us” means Proconex and its affiliates.
  - “you” and “your” means a user of the Website.
  - “Website” means the website at <http://proconexdirect.com> and its subdomains.
  - “PII” means any information that concerns you individually and could permit someone to contact you, for example, your name, address, telephone/fax number, email address, computer IP address or any other information you submit to us that identifies you individually.

### 2. Collection and Use of Personally Identifiable Information

- (a) The Website will not collect any PII about you unless you provide it or unless you continue using the Website. Therefore, if you do not want us to obtain any PII about you, please do not submit it to us, and do not use the Website.
- (b) Alternatively, you may choose to disclose PII about yourself, which may be maintained as described below. The Website may collect PII about you by methods such as the following:
  - **Request for Quote and Contact Us Forms** – If you are offered the opportunity to enter a promotion, to become a registered user of the Website, or to opt-in to receive Proconex information through another site, you must apply by completing and submitting the registration form on the Website. This form requires certain PII that may include, without limitation, your name, email address, postal address,

telephone number, areas of interest, product usage, and/or a unique individual password.

- **Transactions and Activity** – If you become a registered user or if you conduct transactions through the Website, we will collect information about the transactions in which you engage while on the Website and your other activity on the Website. This information may include, without limitation, areas of the Website that you visit, transaction type, content that you view, download or submit, transaction amount, payment, and billing information as well as the nature, quantity and price of the goods or services you exchange and the individuals or entities with whom you communicate or transact business.
- **Email and other voluntary communications** – You may also choose to communicate with us through email, via the Website, by telephone, in writing, or through other means. We collect the information in these communications, and such information may be PII.

We use the PII collected through the Website primarily for such purposes as: helping to establish and verify the identity of users; opening, maintaining, administering and servicing users' accounts or memberships; processing, servicing or enforcing transactions and sending related communications; providing services and support to users; improving the Website, including tailoring it to users' preferences; providing users with product or service updates, promotional notices and offers, and other information about Proconex and its affiliates; responding to your questions inquiries, comments and instructions; and maintaining the security and integrity of our systems.

### **3. Collection and Use of Other Information**

When you visit the Website, as when you visit most other websites, certain anonymous information about your visit is automatically logged, which may include information about the type of browser you use, the server name and IP address through which you access the internet (such as "[aol.com](#)" or "[earthlink.net](#)"), the date and time you access the Website, the pages you access while at the Website, and the internet address of the website, if any, from which you linked directly to the Website. This information may or may not be considered PII.

We use the anonymous browsing information collected automatically by our servers primarily to help us administer and improve the Website. We may also use aggregated anonymous information to provide information about the Website to potential business partners and other unaffiliated entities.

#### **4. How Long We Keep Your Information**

We will keep your PII for as long as it is necessary for the purposes set out in this Policy, unless a longer retention period is required or permitted by law (such as tax, accounting or other legal requirements), and subject to your rights under applicable law; provided that under no circumstances do we have any obligation to keep PII for a period exceeding that required under applicable law.

#### **5. Disclosure of Information**

We do not provide PII to third parties who are not our affiliates for their use in marketing directly to you. We may use unaffiliated third parties to help maintain and operate our Website or for other reasons related to the operation of our business, and those third parties may receive your PII for those specific purpose. We may also disclose PII about you in connection with legal requirements, such as in response to an authorized subpoena, governmental request or investigation, or as otherwise permitted or required by law.

#### **6. Children's Privacy**

This Website is directed toward and designed for use by businesses and persons aged 18 or older. We will not approve applications of, or establish or maintain registrations for any child whom we know to be under the age of 18. We do not solicit or knowingly collect PII from children under the age of 18. If we nevertheless discover that we have received PII from an individual who indicates that he or she is, or whom we otherwise have reason to believe is, under the age of 18, we will delete such information from our systems.

#### **7. "Cookies" and Advertisers**

- (a) The Website's server, or the servers of companies that are used to operate this Website, may place a "cookie" on your computer to allow you to use the website and to personalize your experience. A "cookie" is a small piece of data that can be sent by a web server to your computer, which then may be stored by your browser on your computer's hard drive. Cookies allow us to recognize your computer while you are on the Website and help customize your online experience and make it more convenient for you, as well as help us serve promotions/ads based on past visits and preferences. Cookies are also useful in allowing more efficient log-in for users, tracking transaction histories and preserving information between sessions. The information collected from cookies may also be used to improve the functionality of the Website.
- (b) We use remarketing with Google Analytics or other services to advertise online. Third-party vendors, including Google, may show ads on sites across the Internet. Proconex and third-party vendors, including Google, use cookies to inform; optimize; serve ads based on your past visits to our Website; as well as to report how your ad impressions, other uses of ad services, and interactions with these ad impressions and ad services are related to your site visits. We use data from Google's interest-based advertising or third-party audience data (such as age, gender, and interests) with Google Analytics to optimize ads and improve Website usability for a target audience.
- (c) Most web browser applications (such as Microsoft Edge, Google Chrome and Mozilla Firefox) have features that can notify you when you receive a cookie or prevent cookies from being sent. Visitors can customize settings and opt out of Google's use of cookies

by visiting Google's Ads Settings. If you disable cookies, however, you may not be able to use certain personalized functions of this Website.

## **8. External Links**

- (a) The Website may contain links to other third-party websites that are not maintained or related to us. These links are provided as a service to users and are not sponsored by or affiliated with the Website, Proconex or its affiliates.
- (b) We do not review the sites linked to or from our Website, and you agree that we are not responsible for the content or privacy practices of these other third-party websites. We make no representations or warranties, either express or implied, in relation to the goods or services received from these links; or the content, completeness or accuracy of these links or the sites hyperlinked to our Website.
- (c) Third-party websites that are accessible by links from our Website may use cookies. We encourage you to read the privacy statements provided by other websites before you provide PII to them.
- (d) We do not endorse third-party sites linked to this Website and if you access any such websites, you do so entirely at your own risk.

## **9. Security**

We maintain physical, electronic, and procedural safeguards to help guard PII. If transactions are offered on our Website, the transaction information is transmitted to and from us in encrypted form using industry-standard Secure Sockets Layer connections to help protect such information from interception. We restrict access to your PII only to (a) those authorized persons who have a legitimate purpose and need to know your PII in order to provide products or services to you; and (b) those persons you have authorized to have access to such PII. Please be aware, however, that any email or other transmission you send through the internet cannot be completely protected against unauthorized interception.

## **10. YOUR PRIVACY RIGHTS**

In some regions (like the European Economic Area), you have certain rights under applicable data protection laws. These may include:

- The right to be informed
- The right to access
- The right to rectification (correction)
- The right to erasure (to be forgotten)
- The right to restriction of processing
- The right to data portability
- The right to object
- The right to not be subject to automated decision making.

For assistance in exercising your rights, please use the contact details provided below in Section 16. We will consider and act upon any request in accordance with applicable data protection laws.

If we are relying on your consent to process your personal information, you have the right to withdraw your consent at any time. Please note however that this will not affect the lawfulness of the processing before its withdrawal.

If you are data subject of in the European Economic Area and you believe we are unlawfully processing your personal information, you also have the right to complain to your local data protection supervisory authority. You can find their contact details here:  
[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)

## **11. Changing or Correcting Your Information.**

You may at any time review or change the information in your account or terminate your account by Contacting us using the contact information provided below

Upon your request to terminate your account, we will deactivate or delete your account and information from our active databases. However, some information may be retained in our files to prevent fraud, troubleshoot problems, assist with any investigations, enforce any terms of use or contractual obligations and/or comply with legal requirements.

## **12. Access form Outside the United States.**

Our servers are located in the Unites States and our Websites are intended for users located in the United States. If you are accessing our Websites from outside the US, please be aware that your information may be transferred to, stored, and processed by us in our facilities and by those third parties with whom we may share your personal information, in other countries. If you are a resident in the European Economic Area, then these countries may not have data protection or other laws as comprehensive as those in your country.

if legally required, we will adopt measures implementing the European Commission's Standard Contractual Clauses for transfers of personal information between us and our third-party providers, which require all such recipients to protect personal information that they process from the EEA in accordance with European data protection laws are utilized for applicable

transfers. We have implemented similar appropriate safeguards with our third party service providers and partners and further details can be provided upon request.

### **13. FOR CALIFORNIA RESIDENTS - SPECIFIC PRIVACY RIGHTS**

If you are a resident of California, you are granted specific rights regarding access to your personal information.

California Civil Code Section 1798.83, also known as the “Shine The Light” law, permits our users who are California residents to request and obtain from us, once a year and free of charge, information about categories of personal information (if any) we disclosed to third parties for direct marketing purposes and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. If you are a California resident and would like to make such a request, please submit your request in writing to us using the contact information provided below.

### **14. Changes**

We may modify This Privacy Policy from time to time without prior notice, and such modification shall become effective immediately upon being posted on this site.

**Updated: [October 26, 2021]**