

Benova Privacy Policy

Effective Date: [2023-11-14]

In this Privacy Policy (“**Policy**”), we describe how Benova AI (“**Benova**”, “**Company**”, “**we**”, “**our**”, or “**us**”) collects, uses, and discloses information that we obtain about various users of our website (available at <https://benova.ai>), mobile application, IoT devices, and online portals (collectively, the “**Our Services**”). These users, which we collectively define as “**Users**” are as follows:

1. “**End Customers**” are end users of our devices that use Our Services.
2. “**Company Authorized Dealers**” are dealers, resellers and distributors who have been authorized by us to purchase and/or resell Our Services.
3. “**Website Visitors**” are visitors to our website that are not logged in to accounts.

We also describe how we collect, use, and disclose information on behalf of our End Customers.

By using Our Services, Users agree that information describing or relating to them (“**Personal Information**”) will be handled as described in this Policy. Use of Our Services, and any dispute over privacy, is subject to this Policy and our Terms of Service, including its applicable limitations on damages and the resolution of disputes. Our Terms of Service are incorporated by reference into this Policy.

Residents of certain states may have additional rights concerning their Personal Information. Please review the “U.S. State Privacy Notice” section below for more information.

I. Personal Information We Collect

We collect Personal Information (1) directly from Users, (2) automatically as Users use our Our Services, and (3) on behalf of End Customers.

The following data is not subject to this Policy:

- Personal Information we reasonably believe has been made publicly available;
- Deidentified or pseudonymous data that cannot be attributed to an individual and is stored separately from other data that could be used to identify an individual; and
- Personal Information covered under other laws such as creditworthiness, research, and education.

1. Personal Information We Collect Directly

The Personal Information we collect depends on whether a User is an End Customer, Company Authorized Dealer, or Website Visitor, and how the User uses our Our Services. Generally, we collect the following categories of Personal Information from the respective types of Users:

a) End Customers

- **Contact information** such as name, address, email, and phone number.
- **Account information and settings** such as when End Customers register for an account, set up a password, and make changes to the settings and preferences within the User's account.
- **Unique identifiers** such as an account number, individual or member ID.
- **Communications and interactions** such as when Users email, call, or otherwise communicate with us.
- **Financial information** such as payment information if a User pays for the Our Services from a personal account rather than a business account.
- **Commercial information** such as User purchasing history.
- **Inferences drawn from other Personal Information collected** such as information reflecting User attributes or behavior.

b) Company Authorized Dealers

- **Contact information** such as name, address, email, and phone number.
- **Account information and settings** such as when a Company Authorized Dealer registers for an account on our dealer portal, sets up a password, and makes changes to the settings and preferences within their account.
- **Government identifiers** such as Social Security Number and driver's license number.
- **Unique identifiers** such as an account number, individual or member ID.
- **Communications and interactions** such as when Users email, call, or otherwise communicate with us.
- **Employment and professional-related information** such as company name, organization type, company address, and job title.
- **Financial information** such as payment information if a Company Authorized Dealer pays for the Our Services or receives payments from us using a personal account rather than a business account.
- **Commercial information** such as User purchasing history.
- **Inferences drawn from other Personal Information collected** such as information reflecting User attributes or behavior.

d) Website Visitors

- **Communications and interactions** such as when Users email, call, or otherwise communicate with us.
- **Inferences drawn from other Personal Information collected** such as information reflecting User attributes or behavior.

2. Personal Information We Collect Automatically

We automatically collect Personal Information about the use of our Our Services through cookies and other technologies, including:

- **Device and Browsing Information.** When a User visits or uses our Our Services, we may collect IP address, browser type, domain names, access times, date/time stamps, operating system, language, device type, unique ID, Internet service provider, referring and exiting URLs, clickstream data, and similar device and browsing information.
- **Activities and Usage.** We also collect activity information related to a User's use of the Our Services, such as information about the links clicked, searches, features used, items viewed, time spent within the Our Services, interactions with us within the Our Services, and other activity and usage information.
- **Location Information.** We may also collect or derive location information about Users, such as via IP address. If a User chooses to enable location-based sharing with us through their device settings, we may collect precise location information, such as GPS coordinates, to provide content that is more relevant to the User's location and to otherwise improve interactions with our Our Services. Users may turn off location data sharing through their device settings.

To the extent permitted by applicable law, we combine this information with other information we collect about Users, including Personal Information. Please see the section "Cookies and Other Tracking Mechanisms" below for more information.

We collect End Customer Personal Information only on behalf of our End Customers, and we do not use it for any purpose other than as instructed by the End Customer.

How, why, and with whom End Customer Personal Information is disclosed is governed by the applicable End Customer's policies, including its privacy policy. Each End Customer (and any Company Authorized Dealer, when acting on behalf of an End Customer) is responsible for all its activity in connection with the Our Services, including obtaining all necessary consents or approvals from or by individuals whose Personal Information may be captured and processed by the Our Services.

II. Our Purposes for Using Personal Information

We may use Personal Information of all types of Users for the following purposes:

- **Setting Up User Accounts, Operating the Our Services, and Providing Related Support.** To establish user accounts, provide and operate our Our Services, communicate with Users, provide troubleshooting and technical support, respond to inquiries, fulfill orders and requests, process payments, and for similar service and support purposes.
- **Enabling Resale.** To enable the resale of our IoT devices and Our Services, including managing our dealer portal and relationship with our Company Authorized Dealers.
- **Communication and Responding to Inquiries.** To communicate with Users, respond to questions, send requested materials, newsletters, and information and materials regarding our Our Services. We also use this information to send administrative information to Users, for example, information regarding Our Services and changes to our terms, conditions, and policies.
- **Analyzing and Improving Our Services and Business.** To better understand how Users access and use the Our Services, and for other research and analytical purposes, such as to evaluate and improve our Our Services and business operations and to develop additional services and features.
- **Personalizing Experiences.** To tailor content we may send or display on the Our Services, including to offer location customization and personalized help and instructions, and to otherwise personalize User experiences.
- **Marketing Communications.** To send newsletters, or any other information that Users sign up to receive.
- **Market Research and Customer Satisfaction.** To administer surveys and questionnaires, such as for market research or member satisfaction purposes.
- **Marketing and Advertising.** To serve advertisements on our Our Services and on third-party sites or other media. This enables us and these third parties to target advertisements to User for products and services.
- **Protecting Our Legal Rights and Preventing Misuse.** To protect the Our Services and our business operations; to prevent and detect fraud, unauthorized activities and access, and other misuse; where we believe necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety or legal rights of any person or third party, or violations of our Terms of Service or this Privacy Policy.
- **Complying with Legal Obligations.** To comply with the law or legal proceedings. For example, we may disclose information in response to subpoenas, court order, and other lawful requests by regulators and law

enforcement, including responding to national security or law enforcement disclosure requirements.

- **Business Transfers.** To consider and implement mergers, acquisitions, reorganizations, and other business transactions, and where necessary to the administration of our general business, accounting, recordkeeping, and legal functions.
- **Training our Customer Service Representatives and Auditing our Customer Service Practices.** We retain our chat sessions for history, training, and audit purposes.
- **Planning and Managing Events.** We use the Personal Information that we collect for event planning and management, including registration, attendance, connecting Users with other event attendees, and contacting Users about relevant events. Any information Users provide about emergency contacts, dietary preferences, or accessibility requirements is used solely for safety and health purposes.

III. How We May Disclose Personal Information

We may disclose Personal Information for the purposes described above, and as follows:

- **Service Providers (Processors).** We may disclose Personal Information we collect with our service providers or agents who perform functions on our behalf. These service providers include IT service providers, help desk, and payment processors.
- **Affiliates.** We may disclose Personal Information we collect to our affiliates or subsidiaries.
- **End Customers.** We may disclose Personal Information to End Customers as needed to support the Our Services they have purchased or requested.
- **Company Authorized Dealers.** We may disclose Personal Information to Company Authorized Dealers as necessary to enable resales and to support the Our Services.
- **Public Authority/Agency.** We may disclose Personal Information to a third party if (a) we believe that disclosure is reasonably necessary to comply with any applicable law, regulation, legal process, or governmental request, (b) to enforce our agreements, policies, and terms of service, (c) to protect the security or integrity of our Our Services, (d) to protect our property, rights, and safety, and that of our Users or the public, (e) to respond to an emergency which we believe in the good faith requires us to disclose information to assist in preventing the death or serious bodily injury of any person, or (f) to investigate and defend ourselves against any third-party claims or allegations.

- **Third-Party Ad Networks.** We may disclose certain Personal Information to third-party ad network providers, sponsors and/or traffic measurement services. These third parties may use cookies, JavaScript, web beacons (including clear GIFs), and other tracking technologies to measure the effectiveness of their ads and to personalize advertising content. These third-party cookies and other technologies are governed by each third party's specific privacy policy, not this one.
- **Third-Party Analytics Providers.** We may disclose Personal Information to marketing analytics service providers such as Google Analytics or Microsoft Bing.

We may also disclose Personal Information in the following circumstances:

- **Business Transfers.** If we or our affiliates are or may be acquired by, merged with, or invested in by another company, or if any of our assets are or may be transferred to another company, whether as part of a bankruptcy or insolvency proceeding or otherwise, we may transfer the information we have collected from Users to the other company. As part of the business transfer process, we may share certain Personal Information with lenders, auditors, and third-party advisors, including attorneys and consultants.
- **In Response to Legal Process.** We may disclose Personal Information to comply with the law, a judicial proceeding, court order, or other legal process, such as in response to a court order or a subpoena.
- **Other Disclosures.** We may disclose personal information in other ways not described above, but will notify Users and, if necessary, obtain consent. We may share aggregated and/or pseudonymous information from which individual user identities have been removed and that are not reasonably linkable to any individual.

IV. Cookies and Other Tracking Mechanisms

We and our third-party service providers use cookies and other tracking mechanisms to track information about the use of our Our Services. We may combine this information with other Personal Information we collect, and our third-party service providers may do so on our behalf. For more information on the types of Personal Information we collect through these technologies, please see the section above titled “Personal Information We Collect.” For resources and instructions on how to disable tracking technologies, see the section below titled “Tracking and Advertising Choices.”

Cookies. Cookies are alphanumeric identifiers that we transfer to a User’s hard drive through a web browser for tracking purposes. Some cookies allow us to make it easier for Users to navigate our Our Services, while others are used to enable a faster log-in process, support the security and performance of the Our Services, or allow us to track activity and usage data within the Our Services.

Clear GIFs, Pixel Tags, and other Technologies. Clear GIFs are tiny graphics with a unique identifier, similar in function to cookies. In contrast to cookies, which are stored on a User's computer's hard drive, clear GIFs are embedded invisibly on web and app pages. We may use clear GIFs (a.k.a. web beacons, web bugs or pixel tags), in connection with our Our Services to, among other things, track the activities of Users, help us manage content, and compile statistics about SaaS Service usage. We and our third-party service providers also use clear GIFs in HTML e-mails to our customers, to help us track e-mail response rates, identify when our e-mails are viewed, and track whether our e-mails are forwarded.

Third-Party Analytics. We use automated devices and applications, such as Google Analytics, to evaluate usage of our Our Services, to the extent permitted. We also may use other analytic means to evaluate our Our Services. We use these tools to help us improve our SaaS Service's performance and user experiences. These entities may use cookies and other tracking technologies, such as web beacons, to perform their services. To learn more about Google's privacy practices, please review the Google Privacy Policy at <https://www.google.com/policies/privacy/partners>. Users can also download the Google Analytics Opt-out Browser Add-on to prevent their data from being used by Google Analytics at <https://tools.google.com/dlpage/gaoptout>.

Cross-Device Use. We may use the information that we collect (whether directly from our Our Services, through User device(s), or from a third party) to help us and our third-party service providers identify other devices that a User uses (e.g., a mobile phone, tablet, other computer, etc.). We and our third-party service providers also may use the cross-device use and other information to serve targeted advertising and to send emails. To opt out of cross-device advertising, follow the instructions set forth in the "Tracking and Advertising Choices" section below. Please note: opting out of these targeted advertising cookies be specific to the web browser, app, or device from which a User accessed the opt-out.

Do-Not-Track. Currently, our systems do not recognize browser "do-not-track" requests.

Third-Party Links. Our Services may contain links to third-party websites. Any access to and use of such linked websites is not governed by this Policy, but instead is governed by the privacy policies of those third-party websites. We are not responsible for the information practices of such third-party websites.

V. Tracking and Advertising Choices

We have provided resources below to help prevent cookies or third-party advertisers from tracking User activity on our Our Services. Using the resources below does not mean Users will no longer receive any advertising through our Our Services or on other websites. Users may continue to receive advertisements, for example, based on the particular website that a User is viewing (i.e., contextually based ads) and as described

above. A User's opt-out may not be effective if their browser is configured to reject cookies.

- **Browser Solutions for Disabling Cookies:** Users can set their browser to block certain cookies or notify the User when a cookie is set. The Help portion of the toolbar on most browsers will tell Users how to enable these settings. Visitors to our Our Services who disable cookies will be able to browse the Our Services, but some features may not function properly.
- **Industry Solutions for Opting Out of Interest-Based Advertising.** Users may follow the steps provided by initiatives that educate individuals on how to set tracking preferences for most online advertising tools. These resources include YourOnlineChoices in the EU (<https://www.youronlinechoices.eu>), the Network Advertising Initiative (<https://thenai.org/about-online-advertising>) and the Digital Advertising Alliance (<https://digitaladvertisingalliance.org>) in the US, the Digital Advertising Alliance of Canada (<https://youradchoices.ca/en/learn>), the Data Driven Advertising Initiative in Japan (<http://www.ddai.info/optout>), or other similar services. Users can use the Digital Advertising Alliance's AdChoices opt-out tool (<https://youradchoices.com/control>) to opt out of the use of Personal Information by many third-party ad networks for targeted advertising purpose. The Digital Advertising Alliance also offers an application called AppChoices (<https://youradchoices.com/appchoices>) that helps Users control interest-based advertising on mobile apps.

VI. U.S. State Privacy Notice

Residents of certain states may have rights regarding their Personal Information. Note that, if applicable, these rights only apply to Personal Information that we collect and process for our own purposes and not on behalf of any third party, including our End Customers.

In our capacity as a service provider to our End Customers or other businesses, we may collect or process Personal Information as reasonably necessary to provide our Our Services, and this Personal Information is not subject to the rights outlined below. To exercise privacy rights regarding the Personal Information we maintain on behalf of our End Customers, please make a request directly to the End Customer.

To the extent we collect Personal Information subject to applicable U.S. State laws providing for such rights, Users may be entitled to make the following privacy rights requests regarding their Personal Information:

- **Right to Access/Portability:** To access Personal Information we maintain a User, and to obtain a copy of the Personal Information in a portable and, to the extent technically feasible, readily usable format.
- **Right to Correction:** To correct inaccuracies in Personal Information.

- **Right to Deletion:** To delete Personal Information.
- **Right to Opt-Out of Sale, Sharing, and Targeted Advertising:** If we determine we “sell” or “share” Personal Information, or use it for targeted advertising purposes, under applicable U.S. State privacy laws, we will offer Users the right to opt-out, including by means of an opt-out preferences signal.
- **Right to Opt-Out of Significant Profiling:** To opt out of the processing of Personal Information by us for decisions that produce legal or similarly significant effects.
- **Right to Non-Discrimination:** We will not discriminate against a requestor based on price or service level in response to an exercise of a privacy right.
- **Right to Appeal:** If we decline to act regarding a privacy rights request, the requestor may have a right to appeal our decision using the same method the requestor submitted a request. If the appeal is denied, we will provide a way for the requestor to contact the appropriate State Attorney General to submit a complaint.

Our Right to Refuse a Privacy Rights Request: We may deny a request if: (1) we do not believe we are subject to the U.S. State privacy law under which a privacy right request is made; (2) a request is made regarding Personal Information that we process on behalf of an End Customer (in which case a User should make the request directly to the End Customer); (3) we cannot verify the requestor’s identity; or (4) we are not reasonably capable of associating a request with the Personal information or it would be unreasonably burdensome for us to associate the request with the Personal Information.

VII. Submitting Privacy Rights Requests

Users may exercise privacy rights by emailing us at support@benova.ai.

Users must provide us with the following information: (1) first and last name; (2) email address; and (3) zip code. We will take steps to verify the request by matching the information provided with the information we have in our records. In some cases, we may request additional information to verify a request or, where necessary, to process the request. If we are unable to adequately verify a request, we will notify the requestor. For more information about our privacy practices, please contact us as set forth in the ‘Contact Us’ section below.

VIII. Children

Our Services are not designed for children. If we discover that a child under 13 has provided us with Personal Information, we will delete such information from our systems. We do not knowingly collect or sell Personal Information of consumers under 16 years of age as of the date of this Policy.

IX. Changes to this Policy

This Policy is current as of the Effective Date set forth above. We may change this Policy from time to time, so please be sure to check back periodically. We will post any material changes to this Policy on our Our Services.

X. Contact Us

For questions about our privacy practices, or to submit a complaint, please contact us at support@benova.ai.