

Theta Analytics Privacy Policy

Effective Date: 9/23/18

Welcome to Theta Viewer Platform. As used in this Privacy Policy, the terms “**Theta Analytics**,” “**we**” and “**us**” refer to Theta Analytics, Inc.

Theta Analytics is committed to protecting and respecting your privacy.

This Privacy Policy describes how we collect, use, protect and share information about you that we obtain when you access and use our Platform (defined below), including when you register for an account, request customer support, participate in promotions, or submit questions or feedback. This Privacy Policy also applies to information that we obtain when you communicate or interact with us outside of the Platform, including by e-mail, telephone and otherwise.

Please read this Privacy Policy carefully to understand how we will treat your information before you start to use our Platform or communicate with us outside the Platform. This Privacy Policy also is intended to explain the conditions under which Theta Analytics uses and discloses that information, and your rights in relation to that information. Changes to this Privacy Policy are discussed at the end of this document.

For purposes of this Privacy Policy, the following defined terms mean:

- “**Platform**” means, individually and collectively, the Services and Website including any related services and promotions, and any software and technology used to provide any of the foregoing.
- “**Services**” means any and all construction project related data management services, and related services and promotions, provided by Theta Analytics, including support services.
- “**User**” means any person or entity who accesses or uses the Platform in any manner. References to “access” and/or “use” of the Platform (and any variations thereof) include the acts of accessing or browsing the Platform, and accessing or using the Services.
- “**Website**” means any and all websites owned or operated by Theta Analytics (including the website currently located at www.thetaviewer.com), through which access to the Services is available. References to the “Website” include any and all related features, functionality, tools, and content.

BY ACCESSING OR USING OUR PLATFORM OR COMMUNICATING WITH US OUTSIDE OF THE PLATFORM, YOU ARE ACCEPTING AND CONSENTING TO THE PRACTICES DESCRIBED IN THIS PRIVACY POLICY, WHICH MAY BE UPDATED AND AMENDED FROM TIME TO TIME. IF YOU DO NOT AGREE TO THE TERMS OF THIS PRIVACY POLICY, YOU MUST NOT ACCESS OR USE OUR PLATFORM OR OTHERWISE COMMUNICATE WITH US.

Please click on the sections below to learn more about our Privacy Policy:

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1. HOW WE COLLECT INFORMATION

Information You Provide to Us

We collect information that you provide directly to us, including when you register for an account, use the Platform, update your e-mail preferences, respond to a survey or provide other feedback about the Platform, or contact us with questions or comments about the Platform.

We may also collect information about you if a company or organization authorizes you to manage its account or use our Platform on its behalf.

We will not ask for or request sensitive information such as government identifiers, medical information, or financial information (except in connection to payments). Please do not provide this information to us through e-mails, feedback forms or in any other way unless specifically requested.

Information Generated from Use of the Platform

We also collect certain technical information when you access, browse and use our Platform, including information that we automatically receive and record from your browser or mobile platform on our server logs. This technical information helps us operate and provide our Platform to you, and includes standard information about visits and system capabilities, such as:

- information about the device(s) you use to access our Platform, including MAC address, IP address, browser type and version, your location, time zone setting, browser plug-in types and versions, operating system and platform, device type, device and application identifiers, operating information, mobile carrier, and cookies;
- information about your visits to the Platform, including the full URL clickstream to, through, and from the Platform, including dates and times;
- information we need and use to facilitate your use of our Platform (including to provide access to third party websites and services), such as URL requests, destination IP addresses, or device configuration details;
- pages you view, searches you run, length of time browsing search results, specific search results you select to view, length of visits to other pages, page interaction information (such as scrolling, clicks, and mouse-overs), your engagement with certain variable/dynamic elements of a page and methods used to browse away from the page; and
- page response times and download errors.

Some of the information we collect is generated using cookies and beacons. For more details about cookies, beacons, and your choices, see **Cookies and Beacons** below.

Information from Other Sources

We may receive certain information about you from the organizations or entities on behalf of which we provide the Services to you and/or on behalf of which you access or use the Platform. We may also supplement the technical information we collect from your use of the Platform with information collected by third parties. Such third parties may include service providers, such as [Salesforce.com, Inc. and] Google Inc., advertising partners, and ad networks that help us understand our Users and provide better service to our Users.

On occasion, we may compare or combine Personally Identifiable Information (defined below) from third party sources to/with other information we have collected. For example, we may obtain contact information from other sources in order to contact you if we think you or the company you represent would be interested in our Platform.

2. HOW INFORMATION MAY BE USED

Personally Identifiable Information

Some of the information we collect through your use of our Platform or communications with us may personally identify you ("**Personally Identifiable Information**"). The types of Personally Identifiable Information you may submit in connection with use of the Service include:

- contact information (such as name, address, email address and telephone number);

- account passwords for the Platform;
- payment card information and other billing information (such as card image, card number, cardholder name, expiration date and card verification code) associated with your account; and
- geographic location.

We may use the Personally Identifiable Information we collect, to:

- create and manage your account;
- provide the Platform to you;
- operate our Platform, including access management, payment processing, Platform administration, internal operations, troubleshooting, data analysis, testing, research, statistical and survey purposes;
- send you information that enables you to use our Platform;
- contact you about activity on your account;
- generate reporting regarding the use of our Platform by Users;
- respond to your requests, feedback or inquiries;
- notify you about updates, information, or alerts regarding our Platform;
- comply with laws, regulations, and other legal requirements;
- comply with relevant industry standards and our policies;
- protect and enforce our rights and the rights of other Users against unlawful activity, including identify theft and fraud, and other violations of our Terms of Use;
- protect and enforce our rights arising under any agreements entered into between you and us, including billing and collection;
- protect the integrity and maintain the security of our Platform, including secured areas of the Platform;
- operate, evaluate and improve our business and Platform, including conducting surveys and market research, developing new products, services, and promotions (such as, for example, special events, programs, offers, contests), analyzing and enhancing existing products, services, and promotions, managing our communications; performing accounting, auditing, and other internal functions;
- provide you with information and advertisements about products, services, and promotions, from us or third parties, that may interest you; and
- administer your participation in such products, services, and promotions.

In addition, we may use your information as described in any notice provided at the time you provide the information; and for any other purpose for which you may provide consent.

Non-Personally Identifiable Information

Other data derived from your use of the Platform is treated as "**Non-Personally Identifiable Information**," unless it is combined with Personally Identifiable Information, or unless otherwise required by applicable law.

In addition to the uses described above, we may also use Non-Personally Identifiable Information to:

- deliver content (including advertising) tailored to your interests and the manner in which you use our Website;
- present content in a manner that is optimized for your device; and
- measure and analyze the effectiveness of advertising we serve you;
- analytics purposes including, without limitation, generating statistics and reporting regarding industry insights, trends and benchmarking.

We may also combine technical information, or Non-Personally Identifiable Information, about your use of our Platform with information that we obtain from other Users to use in an aggregate or anonymous manner for similar purposes.

3. HOW INFORMATION MAY BE SHARED

Personally Identifiable Information

We will not sell or share your Personally Identifiable Information with third parties for the third party's own direct marketing purposes without your express consent. (However, please note that if you click on or otherwise interact with an advertisement on our Platform, the advertiser may assume that you meet its target criteria, even though we have not shared your Personally Identifiable Information.)

We may share Personally Identifiable Information with:

- Others Users whom you designate;
- the organizations or entities on behalf of which we are providing the Platform to you and/or on behalf of which you access or use the Platform;
- other companies associated with those organizations or entities in order to enable their systems to operate with the Platform;
- our subsidiaries and affiliates for [what purpose?];
- our service providers to the extent reasonably necessary to enable us operate our business and provide our Platform to you, as described in this Privacy Policy (e.g., to an e-mail service provider in order to enable us to e-mail you);
- the designated administrator of your account, if you have an individual corporate subaccount, regarding use of the Services by individual subaccounts;
- a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, liquidation, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation or similar proceeding, in which Personally Identifiable Information held by us about our Users is among the assets transferred;
- other third parties with your express consent for any purpose disclosed by us when you provide the information; and
- you, upon your written request.

We do not permit these third parties to use any Personally Identifiable Information we share for any purpose other than (i) as described in this Privacy Policy, and (ii) to comply with their own legal requirements.

We may also disclose Personally Identifiable Information with law enforcement agencies, government officials, or other third parties as necessary for the purpose of:

- complying with any court order, law or legal process, including to respond to any government or regulatory request;
- preventing fraud and providing credit risk reduction;
- investigating potential unauthorized access or misuse of our Platform or other breach of our Terms of Use, Supplemental Terms (as defined below), Platform Rules (as defined below) other agreements;
- protecting the assets or property, and enforcing the rights of Theta Analytics, including for billing and collection purposes; and
- protecting the rights, property, or safety of our Users or others.

In the event that we receive a request from a governmental entity to provide it with your Personally Identifiable Information, we will make reasonable attempts to notify you of such request, to the extent reasonably possible and legally permissible.

Notice to California Residents / Your California Privacy Rights

California Civil Code permits California residents to request that we not share your Personally Identifiable Information with third parties for their direct marketing purposes. If you are a California resident, you may contact privacy@thetaviewer.com to request information regarding how we share Personally Identifiable Information with third parties for their direct marketing purposes and/or to request that such information not be shared with third parties for such purposes.

Non-Personally Identifiable Information

In addition, we may share Non-Personally Identifiable Information, including aggregated or anonymized data:

- to our partners about how our users, collectively, use our Platform, so that our partners may also understand how often people use their services and our Platform;
- with analytics, search engine, or other service providers that help us improve our Platform;
- to report to our affiliates, licensors and service providers, advertising partners and ad networks about the use of various aspects of the Platform;
- with other Users or prospective Users of the Platform;
- to advertisers and advertising networks to select and serve relevant advertisements; and
- with third parties that manufacture, distribute and sell goods and services in the construction industry and related fields.

4. COOKIES AND BEACONS

We may use cookies, beacons and similar technologies, now or in the future, to support the functionality of our Platform. This provides a better experience when you visit our Platform and allows us to improve our Services and Website. Our service providers, advertising partners and ad networks may use cookies and beacons to collect and share Non-Personally Identifiable Information about your activities both on our Platform and on other websites, including, for example, to provide you targeted advertising based upon your interests. In addition, third parties that are unaffiliated with us may also collect information about you, including tracking your browsing history, when you use our Platform. We do not have control over these third party collection practices. If you wish to minimize these third-party collections, and you can adjust the settings of your browsers or install plug-ins and add-ins.

- **Browser Cookies.** A browser cookie is a small file placed on the hard drive of your computer. That cookie then communicates with servers, ours or those of other companies that we authorize to collect data for us, and allows recognition of your personal computer. We associate cookies with Personally Identifiable Information only if you use the automatic recognition capabilities on restricted areas of the Platform, order a Service, use the personalization services available as part of the Platform, or ask us to contact you with additional marketing information. We do not otherwise collect Personally Identifiable Information from browser cookies and we do not associate browser cookies with your Personally Identifiable Information.

You may use the tools available on your computer or other device to set your browser to refuse or disable all or some browser cookies, or to alert you when cookies are being set. However, if you refuse or disable all browser cookies, you may be unable to access certain parts or use certain features or functionality of our Platform.

You may choose whether to activate automatic recognition when you register for an account. After registration, you may disable the persistent cookie that supports recognition using the tools in your browser. If you choose to disable the cookies that support automatic recognition, you will need to re-enter your [User ID/username/email] and password each time you access a gated portion of the Platform.

Unless you have adjusted your browser settings so that it refuses all cookies, we may use cookies when you direct your browser to our Platform.

To learn more about cookies, you can visit <http://www.allaboutcookies.org>.

- **Beacons.** Our Platform and e-mails may contain small electronic files known as beacons (also referred to as web beacons, clear GIFs, pixel tags and single-pixel GIFs) that permit us to, for example, count Users who have visited

those pages or opened an e-mail and for other website-related statistics. Beacons in e-mail marketing campaigns allow us to track your responses and your interests in our content, offerings and web pages. You may use the tools in your device to disable these technologies as well.

Google Inc. ("**Google**") is one example of a service provider that uses cookies or similar technologies to collect information about your browsing activities over time and across different websites following your visit to our Platform. Google Analytics is a web analytics service provided by Google that uses first-party cookies to track Users' interactions and collect other information about how you use our Platform. Google Analytics collects information anonymously. We then use the information to compile reports, including usage trends, to help us improve our Platform. You can opt out of Google Analytics without affecting how you visit our site. For more information on how Google uses this data, go to www.google.com/policies/privacy/partners/, or review the Google Analytics Terms of Service at <https://www.google.com/analytics/terms/us.html>. For more information about opting out of being tracked by Google Analytics across all websites you use, please visit <https://tools.google.com/dlpage/gaoptout/>.

5. YOUR CHOICES

We offer you certain choices in connection with the information we collect from you.

Email Communications

You may have the opportunity to receive certain communications from us related to our Platform. If you provide us with your e-mail address in order to receive communications, you can opt out of marketing e-mails at any time by following the instructions at the bottom of our e-mails and adjusting your e-mail preferences. Please note that certain e-mails may be necessary for the operation of our Platform. You will continue to receive these e-mails, if appropriate, even if you unsubscribe from our optional communications.

Cookies/ Beacons

If you wish to minimize information collected by cookie or beacon, you can adjust the settings of your browsers to notify you when you receive a cookie, which lets you choose whether or not to accept it. You can also set your browser to automatically reject any cookies. You may also be able to install plug-ins and add-ins that serve similar functions. However, please be aware that some features and services on our Platform may not work properly if we are not able to recognize and associate you with your account. In addition, the offers we provide when you visit us may not be as relevant to you or tailored to your interests.

Network Advertising Initiative

Certain websites you visit may provide options regarding advertisements you receive. If you wish to minimize the amount of targeted advertising you receive, you can opt out of certain network advertising programs through the Network Advertising Initiative (NAI) Opt-Out Page. Please note that even if you choose to remove your information (opt out) you will still see advertisements while you're browsing online. However the advertisements you see may be less relevant to you. For more information or to opt out of certain online behavioral advertising, please visit <http://www.aboutads.info>.

Additionally, many advertising network programs allow you to view and manage the interest categories that they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive. The NAI Opt-Out Page provides a tool that identifies its member companies that have cookies on your browser and provides links to those companies.

Do Not Track

Some browsers support a "Do Not Track" (or, DNT) feature, a privacy preference that Users can set in certain web browsers, which is intended to be a signal to websites and services that you do not wish to be tracked across different websites or online services you visit. Our Platform does not currently recognize or respond to DNT signals, so DNT settings do not change the way the Platform operates.

Please note that we cannot control how third party websites or online services you visit through our Platform respond to Do Not Track signals. Check the privacy policies of those third parties for information on their privacy practices.

Updating or Deleting Personally Identifiable Information

The accuracy of the information we have about you is very important. Users may review, update or delete their Personally Identifiable Information at any time by contacting us at privacy@thetaviewer.com.

6. SECURING YOUR INFORMATION

The security of your information is important to Theta Analytics, and we have established administrative, technical, and physical safeguards designed to protect your Personally Identifiable Information against unauthorized alteration, access, loss, theft, use or disclosure. Unfortunately, no system can guarantee complete security of your information. As a result, Theta Analytics cannot ensure or warrant that your information, including your Personally Identifiable Information, is secure from unauthorized third parties. Thus, your use of the Platform and communication with us about them is at your own risk.

You are responsible for protecting your password(s) and for the security of information that you transmit to us over the internet.

If you have reason to believe that your interaction with the Platform is no longer secure (for example, if you feel that the security of your username or password has been compromised), you must immediately notify us of the problem by contacting us.

Corporate clients are responsible for maintaining the security and integrity of both administrator account and individual subaccount login information.

7. CHILDREN

Our Platform is directed to and is intended to be used only by persons who are 18 years of age or older. We do not knowingly collect information from children under 18. If you are under 18 years of age, you are not permitted to register for an account or otherwise submit any personally identifiable information to us, including your name, address or e-mail address. If we discover that we have collected any personally identifiable information from a child under the age of 18, we will suspend the associated account and remove that information from our database as soon as possible. By registering for an account or submitting any personally identifiable information to us, you represent and warrant that you are 18 years of age or older.

8. LINKS TO THIRD PARTY WEBSITES

Our Platform may contain links to third party websites and services, including those of our partner networks and advertisers. Please note that these links are provided your convenience and information, and the websites and services may operate independently from us and have their own privacy policies or notices, which we strongly suggest you review. This Privacy Policy applies to Theta Analytics and our Platform only. We do not accept any responsibility or liability for the policies or practices of any third parties. If you chose to access any websites or services linked from our Platform, please check the applicable policies before you use or submit any personal data to such website or service.

9. INTERPRETATION

Your use of our Platform may be governed by our Terms of Use located at <https://www.thetaviewer.com/terms> the supplemental terms that govern certain of the features, functionality, tools, content and promotions available on or through the Platform (the "**Supplemental Terms**"), and any and all policies and rules referenced herein or therein, posted on the Platform, or otherwise communicated to our Users (the "**Platform Rules**"). In the event that the provisions of any such agreement that are specific to a particular Website differ from or conflict with the provisions of this Privacy Policy, the terms specific to that Website will apply.

10. INTERNATIONAL JURISDICTIONS

The Platform is hosted in the United States of America and not intended for use in other jurisdictions, and does not target residents of other jurisdictions. You agree to abide by applicable United States federal, state and local laws, rules and regulations in connection with your use of the Platform and your agreements with us. If you are accessing our Platform from another jurisdiction, (i) you do so at your own risk, and (ii) you consent to that transfer and use of your personal information in accordance with this Privacy Policy; (iii) you are solely responsible for compliance with all applicable laws,

rules and regulations, including export laws and any regulations and local laws regarding online conduct and content. you consent to that transfer and use of your personal information in accordance with this Privacy Policy

11. CHANGES TO OUR PRIVACY POLICY

Theta Analytics may, in its sole discretion, change this Privacy Policy from time to time. Any and all changes to this Privacy Policy will be reflected on this page and the effective date will be stated at the top of this Privacy Policy. Unless stated otherwise, our current Privacy Policy applies to all information that we have about you and your account. Users should regularly check this page for any changes to this Privacy Policy. Theta Analytics will always post new versions of the Privacy Policy on the Website. However, Theta Analytics may, as determined in its discretion, decide to notify Users of material changes made to this Privacy Policy via email or otherwise. Accordingly, it is important that you always maintain and update your contact information.

Your continued use of the Platform or communication with us after the updated Privacy Policy has been posted (or any other indication of your consent) will constitute your acceptance of the updated Privacy Policy.

Please note that we may condition your continued access to our Platform on your consent to changes to this Privacy Policy.

12. CONTACT US

If you have questions or comments relating to this Privacy Policy, or if you would like us to update information we have about you or your preferences, please contact us by email at privacy@thetaviewer.com, or write to us at:

Theta Analytics, Inc.
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