

## ACT Compliant, LLC dba BuildMySOP.com

### PRIVACY POLICY

Effective as of May 23rd, 2021

At ACT Compliant, LLC, dba BuildMySOP.com, we respect the privacy of our customers, visitors, users, and others (collectively "Users" or individually a "User"). This Privacy Policy ("Privacy Policy") describes our privacy practices and applies to the websites, platform, software, and all other services (collectively, "Services") we offer to Users. Please read this Privacy Policy carefully to learn how we collect, use, share and otherwise process personally identifiable information and information that can reasonably be used to contact or distinguish a person (collectively "Personal Data"), and your rights and choices regarding our processing of your Personal Data.

A reference to "we," "us," "our," "BuildMySOP," or the "Company" is a reference to ACT Compliant, LLC dba BuildMySOP.com, a New Mexico limited liability company. A reference to "you" or "your" means the User, an individual or, if applicable, the company or legal entity you represent.

Use of our Sites and Services is subject to our Terms of Use ("Terms of Use"), available [here](#).

#### 1. Activities Covered

• Visiting any of our websites ("Sites"), such as [buildmysop.com](http://buildmysop.com), that display or link to this Privacy Policy applies to the following activities:

- Using our software and online platform;
- Creating, changing, or using a User account ("Account");
- Browsing or interacting with our Sites and Services via the Internet;
- Use of social media platforms and applications, or demographics derived from the profiles Users create;
- Developing and customizing documents, policies, and other materials for Users incorporating User input, including Personal Data;
- Interacting with our personnel, whether in person, on the telephone, via email or any other form of communication;
- Interacting with and submitting inquiries to third-parties with whom we have a relationship; and
- Receiving communications from us, including our newsletter, texts, fax, notifications through BuildMySOP software or platforms, or emails.

In particular, this Privacy Policy sets forth BuildMySOP's policy with respect to its processing of two types of data:

- With respect to Personal Data that Users ask us to process on their behalf ("Processor Data"), including any Personal Data that Users provide to us with the expectation that such Personal Data will be used for developing and customizing documents, policies, and other materials through the

Services, or otherwise transferred or shared as described herein, BuildMySOP is the "processor" of the data under applicable law, and the User or other transferee is the "controller." Any Processor Data processed and used based on BuildMySOP's reliance upon representations made by the vendor as to their lawful right to collect, store, use, and transfer the applicable Personal Data.

- Data, including Personal Data, that we process for our own business, other than for our human resources and recruiting operations, is referred to under applicable law as "Controller Data". This includes, for example, the information we collect through any of our Sites and the names and contact information of our Users and vendors. Under applicable law, BuildMySOP is deemed to be the "controller" of such data.

This Privacy Policy does not apply to information collected by:

- Offline interactions with BuildMySOP through any other means, including any application, software, platform, or website provided by any third-party (even if co-branded with BuildMySOP or operated for BuildMySOP's benefit); or
- Any third-party, including any application or content (including advertising) that may link to or be accessible from (or on) any Site or through the Services.

## 2. Responsible Entity

Our Sites may contain links to other websites, applications and services maintained by third-parties. When visiting such websites, applications or services, this Privacy Policy does not apply. The information practices of such other websites, applications or services are governed by the third-party privacy policies, which we encourage you to review to better understand those third-parties' privacy practices.

## 3. What Personal Data Do We Collect and How?

Personal Data we collect directly from you may include the following:

- Contact Information: This includes, but is not limited to, your name, email, address, and telephone number(s).
- Operational Information: This includes, but is not limited to, the name of your entity or employer, the jurisdiction of organization, addresses of any facilities, capitalization, and any documentation provided by BuildMySOP.
- Employment Information: This includes, but is not limited to, your affiliation or title, as well as any documentation related to your engagement, including resumes and tax documentation, provided by your employer or customer.
- Account Information: This includes your Account identification number, username, password, and answers to your recovery/security questions.
- Billing Information: To the extent necessary for you to purchase products or services from us or a third-party who offers products or services in connection with our Services, we will collect your credit card information, including your billing zip code, and/or other payment information.
- Demographic Information: This includes, but is not limited to, your date of birth, your country of citizenship, and/or your country of residence.

- Transaction Information: This includes details about your transaction history with BuildMySOP, including contracts you may execute (by using your traditional, electronic or any other binding signature or form of assent).
- Technical Data: If you use and interact with our Sites, we automatically collect log files and other information about your device, browser and your usage of our sites through cookies, web beacons or similar technologies, such as IP-addresses, media access control (MAC) addresses, or other identifiers, which may qualify as Personal Data (view the "Device and Usage Data We Process" section below).
- Feedback and correspondence: This includes information you provide when you request information from us, receive customer support, or otherwise correspond with us, including by interacting with our pages on social networking sites or services. This includes your preferences for receiving marketing communications and details about how you engage with our marketing communications
- Other Information. We may retain a record of any other information you provide us while using our Services.

Additionally, we may collect data that is about you but does not individually identify you, such as your domain server, device type, browser type, internet connection, search terms, operating systems, and other information about your use of our Sites and the Services. We cannot identify you by this information alone, but it is helpful for generally understanding our traffic when aggregated and improving Users' experiences when using our Sites and Services.

We collect information directly from Users when you provide it to us and from third-parties.

#### 4. What Data Do We Process?

Processor Data may include, in addition to the above, the following:

- Operational Information: This includes, but is not limited to, the name of your legal entity or employer, the jurisdiction of organization, facility address, capitalization, and any documentation provided by BuildMySOP.
- Employment Information: This includes, but is not limited to, your affiliation or title, as well as any documentation related to your employment, including resumes and tax documentation, provided by your employer.
- Demographic Information: This includes, but is not limited to, your date of birth, your country of citizenship, and/or your country of residence.

#### 5. Third-Party Analytics Providers

We use, and in the future intend to use, third-party analytics services similar to and including Google Analytics, provided by Google LLC ("Third-Party Analytics Providers").

These Third-Party Analytics Providers use cookies and similar technologies to analyze how individuals use our services, market to past and prospective visitors, and compile statistical reports. Such services may also collect or derive information about visitors' use of other websites.

As a User, you acknowledge, accept and consent to our privacy practices as well as those practices indicated in the privacy policies of Google Analytics and any other Third-Party Analytics Providers we use as linked below.

You can opt-out of Google Analytics [here](#). You can opt out of receiving targeted advertising [here](#).

The following is a list of Third-Party Analytics Providers with whom we currently partner to place advertisements across the Internet. Others may be added at any time.

<u>Name of Third-Party Analytics Provider</u>	<u>Link to Partner's Privacy Policy</u>
Google	<a href="https://policies.google.com/privacy?hl=en">https://policies.google.com/privacy?hl=en</a>
Facebook	<a href="https://www.facebook.com/policy.php">https://www.facebook.com/policy.php</a>
Twitter	<a href="https://twitter.com/en/privacy">https://twitter.com/en/privacy</a>
LinkedIn	<a href="https://www.linkedin.com/legal/privacy-policy">https://www.linkedin.com/legal/privacy-policy</a>
Instagram	<a href="https://help.instagram.com/519522125107875">https://help.instagram.com/519522125107875</a>

Our Sites use Third-Party Analytics Providers to advertise on third-party websites to previous visitors to our site. This could mean that we advertise to previous visitors who have not completed a task on our site, for example using the contact form to make an inquiry, registering an Account, or engaging our Services. Such remarketing could be in the form of an advertisement on the Google search results page or site in another network. Third-party vendors, including Google, use cookies to serve ads based on someone's past visits to our website. Data collected from our Services will be used in accordance with our Privacy Policy and the privacy policy of the applicable third-party vendor.

## 6. Third-Party Services

To assist us in meeting business operations needs and perform certain services and functions, your Personal Data may be shared with third-party providers of payment, hosting, shipping, customer relations management software developers, website development, creative development, technical support, network and security, e-mail communication, and customer support services.

The following is a list of third-parties with whom we currently partner for services in connection with our business operations, including providing the Sites and Services. Others may be added at any time.

<u>Third-Party Service Provider</u>	<u>Link to Partner's Privacy Policy</u>
PayPal	<a href="https://www.paypal.com/us/webapps/mpp/ua/privacy-full">https://www.paypal.com/us/webapps/mpp/ua/privacy-full</a>

For more details on the third parties that may place cookies through the Site, please see the “**Cookies, Web Beacons, and Other Tracking Technologies**” section below. Following our instructions, these parties may access, process or store Personal Data in the course of performing their duties for us.

## 7. Device and Usage Data We Process

We may use common information-gathering tools, such as cookies, log files, web beacons, and similar technologies to automatically collect information, which may contain Personal Data, from your computer or mobile device as you navigate our website or interact with emails and other messages, we send you.

Like many websites, our Sites gather certain other non-personally-identifying information (“Non-PII”) automatically via log files. This collected Non-PII may include your Internet Protocol (IP) address (or proxy server), device and application identification numbers, your location, your browser type, your Internet service provider and/or mobile carrier, the pages and files you viewed, your searches, your operating system and system configuration information, and date/time stamps associated with your usage. This Non-PII is used to analyze overall trends, to help us provide and improve our Sites and Services and to guarantee their security and continued proper functioning. We may also collect IP addresses and MAC addresses from Users when they log into the services as part of the Company’s security features.

## **8. Cookies, Web Beacons, and Other Tracking Technologies**

Our Third-Party Analytics Providers and service providers may use cookies and similar technologies such as web beacons, tags, and Javascript alone or in conjunction with cookies to compile information about usage of our websites and interaction with emails from us.

When you visit our Sites, our servers or an authorized third-party may place a cookie on your browser, which can collect information, including Personal Data, about your online activities over time and across different sites. Cookies allow us to track overall usage, determine areas that you prefer, make your usage easier by recognizing you and providing you with a customized experience.

We may use both session-based and persistent cookies. Session cookies exist only during one session and disappear from your computer when you close your browser software or turn off your computer. Persistent cookies remain on your computer or device after you close your browser or turn off your computer. You can control the use of cookies at the individual browser level, but if you choose to disable cookies, it may limit your use of certain features or functions on our websites or services. To opt-out of tracking by Third-Party Analytics Providers, please use the specific opt-out mechanism as indicated in the **Opting-Out from Collection of Device and Usage Data**” section below.

We may also use web beacons on our websites and other electronic marketing. For example, we may place web beacons in marketing emails that notify us when you click on a link in the email that directs you to one of our websites. Such tracking technologies are used to operate and improve our websites and digital communications and track the clicking of links or opening of messages.

As described above, we or third-parties may place or recognize a web beacon or unique cookie on your browser when you visit our websites for the purposes of serving you targeted advertising (also referred to as “online behavioral advertising” or “interest-based advertising”).

To manage the use of targeting or advertising cookies on our websites, consult your individual browser settings for cookies. Various browsers may offer their own management tools for removing HTML5 local storage.

## **9. Opting-Out from Collection of Device and Usage Data**

You may opt-out from the collection of device and usage data by managing your cookies at the individual browser level. In addition, if you wish to opt-out of interest-based advertising, click [here](#). Please note, however, that by blocking or deleting cookies and similar technologies used on our websites, you may not be able to take full advantage of our Sites.

While some Internet browsers offer a “do not track” or “DNT” option that lets you tell websites that you do not want to have your online activities tracked, these features are not yet uniform and there is no common standard that has been adopted by industry groups, technology companies, or regulators. Therefore, we do not currently commit to responding to browsers' DNT signals with respect to our Sites. In other words, we do not alter our practices with respect to the collection of information based upon a User's selection of the DNT setting or other opt out setting. If a person selects DNT, we record and maintain their preferences. The Company takes privacy and meaningful choice seriously and will make efforts to continue to monitor developments around DNT browser technology and the implementation of a standard.

To learn more about targeted advertising, advertising networks and your ability to opt out of collection by certain third parties, please visit the opt-out pages of the Network Advertising Initiative [here](#), and the Digital Advertising Alliance, [here](#). To learn how to manage privacy and storage settings for Flash cookies, [here](#).

## 10. Social Media Features

Our websites may use social media features or plugins, such as the Facebook “like” button, the Twitter “Tweet” button and other sharing widgets (“[Social Media Features](#)”). You may be given the option by such Social Media Features to post information about your activities on a website to a profile page of yours that is provided by a third-party social media network in order to share with others within your network. Because the Social Media Features are hosted by the respective social media networks, the latter may receive information that you have visited our Sites from your IP address. If you are logged into your social media account, it is possible that the respective social media network can link your visit of our Sites with your social media profile.

Your interactions with Social Media Features are governed by the privacy policies of the companies providing the relevant Social Media Features. Be aware that if you post or share any distinguishing information anywhere online and corresponding information is available via your public social media account, profile or other accessible information you could be identified, located and contacted as a result.

## 11. How We Use Your Personal Data

We use information that we collect about you or that you provide to us, including any Personal Data, for the following:

- **Services:** We will process your Personal Data to the extent necessary for the performance of the Services through our contract with you for the use of our Site and Services and to fulfill our obligations under our Terms of Use and other applicable contracts with you or other Users; where we have not entered into a contract with you (or where our Terms of Use do not apply), we base the processing of your Personal Data on our legitimate interest to operate and administer our Sites and Services and to provide you with such Services and content you access and request. Examples of how we use your Personal Data in connection with the provision of Service include: (i) to process data on our platform as part of the Services, including for other Users, (ii) to establish and manage your Account, including to communicate with you about changes or updates to our Services, technical and security alerts, Account verification, support, etc., and (iii) to provide, operate, maintain, improve, and monitor the effectiveness of our Services.
- **Marketing Communications:** With your consent, we may use your contact data to send you marketing and other promotional information about us, our products, or services. You may opt out of marketing communications at any time by clicking on the “unsubscribe” link in any marketing email or by following the applicable instruction in a communication from us.

- Users' Requests: For the purposes for which you provided the information, for the legitimate business purpose of fulfilling our Users' requests.
- Administration of Services: To monitor and analyze information regarding your browsing and viewing preferences and to diagnose problems of our Sites, for the legitimate business interest of operating and administering our websites, platform and other Services.
- Anonymous Analytics: To carry out internal operations and to analyze our Users' demographics and interests on an anonymous basis by de-identifying certain demographic Personal Data from our User's names or other personally identifiable information, for the legitimate business interests of understanding our current and potential User demographics.
- Security. For fraud prevention, internal operations, legal compliance, and other public and security related purposes, to the extent this is necessary for the purpose of our legitimate interests in promoting the safety and security of the systems and application used for our Sites, and protecting our rights and the rights of others.
- Contract Enforcement: We may use your Personal Data to investigate, enforce, and apply our Terms of Use, this Privacy Policy, or any other agreement we may have with a User or third-party vendor.
- Legal Compliance: We will process your Personal Data when cooperating with public and government authorities, courts or regulators in accordance with our legal obligations under applicable laws to the extent this requires the processing or disclosure of Personal Data to protect our rights, and is necessary for our legitimate interests to protect against misuse or abuse of our websites, to protect personal property or safety, to pursue remedies available to us and limit our damages, to comply with a judicial proceedings, court order or legal process, and/or to respond to lawful requests.
- With Consent: To fulfill any other purpose for which you provide Personal Data, with your consent.

## 12. Who Do We Share Personal Data With?

- Social Media/Advertising Networks. We share Personal Data with third-party social networks, advertising networks and websites, which usually act as separate controllers, so that the Company can market and advertise on third party platforms and websites.
- Advisors. In individual cases we may also share Personal Data with professional advisors acting as processors or joint controllers including lawyers, bankers, auditors and insurers who provide consultancy, banking, legal, insurance, and accounting services
- Internal Disclosures. We may share Personal Data within our headquarters and among affiliates, other companies and brands owned or controlled by BuildMySOP, and other companies owned by or under common ownership as BuildMySOP, which also includes our subsidiaries (i.e., any organization we own or control) or our ultimate holding company (i.e., any organization that owns or controls us) and any subsidiaries it owns. This will also extend to any successors in interest of BuildMySOP in the event of any assignment, acquisition, conversion, or merger. Personal Data will only be available to those who need such access for purposes consistent with this Privacy Policy, including without limitation product development, product management, customer support, Account management, marketing, sales, and operations, or where required by applicable law.

- Service Providers. We engage certain trusted third-parties to perform functions and provide services to us (e.g., verification providers, website hosting providers and other parties who assist us in operating our Sites, conducting the Services, managing our marketing campaigns and mailings, performing tax and accounting activities, performing analytics, or serving our customers). We may share your Personal Data with these third-parties, but only to the extent necessary to perform these functions and provide such services. We also require these third-parties to maintain the privacy and security of the Personal Data they process on our behalf.
- Other Disclosures. If we are involved in a merger or reorganization, a financing that involves due diligence, bankruptcy, receivership, transition to different service providers, sell business unit, or if all or a portion of our business, assets or stock are acquired by another company, we may transfer some or all of your Personal Data to such third party. In accordance with applicable laws, we will use reasonable efforts to notify you of any such transfer of Personal Data to an unaffiliated third party as processing of your Personal Data will be required for the purposes set out in " **How We Use Your Personal Data**" section above.

### 13. How Long Do We Keep Your Personal Data?

We may retain your Personal Data for a period of time consistent with the original purpose of collection. We determine the appropriate retention period for Personal Data on the basis of the amount, nature, contact frequency, and sensitivity of your Personal Data, the potential risk of harm from unauthorized use or disclosure, and whether we can achieve the purposes of the processing through other means, as well as the applicable legal requirements (such as applicable statutes of limitation).

### 14. Your Rights Relating to Your Personal Data

You may have certain rights regarding your Personal Data, subject to local data protection laws. These may or may not include the following rights:

- To access your Personal Data held by us (“Right to Access”);
- To rectify inaccurate Personal Data and ensure it is complete (“Right to Rectification”);
- To erase/delete your Personal Data to the extent permitted by other legal obligations (“Right to Erasure; Right to be Forgotten”);
- To restrict our processing of your Personal Data (“Right to Restriction of Processing”);
- To transfer your Personal Data to another controller, to the extent possible (“Right to Data Portability”);
- To object to any processing of your Personal Data carried out on the basis of our legitimate interests (“Right to Object”). Where we process your Personal Data for direct marketing purposes or if we share it with third-parties for their own direct marketing purposes, you can exercise your right to object at any time to such processing without having to provide any specific reason for such objection;
- Not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects ("Automated Decision-Making"); Automated Decision-Making currently does not take place on our Sites; and



- To the extent we base the collection, processing, and sharing of your Personal Data on your consent, to withdraw your consent at any time, without affecting the lawfulness of the processing based on such consent before its withdrawal.

The specific rights to which you are entitled are based upon your geographic location, and the location of where your Personal Data is stored.

## 15. Notice to California and Nevada Residents

California Civil Code Sec. 1798.83 permits users of our Sites that are California residents to request certain information regarding our disclosure of personal information to third-parties for their direct marketing purposes. To make such a request, please send an email to [help@buildmysop.com](mailto:help@buildmysop.com).

If you are a Nevada resident, you have the right to opt-out of the sale of your Personal Data collected by us through the Site. To make such a request, please send an email to [help@buildmysop.com](mailto:help@buildmysop.com).

## 16. How to Exercise Your Rights

To exercise your rights, please contact us in accordance with the “**Contact Us**” section below. We try to respond to all legitimate requests within one month and will contact you if we need additional information from you in order to honor your request. Occasionally it may take us longer than a month, considering the complexity and number of requests we receive.

In addition, if you have registered for an Account, you may generally update your User settings, profile, organization’s settings or event registration by logging into the applicable website with your username and password and editing your settings or profile. To update your financial information, discontinue your Account, and/or request return or deletion of your Personal Data and other information associated with your Account, please contact us.

## 17. Security

We take precautions including organizational, technical, and physical measures, to help safeguard against accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, the Personal Data we process or use. These precautions include email verification, password encryption, and industry standard secure protocols.

While we follow generally accepted standards to protect Personal Data, no method of storage or transmission is 100% secure. You are solely responsible for protecting your password, limiting access to your devices, and signing out of websites after your sessions. If you have any questions about the security of our websites, please contact us via the “**Contact Us**” section below.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we take steps to protect your Personal Data, we cannot guarantee the security of your Personal Data transmitted to our Sites or Services. Any transmission of Personal Data or information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Sites or the Services.

## 18. Changes to this Privacy Policy

We will update this Privacy Policy from time to time in our sole discretion to reflect changes in our practices, technology, legal requirements, and other factors. If we do, we will update the effective date at the top of this

Privacy Policy. If we make an update, we may provide you with notice prior to the update taking effect, such as by posting a conspicuous notice on our Sites or by contacting you using the email address you provided.

We encourage you to periodically review this Privacy Policy to stay informed about our collection, processing and sharing of your Personal Data.

## 19. Children

Our websites are not directed at children. We do not knowingly collect Personal Data from children under the age of 13. The Services are intended for Users over the age of 18. If you are a parent or guardian and believe your child has provided us with Personal Data without your consent, please contact us as described in the “**Contact Us**” section below and we will take steps to delete such Personal Data from our systems.

## 20. Contact Us

To exercise your rights regarding your Personal Data, or if you have questions regarding this Privacy Policy or our privacy practices please mail us at:

ACT Compliant, LLC dba BuildMySOP.com ; Data Protection and Privacy  
616 Running Water Circle SE  
Albuquerque, NM 87123  
[help@buildmysop.com](mailto:help@buildmysop.com)

We are committed to working with you to obtain a fair resolution of any complaint or concern about privacy.

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