



## PRIVACY POLICY

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### **Introduction**

Foil, Inc. and its affiliates (“Foil”) respect your concerns about privacy. This Privacy Policy explains Foil’s policies and procedures regarding information we collect from or about our customers and their use of our products and services. Foil intends to provide you with a level of comfort and confidence in how we collect, use, share, and safeguard the information that we collect. This Privacy Policy also explains how you can contact us if you have any questions or concerns. By providing information to us or by using our products or services, you agree to the terms and conditions of this Privacy Policy.

### **Information We May Collect**

We collect two main types of information related to you or your use of our products and services: (1) information from or about you or your devices; (2) information from or about your Foil vehicle. Depending on the Foil products and services you request, own, or use, not all of these types of information may be applicable to you.

### **From or about you or your devices**

We may collect information from or about you (such as your name, address, phone number, e-mail, payment information, driver’s license or other government identification information) or your devices in a variety of ways, including:

### **Through our Digital Services**

We may collect information from or about you through our websites, software applications, social media pages, e-mail messages, or other digital services (the “Digital Services”), e.g., when you sign up for a newsletter, make a purchase, or register your product with us.

### **Through credit applications and other forms**

We may collect additional information from you or others on your behalf on our credit application and other forms to support our product lease or other financing offerings, such as date of birth, Social Security number, bank routing information, and credit related information. We also receive information about you from consumer reporting agencies such as credit history and capacity.

### **From other sources**

We also may receive information about you from other sources, such as public databases, joint marketing partners, certified installers, third-party vehicle repair or service centers, and social media platforms.

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## **Foil Account**

Customers who purchase certain Foil products will receive a Foil Account, which is hosted on our website. We may collect and process the following types of data for your Foil Account that you elect to provide to us: your customer registration information; the status of your order; warranty and other documentation for your Foil products; and general information about your Foil products (including, for example, vehicle identification number or other product serial number, service plan information, or connectivity package), insurance forms, driver's licenses, financing agreements, and similar information. You can access your Foil Account to update the information from or about you in that account at any time.

## **Offline**

We may collect information from or about you offline, such as when you visit a Foil store or repair facility, attend one of our events, sign up for a test ride, place an order over the phone, or contact our customer service or sales department.

## **Through your browser or device**

Certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Macintosh), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version, and the name and version of the Digital Services (such as the Foil App) you are using. We use this information to ensure that the Digital Services function properly.

When you visit our website or otherwise use our Digital Services, we may use cookies, pixel tags, analytics tools, and other similar technologies to help provide and improve our Digital Services, and as detailed below:

## **Cookies**

Cookies are pieces of information stored directly on the computer that you are using. Cookies allow us to collect information such as browser type, time spent on the Digital Services, pages visited, language preferences, and other web traffic data. We, and our service providers, use the information for security purposes, to facilitate online navigation, to display information more effectively, to personalize your experience while using the Digital Services, and to otherwise analyze user activity. We can recognize your computer to assist your use of the Digital Services. We also gather statistical information about the usage of the Digital Services in order to continually improve their design and functionality, understand how the Digital Services are used, and assist us with resolving questions regarding the Digital Services. Cookies further allow us to select which of our offers are most likely to appeal to you and to display them to you. We may also use cookies to see how you interact with our offers, and we may use cookies or other files to understand your use of our websites.

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If you do not want information collected through the use of cookies when using your Foil Account or our website, there is a simple procedure in most browsers that allows you to automatically decline cookies or gives you the choice of declining or accepting the transfer to your computer of a particular cookie (or cookies) from a particular site. You may also wish to refer to <http://www.allaboutcookies.org/manage-cookies/index.html>. However, if you do not accept these cookies, you may experience some inconvenience in your use of the Digital Services. For example, we may not be able to recognize your computer, and you may need to log in every time you visit the applicable Digital Services.

## **Pixel tags and other similar technologies**

Pixel tags (also known as web beacons and clear GIFs) may be used in connection with some Digital Services to, among other things, track the actions of users of the Digital Services (including e-mail recipients), measure the success of our marketing campaigns, and compile statistics about usage of the Digital Services and response rates.

## **Analytics tools**

We use website and application analytics services provided by third parties that use cookies and other similar technologies to collect information about website or application use and to report trends, without identifying individual visitors. The third parties that provide us with these services may also collect information about your use of third-party websites.

You can learn about Google's practices in connection with this information collection and how to opt out of it by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>.

## **From or about your Foil vehicle**

We may collect a variety of information from or about your Foil vehicle, including: Telematics log data: To improve our vehicles and services for you, we may collect certain telematics data regarding the performance, usage, operation, and condition of your Foil vehicle, including: vehicle serial number; speed information; odometer readings; battery use management information; battery charging history; electrical system functions; software version information; and other data to assist in identifying issues and analyzing the performance of the vehicle. We may collect such information either in person (such as during a service appointment) or via remote access.

## **Remote analysis data**

We may be able to dynamically connect to your Foil vehicle to diagnose and resolve issues with it, and this process may result in enabling us to view the current location of your vehicle, but such access is restricted to a limited number of personnel within Foil.

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## **Service history**

In order to facilitate the servicing of your Foil, we may collect and process data about the service history of each Foil vehicle, such as the customer's name, vehicle serial number, repair history, any outstanding recalls, any bills due, any customer complaints, and any other information related to its service history.

If you no longer wish us to collect telematics log data or any other data from your Foil vehicle, please contact us as indicated in the "How to Contact Us" section below. Please note that if you opt out from the collection of telematics log data or any other data from your Foil vehicle (with the exception of the Data Sharing setting detailed above), we will not be able to notify you of issues applicable to your vehicle in real time. This may result in your vehicle suffering from reduced functionality, serious damage, or inoperability, and it may also disable many features of your vehicle including periodic software and firmware updates, remote services, and interactivity with mobile applications.

## **How We May Share Information We Collect**

We may share information we collect with our service providers and business partners, with other third parties you authorize, with other third parties when required by law, and in other circumstances. Examples of how we share information with these parties and under these circumstances are provided below.

### **With our service providers and business partners**

#### **With Foil affiliates for the purposes described in this Privacy Policy.**

Foil affiliates are companies that are owned or controlled by Foil, Inc. and companies in which Foil, Inc. has a substantial ownership interest.

With our third party service providers and channel partners to provide services such as website hosting, data analysis and storage, payment processing, order fulfillment and product installation, wireless connectivity to Foil products, information technology and related infrastructure, customer service, product design, product diagnostics, maintenance or related services, e-mail delivery, credit card processing, auditing, marketing, voice command processing, and other similar services.

With other third party business partners to the extent that they are involved in the purchase, lease, or service of your Foil products. We share limited information from or about you or your Foil products to allow you to take advantage of those services if you elect to utilize them, with such partners as finance, leasing, registration, title companies, electric utilities, permitting authorities and insurance companies.

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## **With other third parties you authorize**

We may share information with other third parties you authorize, such as in the following circumstances:

## **With third party service centers or providers, if you choose to utilize them.**

Note that some information about you is stored on certain Foil products and may be accessible directly to the third party service centers or providers that you choose to utilize to diagnose or service your Foil product.

## **With third-party sponsors of contests and similar promotions, if you elect to participate.**

With your social media account provider, if you connect your Foil Account and your social media account. If you do so, you authorize us to share information with your social media account provider and you understand that the use of the information we share will be governed by the social media account provider's privacy policy.

## **With other third parties when required by law**

Foil may transfer and disclose information, including information that may or may not personally identify you, to third parties to comply with a legal obligation (including, but not limited to, subpoenas); when we believe in good faith that the law requires it; in response to a lawful request by governmental authorities conducting an investigation, including to comply with law enforcement requirements; to verify or enforce our policies and procedures; to respond to an emergency; to prevent or stop activity we may consider to be, or to pose a risk of being, illegal, unethical or legally actionable; or to protect the rights, property, safety, or security of our products and services, Foil, third parties, visitors, or the public, as determined by us in our sole discretion. In other circumstances

## **We may share information in other circumstances, such as:**

With your employer or other fleet operator or the owner of the Foil product, if you do not directly own it and as authorized under applicable law.

With a third party in connection with any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).

We do not share information that personally identifies you with unaffiliated third parties for their marketing purposes unless you opt in to that sharing.

If you wish to opt out of any processing of information for which you have provided your prior explicit opt-in consent, you may do so by contacting us as indicated in the "How to Contact Us" section below.

## **Cross Border Transfers**

Our products and services are controlled and operated from the United States.

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Information from or about you or your use of our products or services may be stored and processed in any country where we have facilities or in which we engage service providers. Those countries may not have the same data protection laws as the country in which you initially provided that information. When we transfer information from or about you or your use of our products or services to other countries, we will protect it as described in this Privacy Policy. By using our products or services, or otherwise providing information to us, you consent to the transfer of information from or about you or your use of our products or services to countries outside of your country of residence, including the United States.

## **Rights and Choices**

As detailed in the sections above, we give you many choices regarding our collection, use, and sharing of information from or about you or your use of our products or services. These include:

- Configuring your browser to decline or accept cookies.
- Opting out of analytics tools.
- Opting out of certain electronic communications or promotional calls.
- Disabling the collection of telematics log data from your vehicle.
- Enabling or disabling the collection and sharing of certain data to support advanced features in your vehicle.
- Opting out of other types of data processing for which you have provided your prior explicit opt-in consent.

## **This section further explains the rights and choices that may apply depending on your jurisdiction.**

In certain jurisdictions you may have the rights to request access to and receive information about certain information we maintain about you; update and correct inaccuracies in that information; have the information restricted or deleted; object or withdraw your consent to certain uses of information; and lodge a complaint with your local supervisory authority. You may also have the right to data portability with regard to the data you provided to us. These rights may be limited in some circumstances by local law.

## **You have several methods to exercise your rights, including:**

You can access your Foil Account to update the information from or about you in that account at any time.

If you would like to exercise your rights in relation to information from or about you, you may contact us at the address below.

In your request, please make clear what information you would like to have changed, whether you would like to have the information that you have provided to us sup-

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pressed from our database, or otherwise let us know what limitations you would like to put on our use of the information that you have provided to us. For your protection, we may only implement requests with respect to the information associated with the particular e-mail address that you use to send us your request, or we may need to verify your identity before implementing your request.

Please note that we may need to retain certain information for recordkeeping or legal compliance purposes and/or to complete any transactions that you began prior to requesting such change or deletion (e.g., when you make a purchase or enter a promotion, you may not be able to change or delete the information provided until after the completion of such purchase or promotion).

## Security

We seek to use reasonable organizational, technical, and administrative measures to protect information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account with us has been compromised), please immediately notify us of the problem by contacting us in accordance with the “How to Contact Us” section below.

If you sell or transfer your Foil product to another person, please notify us so that we can determine whether additional steps are required to help safeguard information from or about you from disclosure to the purchaser or transferee of the Foil product.

## Retention Period

We will retain information we collect from or about our customers, our products, and our services for the period necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or permitted by law. When the information is no longer necessary for these purposes, we delete it or keep it in a form that does not identify you. When determining this retention period, we take into account various criteria, such as the type of products and services requested by or provided to you, the nature of our relationship with you, the impact on the services we provide to you if we delete some information from or about you, and retention periods required by law.

## Minors

Our products and services are not directed to individuals under the age of sixteen (16), and we request that these individuals not provide any information to Foil.

## Links

This Privacy Policy does not address, and we are not responsible for, the privacy, information, or other practices of any third parties, including any third party operating any site or service to which our Digital Services link. The inclusion of a link on our

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Digital Services does not imply endorsement of the linked site or service by us or by our affiliates, nor does it imply an affiliation with the third party.

Please note that we are not responsible for the collection, use, or disclosure policies and practices (including the data security practices) of other organizations, such as any other app developer, app provider, social media platform provider, operating system provider, or wireless service provider, including any information you disclose to other organizations through or in connection with our software applications or social media pages.

### Updates to this Policy

We may change this Privacy Policy. Please take a look at the “Last Updated” legend at the bottom of this page to see when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we post the revised Privacy Policy on our Digital Services. By using our products or services, or otherwise providing information to us following these changes, you accept the revised Privacy Policy.

### How to Contact Us

To contact us with a question or comment, to opt out from certain services, or to ask about your ability to exercise your privacy rights described above, please contact us:

E-mail  
sup@getfoil.com

Mail  
Foil, Inc., Attn: Legal, 201 E Wright St  
Pensacola, Florida 32501, United States.

Please note that e-mail communications are not always secure, so please do not include credit card information or sensitive information in your e-mails to us.