

## **Privacy Notice for California Residents**

This Privacy Notice for California Residents (“Privacy Notice”) supplements the information contained in the MixerBox™ Service Privacy Policy (the “Privacy Policy”) made available to the MixerBox™ website (the “Website”) or the MixerBox™ mobile application (the “App”, and together with the Website, the “Service”). The Service is owned and operated by MixerBox Inc. (“MixerBox™,” “we,” “us” or “our”). This Privacy Notice applies solely to residents of the State of California (“Users”). We adopt this Privacy Notice in compliance with the California Consumer Privacy Act of 2018 (“CCPA”). Any terms defined in the CCPA have the same meaning when used in this Privacy Notice. Users with disabilities who wish to access this Privacy Notice in an alternative format can contact us by emailing us as at: support@mixerbox.com; or sending us U.S. mail to: MixerBox, 555 Bryant St., Suite 218, Palo Alto, CA 94301.

### **Categories of Information We Collect**

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular User or device (“personal information”). In particular, we have collected the following categories of personal information from Users within the last twelve (12) months:

<b>Category</b>	<b>Examples</b>	<b>Collected</b>
A. Identifiers.	A real name, alias, postal address, photo, unique personal identifier, online identifier, Internet Protocol address, email address, account name, telephone number, or other similar identifiers.	YES
B. California Customer Records personal information categories.	A name, signature, Social Security number, physical characteristics or description, postal address, telephone number, passport number, driver's license or State identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age, race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES

D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a User's interaction with a website, application or advertisement.	YES
G. Geolocation data.	Physical location or movements.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated User information.
- Information excluded from the CCPA's scope, such as:

- health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and
- personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from our Users. For example, from online registration forms that our Users submit to us in connection with the services that we offer by and through the Website or the App.
- Indirectly from our Users. For example, through information we collect from our Users in the course of providing our products and/or services to them.
- Directly and indirectly from activity in the App. This includes (a) mobile device platform type; (b) mobile device identifier; (c) SDK version; (d) API key the model type, manufacture and Android version of the mobile device, if applicable. In addition, we obtain certain App usage details and analytics as same are collected automatically by us and our third party partners.
- When our Users interact with us on our social media accounts, including commenting on and/or liking our posts.
- From third-parties that interact with us in connection with the products and/or services that we offer to our Users. For example, third party entities that assist us in sending direct and electronic mail, removing duplicate information from User lists, analyzing data and providing marketing analysis.

#### Use of Personal Information

We may use or disclose the personal information that we collect for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided.
- To provide you with information, products or services that you request from us.
- To create, maintain, customize and secure your account with us.
- To provide you with e-mail, direct mail and telemarketing messages concerning certain MixerBox™ products and/or services, as well as third-party products and/or services, that we believe may be of interest to you.
- To deliver relevant Service content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including the End-User License Agreement.
- To improve the Service and better present its contents to you.
- For customer service purposes and to respond to inquiries from you.
- For testing, research, analysis and product development.
- As necessary or appropriate to protect our rights, property or safety, and that of our clients or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.

- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution 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 personal information held by us is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated or incompatible purposes without providing you with notice.

### Sharing Personal Information

Subject to your right to opt-out of such sharing/sale, we may share, rent and/or sell your personal information: (a) with/to third parties for marketing purposes; and (b) for the other business purposes set forth above.

When we disclose personal information to a third party service provider or other entity, we enter into a contractual relationship that describes the purpose for which such third party may use the personal information and requires that third party to both keep the personal information confidential and not use it for any purpose other than the performance of its services under the applicable contract. Please note, we do not collect information from Users that we actually know are less than thirteen (13) years of age and if we become aware that we have collected personal information from Users under the relevant age without parental consent, we take steps to delete that information.[Office1] Without limiting the foregoing, we have not shared or sold the personal information of Users that we actually know are less than sixteen (16) years of age in the preceding twelve (12) months.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

- Category A Identifiers.
- Category B California Customer Records personal information categories.
- Category C Protected classification characteristics under California or federal law.
- Category F Internet or other similar network activity.

We disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Service providers.
- Third parties who provide certain of the products and/or services featured in the Service.
- Third parties who purchase and/or license your personal information for marketing purposes, including: (a) providers of direct marketing services and applications, including lookup and reference, data enhancement, suppression and validation; (b) e-mail marketers; (c) telemarketers (where permitted by applicable law); and (d) direct marketers. If a third party purchaser of your personal information wants to resell it, that purchaser is required by law to provide you with explicit notice and an opportunity to opt-out of further sales, unless the right to resell it was secured by us at the point of collection.

- Third parties to whom you authorize us to disclose your personal information in connection with the products and/or services that we provide to you.

In the preceding twelve (12) months, we have sold the following categories of personal information to third parties:

Category A Identifiers.

Category B California Customer Records personal information categories.

Category C Protected classification characteristics under California or federal law.

Category F Internet or other similar network activity.

In the preceding twelve (12) months, we have sold the above referenced categories of personal information to the third parties who purchase and/or license your personal information for marketing purposes, as well as the third parties who provide the products and/or services featured in the Service.

### Your Rights and Choices

The CCPA provides Users (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

#### *Opt-Out from the Sale of Your Personal Information*

You have the right to opt-out of our sale of your personal information to third parties. To exercise your right to opt-out of our sale of your personal information to third parties, please submit a verifiable User request to us by either:

- Clicking here: [\[Opt-Out Form\]](#)
- Emailing us at: [support@mixerbox.com](mailto:support@mixerbox.com); or
- Sending us U.S. mail to: MixerBox, 555 Bryant St., Suite 218, Palo Alto, CA 94301.

We endeavor to act on all opt-out requests as soon as practicable, but in all cases within fifteen (15) days of the receipt of your request.

#### *Access to Specific Information and Data Portability Rights*

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past twelve (12) months. Once we receive and confirm your verifiable User request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we have shared that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:

- sales, identifying the personal information categories that each category of recipient purchased; and
- disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### *Deletion Request Rights*

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable User request, we will delete (and direct our service providers to delete) your personal information from our (their) records, unless an exception applies; *provided, however*, that in some cases, strictly for regulatory compliance purposes and to better evidence/honor opt-out/unsubscribe requests (and for no other purposes), we may retain certain items of your personal information on a de-identified and aggregated basis in such a manner that the data no longer identifies you.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our obligations in connection with our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech rights, ensure the right of another User to exercise her/his free speech rights or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, but only if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with User expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

### *Exercising Access, Data Portability and Deletion Rights*

To exercise your access, data portability and/or deletion rights described above, please submit a verifiable User request to us by either:

- Clicking here: [\[Privacy Rights Request Form\]](#)
- Emailing us at: [support@mixerbox.com](mailto:support@mixerbox.com); or
- Sending us U.S. mail to: MixerBox, 555 Bryant St., Suite 218, Palo Alto, CA 94301.

Only you or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable User request related to your personal information.

You may only make a verifiable User request for access or data portability twice within a 12-month period. The verifiable User request must:

- Provide sufficient information that allows us to reasonably verify that you are: (1) the person about whom we collected personal information; or (2) an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm that the personal information relates to you. Making a verifiable User request does not require that you create an account with us. We will only use personal information provided in a verifiable User request to verify the requestor's identity or authority to make the request.

#### *Response Timing and Format*

We endeavor to respond to all verifiable User requests within forty-five (45) days of the receipt thereof. If we require more time (up to ninety (90) days), we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option. Any disclosures that we provide will only cover the twelve (12) month period preceding the receipt of your verifiable request. The response that we provide will also explain the reasons that we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable User request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of goods or services; and/or
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

#### Changes to this Privacy Notice

We reserve the right to amend this Privacy Notice in our discretion and at any time. When we make changes to this Privacy Notice, we will notify you by email or through a notice in the Service's homepage.

#### Contact Information

If you have any questions or comments about this Privacy Notice, our Privacy Policy, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us by either:

- Emailing us at: [support@mixerbox.com](mailto:support@mixerbox.com); or
- Sending us U.S. mail to: MixerBox, 555 Bryant St., Suite 218, Palo Alto, CA 94301.