

# SEARCHLIGHT PRIVACY POLICY

Last Revision Date: July 12, 2019

## INTRODUCTION

This Privacy Policy describes our business practices at AllyIQ Incorporated dba Searchlight (“Searchlight”, “we”, “us”) for collecting, using, maintaining, protecting, and disclosing Personal Information provided through the use of the Site, including personal information provided by employers, candidates and references through the use of our website (<https://searchlight.ai/> (the “Site”)) and our platform accessible by customers and individuals who have created accounts with us. **By your use of the Site and/or our platform (collectively, the “Services”), you acknowledge and agree to the provisions of this Privacy Policy.**

The privacy and confidentiality of Personal Information is very important to us and we strongly believe in protecting it through self-compliance with our Privacy Policy. We acknowledge that you may have privacy and security concerns about how we treat Personal Information (as defined below), so we’ve developed this Privacy Policy to address your concerns. Please read this Privacy Policy carefully. If you do not agree with our policies and practices listed below, please do not register with us or use any aspect of the Services.

This Privacy Policy does NOT apply to either employer or candidate use of information outside our Site or the Services.

## WHAT WE COLLECT (OR RECEIVE)

We receive and process various forms of “Personal information,” defined as any combination of information in our possession that can be used to identify, contact, or locate a discrete individual. This includes expression of an opinion about an individual.

We collect Personal Information and related information primarily in two ways, either 1) voluntarily; or 2) automatically, through the use of the Site.

- 1. Information Provided Directly to Us.** When you register with, or use our Service, we may ask you to provide a) information by which you may personally be identified, such as: name, postal address, email address, telephone number, employer, or similar information that is defined as personal or “personally identifiable” under applicable law (“Personal Information”); and b) information that is about you but individually does not identify you, such as: business contact information, employer information not directly related to you, or similar information needed for your use of the Service. This includes:

- Information that you provide by filling in forms in the Service, including applicable contact information. This includes information provided at the time of registering to use the Service, posting material, and requesting further services. We may also ask you for information related to other users of the Service, and when you report a problem with the Service.
- Records and copies of your correspondence (including email addresses and telephone numbers), if you contact us.
- Details of transactions or communications you carry out through the Service and of the fulfillment of those transactions or communications.
- Reference Data: We receive contact information from candidates identifying the references who they want to submit information on their behalf in connection with a position. If you use the Services as a reference for a candidate, we may receive information about you from the candidate, and you may submit information about the candidate, including Personal Information of each of you. Likewise, if you are a candidate who has requested that one or more references submit, we may receive various forms of information from the reference, including Personal Information, pertaining to you.
- Customer Data: We receive information from our customers relating to the positions they are seeking to fill and candidates they are considering for those. If you are a candidate for a position posted by one of our customers, or an employee or agent of our customers, we may receive information, including information identifying you, from our customers in connection with their creation of accounts or their identification of particular candidates for a position.
- Customer payment information: When you subscribe to our Service or otherwise make purchases through the Services, we collect certain data about your purchase (such as your name and zip code) as necessary to process your order. You must provide certain payment and billing data directly to our payment processing partners, including your name, credit card information, billing address, and zip code. For security, we do not collect or store sensitive cardholder data, such as full credit card numbers or card authentication data.

2. **Information Automatically Collected.** We also collect various types of information automatically in connection with your use of the Services as a means for us to deliver and market our Services. This is accomplished through the use of tools while you're navigating the Site, including tools of third parties.

We use third-party browser and mobile analytics services like Google Analytics, Intercom, FullStory and similar providers in connection with the Services (“Third-Party Providers”). These services use data collection tools to help us analyze your use of the Services, including information like the third-party website you arrive from, how often you visit, events within the Services, usage and performance data, and where the application was downloaded from. We use this data to improve the Services, better understand how the Services perform on different devices, and provide information that may be of interest to you.

This information includes:

- **Usage Details.** Details of your access to and use of the Service, including traffic data, location data, logs, and other communication data and the resources that you access and use on or through the Service.
- **Device Information.** Your internet connection, including your IP address, operating system, and browser type.
- **Stored Information and Files.** Metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.
- **Location Information.** Real-time information about the location of your device. When you have location services turned on for your device, the Service will use such services to determine your physical location and provide services and content relevant to that location.

To collect this information, we (or our Third-Party Providers) may use to the following tools:

- **Web server logs.** When you visit <https://searchlight.ai/>, we collect certain technical information from your web browser including your Internet Protocol (IP) address, browser user agent, and the webpage you were visiting prior to accessing the requested webpage.
- **Cookies, web beacons and other similar technologies.** Cookies are small text files downloaded and stored on your computer when you visit our web site. Web beacons are used to track user online actions and activity. We use these technologies to analyze trends, administer our Site, track user movements and compile user base demographics.

- **Third party cookies or similar technologies.** Third party partners we engage, including the Third-Party Providers identified above, may place cookies or similar technology on our Site to collect non-personal information about user activities for the express purpose of providing you advertising based on your browsing activities and interests. To control or modify aspects of the information available to these third-party providers, please refer to their terms and policies. For example, (1) to opt out of allowing Google Analytics to use your data for analytics or enrichment, please visit <https://tools.google.com/dlpage/gaoptout>, (2) for information on Intercom's (a) use of cookies, please visit <https://www.intercom.com/terms-and-policies#cookie-policy>, (b) privacy practices, please visit <https://www.intercom.com/terms-and-policies#privacy>, and (c) general terms and services, please visit <https://www.intercom.com/terms-and-policies#terms>, and (3) to opt out of allowing FullStory to use your data for analytics or enrichment, please visit <https://www.fullstory.com/optout/>.

## **REASONS WHY WE COLLECT AND USE PERSONAL INFORMATION**

We collect (or receive), and use Personal Information:

- To provide the Services, their content, and functionality; as well as any other information, products, or services that you request from us;
- To coordinate communication between you and other users of our Service;
- For us to establish and maintain communications with you including, but not limited to, giving notice about your account or Service update releases or changes;
- To allow companies affiliated with us to notify you of certain opportunities, products, or services they offer;
- To meet legal, security, processing and regulatory requirements;
- To carry out our obligations and enforce our rights regarding contracts we've entered into with you;
- To protect against fraud, suspicious or other illegal activities; and
- To compile research and analysis of our Services' functionality and usability.

In addition, use of your Personal Information allows us to improve the Service we provide and deliver a more personalized experience by allowing us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to tailor our Service according to your individual interests.

- Speed up your searches.
- Connect you to relevant content and related users.
- Recognize you when you use the Service.

We will collect Personal Information by fair and lawful means. We will normally retain Personal Information as long as necessary for the fulfillment of the identified purposes. However, some Personal Information may be retained for longer periods as required by law, contract, or business auditing or retention requirements.

## **INFORMATION WE MAY DISCLOSE**

1. Information, including information that was derived from Personal Information, which has been de-identified or aggregated so as not be able to identify a discernible individual may be disclosed without restriction.
2. Personal information we collect or that you provide us with may be disclosed:
  - To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
  - We share your data with third-party companies who perform services on our behalf, like payment processing, data analysis, marketing and advertising services (including retargeted advertising), email and hosting services, and customer services and support. These service providers may access your personal data and are required to use it solely as we direct, to provide our requested service.
  - To a buyer or other successor in the event of 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 about our Service users is among the assets transferred.
  - To fulfill the purpose for which you provide it (your consent). For example, if you give us an email address to use the “contact” feature of our Site or Service, we will transmit the contents of that email and your email address to the recipients.
  - For any other purpose disclosed by us when you provide the information.
  - To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
  - To enforce our rights arising from the terms of service entered into between you and us.
  - If we believe disclosure is necessary or appropriate to protect our rights, property, or safety or that of our customers or others. This includes exchanging information with

other companies and organizations for the purposes of identity theft prevention, fraud protection, and financial risk reduction.

- If there is a merger, reorganization, consolidation, stock or asset sale or similar transaction involving Searchlight, or in contemplation of such a transaction occurring (e.g., due diligence prior to such a transaction), information in Searchlight's possession may be transferred as a corporate asset to an acquiring entity pursuant to the terms of such transaction.

### **THIRD PARTY INFORMATION COLLECTION**

Services offered through our platform or the Site may contain links or other content related to websites, advertisers, products and/or services offered by third persons. We have no control over and make no representations with respect to third person property or any information transmitted via such third person property, or otherwise provided by any such third persons. Use of links to such third person property is at your own risk, as such links and third person property are governed by terms of use and privacy policies outside our Services. As such, we are not responsible for any use outside the scope of the Services.

### **CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 requires any operator of a website to permit its California-resident customers to request and obtain from the operator a list of what personal information the operator disclosed to third parties for direct marketing purposes, for the preceding calendar year, and the addresses and names of such third parties. To make such a request, e-mail us at [support@searchlight.ai](mailto:support@searchlight.ai).

### **DATA SECURITY**

We have implemented commercially reasonable administrative, procedural, and technical measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. Measures will vary depending on the sensitivity, format, location, amount, distribution and storage of the Personal Information. In addition, we request that you take appropriate steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, keeping your log-in and password private, and not recycling passwords from other websites or accounts. However, due to the nature of the Internet and related technology, **WE CANNOT ABSOLUTELY GUARANTEE THE SECURITY OF PERSONAL INFORMATION, AND WE EXPRESSLY DISCLAIM ANY SUCH OBLIGATION.** We are not responsible for use of your

information or activity on your account resulting from unauthorized password activity resulting in access to your account.

## **HOW WE COMMUNICATE WITH YOU**

To obtain Services from us, you must create an online account and (1) be able to access Services on a computer or other device that is capable of accessing the Internet, (2) have an active email account, and (3) consent to our use of our Site, app, or email to provide you any written information that we may be required to send you in connection with the Services, your account, and/or background checks and reports.

### *Your Consent to Electronic Disclosures*

*By creating an account and/or otherwise using the Services, you acknowledge and agree:*

- you can access and read information we post on our Site or mobile app;
- to provide an email address that is active and effective for receiving emails from us;
- to receive electronically on our Site, app, or via email the notices and disclosures, required by law related to your account and the Services; and
- you have received the following disclosures as required by the federal Electronic Signatures in Global and National Commerce Act (“ESIGN”).

If you are unwilling to receive these disclosures and notices electronically, you may terminate the creation of your account by closing your browser at any time before you create an account and/or authorize a background check.

### *Scope of Communications to Be Provided in Electronic Form*

Your consent to receive electronic communications and transactions includes, but is not limited to, all legal and regulatory notices or disclosures and communications associated with your account, the Services, your request for a background check, and any product or service we agree to provide you (each, a “Communication”).

### *Method of Providing Communications to You in Electronic Form*

All Communications that we provide to you in electronic form will be provided either (1) via email, telephone or text, (2) by making it available online and accessible via your account portal, or (3) by requesting you download a PDF file containing the Communication.

### *How to Withdraw Consent*

You may at any time withdraw your consent to receive Communications in electronic form. To begin receiving Communications in paper form, please contact us at the following address: [INSERT ADDRESS]. Please specify the information you wish to receive in paper form. Be sure to state that you are requesting a copy of the disclosures, notices, etc., and include your name and mailing address. Your request will apply only to those specific items you designate. We will not impose any fee to process the withdrawal of your consent to receive electronic Communications. Any withdrawal of your consent to receive electronic Communications will be effective only after we have a reasonable period of time to process your withdrawal.

## **WHERE WE PROCESS AND STORE INFORMATION**

We use servers located in the United States to provide the Services. Additionally we may contract with entities located in other countries besides the United States to store and process your information. By using the Services, you consent to the transfer of information outside of your country, even if your country has more rigorous data protection standards.

## **CHANGES TO DATA IN OUR POSSESSION AND DATA RETENTION**

You can review and change the Personal Information that you have provided to us by logging into the Service and visiting your account profile page. You may also send us an email at [support@searchlight.ai](mailto:support@searchlight.ai) to request access to, correction of, or deletion of information pertaining to you in our possession; depending on the information to be changed or deleted, we may require additional verification from you before accepting such a request. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

We retain personally identifiable information only as long as reasonably necessary to provide the Services or as otherwise required for legal compliance purposes. For example, we may retain information, including from closed accounts, in order to comply with the law, prevent fraud, collect any fees owed, resolve disputes, troubleshoot problems, assist with any investigations of any user, enforce our agreements, and/or for any other purposes otherwise permitted by law that we deem necessary in our sole discretion.

## **AGE RESTRICTIONS**

The Services are intended for use by individuals 18 years of age or older. If you are younger than 18 years old, or if you are at least 18 years of age but still are not of legal age to form a binding contract in the jurisdiction where you are located, you may only use the Services, and disclose information to us with your parent's (or guardian's) consent. Review this Privacy Policy with your parent (or guardian). Notwithstanding the foregoing, the Services may not be used by anyone under the age of 13. If you are a parent or guardian and believe that your child under the

age of 13 has provided Personal Information to us through the Services, please contact us at the contact information listed below. If we discover that an individual under 13 has provided us with Personal Information, we will take steps to delete the account and any such personally identifiable information to the extent required by applicable law.

### **CHANGES TO OUR PRIVACY POLICY**

We reserve the right to update our Privacy Policy from time to time. If there is any material change to your rights or how we treat your Personal Information under this Privacy Policy, We will post the new Privacy Policy on this Web Site with a notice that the privacy policy has been updated. Identification of when the Privacy Policy has last been updated is located at the top left corner of the page. (“Revision Date: \_\_\_\_\_”). You are responsible for periodically visiting this Privacy Policy to check for changes.

### **CONTACT INFORMATION**

To ask questions or comment about this Privacy Policy and our privacy practices, contact us at: [support@searchlight.ai](mailto:support@searchlight.ai).