

# Privacy Policy

Protecting your private information is our priority. This Statement of Privacy applies to <https://blackfly.dev> and Blackfly Software LLC and governs data collection and usage. For the purposes of this Privacy Policy, unless otherwise noted, all references to Blackfly Software LLC include <https://blackfly.dev> and Blackfly Software. The Blackfly Software website is a vehicle tracking site. By using the Blackfly Software website, you consent to the data practices described in this statement.

## Collection of your Personal Information

In order to better provide you with products and services offered on our Site, Blackfly Software may collect personally identifiable information, such as your:

- First and Last Names
- Email Addresses
- Customer Names
- Customer Addresses
- Customer Email Addresses
- Customer Locations
- Customer Geo-Fences
- Customer Rate Agreements
- Shipments and Shipment Identifying Information
- Shipment Charges
- Shipment Events
- Driver Names
- Driver Vehicle Usages
- Vehicle Locations

We do not collect any personal information about you unless you voluntarily provide it to us. However, you may be required to provide certain personal information to us when you elect to use certain products or services available on the Site. These may include: (a) registering for an account on our Site; (b) entering a sweepstakes or contest sponsored by us or one of our partners; (c) signing up for special offers from selected third parties; (d) sending us an email message; (e) submitting your credit card or other payment information when ordering and purchasing products and services on our Site. To wit, we will use your information for, but not limited to, communicating with you in relation to services and/or products you have requested from us. We also may gather additional personal or non-personal information in the future.

## Use of your Personal Information

Blackfly Software collects and uses your personal information to operate its website(s) and deliver the services you have requested.

Blackfly Software may also use your personally identifiable information to inform you of other products or services available from Blackfly Software and its affiliates.

Blackfly Software may use your Vehicle Location data to provide products to other parties related to traffic at or near specific Locations to other parties. The Locations will be limited to Terminal and public

locations such as rest stops. Terminal locations include Ports, Rail Yards and Depots. Blackfly Software will never reveal Driver Names, Vehicle Locations near Customer Locations, specific Vehicle Locations that are less than 48 hours old. Blackfly Software may use Vehicle Locations less than 48 hours old if revealed in an aggregate form (no specific Vehicle Locations). Blackfly Software will never reveal ANY Vehicle Location data with Personal Identifying information attached (for example, your company name).

### **Sharing Information with Third Parties**

Blackfly Software does not sell, rent or lease its customer lists to third parties.

Blackfly Software may share data with trusted partners to help perform statistical analysis, send you email or postal mail, provide customer support, or arrange for deliveries. All such third parties are prohibited from using your personal information except to provide these services to Blackfly Software, and they are required to maintain the confidentiality of your information.

Blackfly Software may disclose your personal information, without notice, if required to do so by law or in the good faith belief that such action is necessary to: (a) conform to the edicts of the law or comply with legal process served on Blackfly Software or the site; (b) protect and defend the rights or property of Blackfly Software; and/or (c) act under exigent circumstances to protect the personal safety of users of Blackfly Software, or the public.

### **Tracking User Behavior**

Blackfly Software may keep track of the websites and pages our users visit within Blackfly Software, in order to determine what Blackfly Software services are the most popular. This data is used to deliver customized content and advertising within Blackfly Software to customers whose behavior indicates that they are interested in a particular subject area.

Blackfly Software may also track user clicks and mouse movements to inform product improvements and identify usability issues.

### **Automatically Collected Information**

Information about your computer hardware and software may be automatically collected by Blackfly Software. This information can include: your IP address, browser type, domain names, access times and referring website addresses. This information is used for the operation of the service, to maintain quality of the service, and to provide general statistics regarding use of the Blackfly Software website.

### **Security of your Personal Information**

Blackfly Software secures your personal information from unauthorized access, use, or disclosure. Blackfly Software uses the following methods for this purpose:

- SSL Protocol
- Firewalls with white listed IP Addresses
- Token based authentication
- Blackfly Connect reverse proxy to on-premise TMS systems

When personal information (such as a credit card number) is transmitted to other websites, it is protected through the use of encryption, such as the Secure Sockets Layer (SSL) protocol.

We strive to take appropriate security measures to protect against unauthorized access to or alteration of your personal information. Unfortunately, no data transmission over the Internet or any wireless network can be guaranteed to be 100% secure. As a result, while we strive to protect your personal information, you acknowledge that: (a) there are security and privacy limitations inherent to the Internet which are beyond our control; and (b) security, integrity, and privacy of any and all information and data exchanged between you and us through this Site cannot be guaranteed.

### **Right to Deletion**

Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records; and
- Direct any service providers to delete your personal information from their records.

Please note that we may not be able to comply with requests to delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
- Debug to identify and repair errors that impair existing intended functionality;
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
- Comply with the California Electronic Communications Privacy Act;
- 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 our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;
- Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;
- Comply with an existing legal obligation; or
- Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

### **Children Under Thirteen**

Blackfly Software does not knowingly collect personally identifiable information from children under the age of thirteen. If you are under the age of thirteen, you must ask your parent or guardian for permission to use this website.

### **Disconnecting your Blackfly Software Account from Third Party Websites**

You will be able to connect your Blackfly Software account to third party accounts. BY CONNECTING YOUR BLACKFLY SOFTWARE ACCOUNT TO YOUR THIRD PARTY ACCOUNT, YOU ACKNOWLEDGE AND AGREE THAT YOU ARE CONSENTING TO THE CONTINUOUS RELEASE OF INFORMATION ABOUT YOU TO OTHERS (IN ACCORDANCE WITH YOUR PRIVACY SETTINGS ON THOSE THIRD PARTY SITES). IF YOU DO NOT WANT INFORMATION ABOUT YOU, INCLUDING PERSONALLY IDENTIFYING INFORMATION, TO BE SHARED IN THIS MANNER, DO NOT USE THIS FEATURE. You may disconnect your account from a third party account at any time. External accounts may be disconnected by going to <https://blackfly.dev/connections>

### **E-mail Communications**

From time to time, Blackfly Software may contact you via email for the purpose of providing announcements, promotional offers, alerts, confirmations, surveys, and/or other general communication. In order to improve our Services, we may receive a notification when you open an email from Blackfly Software or click on a link therein.

### **External Data Storage Sites**

We may store your data on servers provided by third party hosting vendors with whom we have contracted.

### **Changes to this Statement**

Blackfly Software reserves the right to change this Privacy Policy from time to time. We will notify you about significant changes in the way we treat personal information by sending a notice to the primary email address specified in your account, by placing a prominent notice on our site, and/or by updating any privacy information on this page. Your continued use of the Site and/or Services available through this Site after such modifications will constitute your: (a) acknowledgment of the modified Privacy Policy; and (b) agreement to abide and be bound by that Policy.

### **Contact Information**

Blackfly Software welcomes your questions or comments regarding this Statement of Privacy. If you believe that Blackfly Software has not adhered to this Statement, please contact Blackfly Software at:

Blackfly Software LLC  
4 Elm St  
Dover, New Hampshire 03820

Email Address:  
[contact@blackflysoftware.com](mailto:contact@blackflysoftware.com)

Telephone number:

6037296582

Effective as of August 16, 2020