

LAST MODIFIED July 26, 2021

Privacy Policy

This Privacy Policy of Gnito LLC ("**Gnito**" or "**we**") describes how we collect, use, and protect your data in connection with your use of the Services (as defined below).

By visiting our Site, by using the Services, or by in any manner using, installing or downloading any Gnito software or applications associated with the Services, **you accept our practices described in this Privacy Policy, and you consent to our collection, use and disclosure of your information, including personally identifiable information, as described in this Privacy Policy.**

If you do not wish to agree to the practices and uses described in this Privacy Policy, please do not use the Services.

1. Applicability of this Privacy Policy

This Privacy Policy applies to your use of Gnito's website located at <https://Gnito.me/> (the "Site") or the Gnito app located at <https://gnito.card> (the "App") any of or related services (collectively, the "**Services**"). Individual users of the Services are sometimes referred to in this Privacy Policy as "**users**." This Privacy Policy is designed to tell you what information we gather from you in connection with your use of the Services, and how we may use and disclose that information. This Privacy Policy is incorporated into and subject to any terms of use or other agreements, between you and us or our affiliates, relating to your use of the Services.

Except as expressly stated herein, this Privacy Policy does not apply to any third party applications or technologies that integrate with our Services, or any other third party products, services, or businesses, or to third party websites that you access via links or otherwise while using the Services ("**Third Party Services**"). This Privacy Policy does not apply to data collected from, or provided by you to, Third Party Services, and instead such data is subject to the practices of the provider(s) of the applicable Third Party Services. You should review the privacy policies of such Third Party Services (and any other applicable terms and conditions) to determine how your data will be used before sharing any of your data with them.

2. Data We Collect From You

In connection with your use of the Services, we may receive various types of information related to you, as well as information you provide us about others. Sometimes you provide us with this data and sometimes data about you is collected automatically. To the extent data is associated with an identified or identifiable natural person and is protected as personal information (or substantially equivalent terms) under applicable data protection laws, it is referred to in this Privacy Policy

as "**Personal Information.**" You acknowledge and agree we may collect, process, store, access, and disclose Personal Information disclosed by you to facilitate the provision of Services and related support for the Services in the manner described in this Privacy Policy.

When you create, update, and/or an account for the Services with us, you provide us with data, including Personal Information, about yourself, including, without limitation:

- your name
- your email address(es)
- the social handles you provide us
- any content that you share on the App
- your device's unique identifier
- your user name
- your password
- any other information that you elect to share or provide us access to, including Personal Information that may identify you individually

We also may collect Personal Information that you post, upload, store, display, transmit, or submit through the Services in any other manner. Although we will treat such information consistent with this Privacy Policy, we are not responsible for the content of any information, including Personal Information, that you provide to us, and by using the Services, you assume full responsibility for obtaining, and you represent that you have obtained, all necessary consents and permissions to provide such information to us.

Additionally, if and when you use the Services to make payments of any kind, you may provide us (or our third party payment processors) additional Personal Information including financial information (such as your credit/debit card information, address, date of birth, or other information). We endeavor to store very little, if any, financial information that we collect from you and instead, such financial information is typically stored by our third party payment processors. We encourage you to review their privacy policies and to contact them directly if you have questions relating to your data, including Personal Information, as it relates to such payments. Although we reserve the right to select different or additional payment processors at our discretion, our payment processors as of the date of this Privacy Policy include [Stripe](#).

Gnito may also collect other information from you related to your use of the Services and your interactions with our Services (while this information may not typically contain Personal Information, we are not responsible for the content of such information). This information includes any such information that you affirmatively provide to Gnito, and may include the following:

- **Location Information.** Certain of our Third Party Providers may request permission to and track location-based information from your mobile device,

either continuously or while you are using the Services, to provide location-based services, and we may receive this information from our Third Party Providers. If you wish to change our access or permissions, you may do so in your device's settings.

- **Log Data.** Like most websites and web-based technology services, our servers may automatically collect data when you access or use the Services and record it in log files. Such may include your Internet Protocol (IP) address, Internet service provider (ISP), geographic location, browser type and settings, information about browser plugins, language preference, default email application, referring/exit websites, operating system, date and time stamp, cookie data, and certain user activities.
- **Technical Data.** Gnito may collect technical data, such as information about devices accessing the Services, including the type of device, device settings, operating system, application software, peripherals, and unique device identifiers, phone number, country, location, and any other data you choose to provide. Gnito does not intentionally relate this to any individual user of the Services.
- **Cookie Information.** The Services may also use cookies and similar tracking technologies of third parties, which may collect information about your use of the Services. Cookies are small text files sent by us to your computer or mobile device for later retrieval. They are unique to your account or your browser. Session-based cookies last only while your browser is open and are automatically deleted when you close your browser. Persistent cookies last until you or your browser deletes them or until they expire. If you do not wish to have cookies placed on your computer or in local storage, you may adjust your web browser settings accordingly to block cookies or to alert you when cookies are sent. However, restricting cookies may impede your ability to use the Services or certain features of the Services.
- **Third Party Services.** You may elect to use certain Third Party Services that we make available in connection with your use of the Services. As noted above, information you provide to such Third Party Services is subject to the privacy policies and practices of the provider of the applicable Third Party Service. Additionally, once enabled, it is possible that the Third Party Services may share certain data with Gnito to effectuate integration between our Services and theirs. You should check the privacy settings and notices of any Third Party Services you elect to use in connection with the Services to understand what data may be disclosed to Gnito. We may receive data regarding your credentials for and use of the applicable Third Party Services, such as your user name, your unique identifier, and your information transmitted from or made available with permissions by such Third Party Services (e.g., account profile, gender, age range, language, geographic region, etc.).
- **Additional Information Provided to Gnito.** Gnito receives data when submitted to or through our Services, or if you contact us (whether by email, telephone, written correspondence, web-based forms, or otherwise), request

support, interact with our social media accounts, or otherwise communicate with Gnito.

3. No Sensitive Personal Information; No Children's Data

Gnito does not intentionally collect, process, or store, and we request that you do not post, upload, store, display, transmit, or submit Sensitive Personal Information on or through the Services, except to the extent directly requested in connection with the relevant aspect of the Services. **"Sensitive Personal Information"** includes, but is not limited to, government-issued identification numbers; consumer reports; background checks; any code or password that could be used to gain access to personal accounts (other than your password to your Gnito account); genetic data or biometric data; any Personal Information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership; or data concerning health or sex life or sexual orientation. or similar information. Gnito is not responsible and will not be liable for any loss or damages you or another individual may experience due to your disclosure of Sensitive Personal Information while using the Services.

The Services are not directed to or intended for children, and Gnito does not intentionally collect, process, or store through the Services any Personal Information from any person under 13 years of age. In the event we discover we have inadvertently collected, processed, or stored any Personal Information from a person under 13 years of age without verifiable parental consent, we will promptly take the appropriate steps to delete such data or seek the necessary verifiable parental consent for that collection in compliance with the Children's Online Privacy Protection Act ("**COPPA**"). We request that users not provide us with any Personal Information of any person under 13 years of age.

4. How and Why We Use Data

We use the information collected from you, including Personal Information collected as described in this Privacy Policy, to administer the Services and to communicate with you about the Services. Our use of information from you may include the following:

- **Providing and Improving the Services.** To make the Services available, to manage user requests and interactions with the Services (e.g., login and authentication, modifying settings, etc.), to facilitate hosting and back-end infrastructure for our platform, including by our Third Party Providers, to analyze and monitor usage, and to monitor and address service performance, security, and technical issues. As described below, if a user makes a purchase of carbon credits through the Services, this use may include Gnito providing your contact information to the applicable registry to make a purchase on the user's behalf and/or register the user as the holder of the carbon credit.
- **Improving the Services.** To test features, manage landing pages, heat mapping, traffic optimization, data analysis and research, including profiling

and the use of machine learning and other techniques over your data and in some cases using Third Party Providers to do this.

- **Support Services.** To respond to support requests and otherwise provide support for and resolve problems with the Services.
- **Communications.** To send service, technical, and administrative emails, messages, and other communications. Service-related communications about changes to the Services and important Services-related notices, such as maintenance and security announcements, are essential to delivery of the Services and you cannot opt-out of these communications. Marketing communications, if any, about new product features, offerings, and other news about Gnito are optional; you have the choice whether or not to receive them and you may opt out by using the unsubscribe mechanism in such communications, or by changing the email preferences in your account.
- **Analytics.** In connection with our use of cookies described above, we may also use Third Party Providers, such as Mixpanel, and others to allow tracking technologies and remarketing services on the Services through the use of first-party cookies and third-party cookies, to, among other things, analyze and track users' use of the Services, and to better understand online activity related to our Site. By accessing the Services, you consent to the collection and use of your information by these Third Party Providers. You are encouraged to review such vendors' privacy policies and contact them directly for responses to your questions. If you do not want any information to be collected and used by tracking technologies, you can install and/or update your settings control such use.
- **Account Management.** To contact you in connection with account management, feedback, and other administrative matters related to your account with us and the Services.
- **Security Purposes.** To help prevent and investigate security issues and abuse.
- **Legal Obligations.** To comply with legal obligations as required by applicable law, legal process, or regulations as described above.

5. How We Share and Disclose Data

Except as described in this Privacy Policy, Gnito will not use or disclose your Personal Information for any purpose other than to the extent reasonably necessary to perform the Services and related support for the Services. As a matter of policy, absent your express consent, we do not sell or rent information about you, and we will not disclose information about you in a manner inconsistent with this Privacy Policy except as required by law or government regulation.

We cooperate with law enforcement inquiries, as well as other third parties, to enforce laws such as those regarding intellectual property rights, fraud and other personal rights. WE CAN (AND YOU AUTHORIZE US TO) DISCLOSE ANY INFORMATION ABOUT YOU TO LAW ENFORCEMENT, OTHER GOVERNMENT OFFICIALS OR ANY OTHER THIRD PARTY THAT WE, AT OUR SOLE DISCRETION, BELIEVE NECESSARY OR APPROPRIATE IN CONNECTION WITH AN

INVESTIGATION OF FRAUD, INTELLECTUAL PROPERTY INFRINGEMENT OR OTHER ACTIVITY THAT IS ILLEGAL OR MAY EXPOSE US, OR YOU, TO LIABILITY.

Subject to the above paragraphs, we may share or disclose information about you as follows:

- **With Your Consent.** Gnito may disclose your data, including Personal Information, to third parties when we have your express consent to do so. This includes any information that you post to your user page or otherwise on our Site and/or via the Services – by publishing such information via the Site or Services, you consent to Gnito's disclosure of this information.
- **By Law or to Protect Rights.** If we believe the release of information about you is necessary to respond to legal process, to investigate or remedy potential violations of our policies, or to protect the rights, property, and safety of others, we may share your information as permitted or required by applicable law, rule, or regulation. This includes exchanging information with other entities for fraud protection and credit risk reduction.
- **Rendering the Services.** Gnito employees and contractors may have access to your data on a need to know and confidential basis to the extent necessary to render the Services and related support for the Services. We require such employees and contractors to treat your information consistent with this Privacy Policy. If in using the Services you direct us to make a purchase from a third party (for example, if you elect to purchase carbon credits by using Gnito's Services to make the ultimate purchase of credits through a third party on your behalf), then this may include providing your name or email to the third party for purposes of facilitating the purchase. At the time of making such a purchase, you authorize Gnito to provide your contact information to the carbon registry(ies) on which the applicable carbon credits are listed, including for purposes of making a purchase of credits on your behalf and/or registering you as the owner with the applicable registry(ies), in which case the applicable registry(ies) may list you as the owner, and the use of your contact information by such registry(ies) will be subject to their applicable privacy policies.
- **Interactions with Other Users; Postings.** If you interact with other users of the Services, those users may see identifying information and descriptions of your activity that you make available to them. If you post comments, contributions or other content in any way connected to the Services, your posts may be viewed by other users and may be publicly distributed outside the Services.
- **Affiliates.** We may share your information with our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include our parent company and/or any subsidiaries (if any), companies with an ownership interest in Gnito, joint venture partners, or other companies that we control or that are under common control with us.
- **Third Party Providers.** As describe above, Gnito engages third parties to process data in support of delivering of the Services ("Third Party Providers"). We may share your data, including Personal Information, with Third Party Service Providers (e.g., email services, platform hosting, cloud

computing services, data storage and processing facilities) to the limited extent necessary to let them perform business functions and services for us or on our behalf in connection with the provision of the Services. For example, servers used by Gnito in connection with providing the Services are not physically located at our facilities, but rather are managed and located at a third-party Infrastructure-as-a-Service provider (an "IAAS provider"). We have taken commercially reasonable steps to choose a professional and reputable IAAS provider and to ensure that such IAAS provider and our other Third Party Providers use appropriate security measures in light of the risks and nature of the data being protected and consistent with industry norms. Still, it is impossible to guarantee that the security measures taken by our Third Party Providers will be adequate in all circumstances, and by using the Services, you understand and agree that we have no liability for the action, behaviors or failings of such Third Party Providers. Although we reserve the right to select different or additional Third Party Providers, our Third Party Providers include, as of the date of this Privacy Policy, vendors such as GlideApps and [Google Cloud](#).

- **Third Party Services.** You may enable or permit integrations with or use of Third Party Services in connection with the Services. When enabled, Gnito may share certain data with such Third Party Services as requested to effectuate the integration, including data regarding your credentials related to the Services. As mentioned above, Third Party Services are not owned or controlled by Gnito and third parties that have been granted access to your data may have their own policies and practices for its collection and use; you should check the privacy settings and notices of these Third Party Services to understand their privacy practices.
- **Changes to Gnito's Business.** If Gnito engages in a merger, acquisition, bankruptcy, dissolution, reorganization, sale of some or all of its assets or stock, financing, public offering of securities, acquisition of all or a portion of our business, a similar transaction or proceeding, or steps in contemplation of such activities (e.g. due diligence), Gnito may share or disclose data in connection therewith, subject to standard confidentiality obligations.
- **Aggregated or De-Identified Data.** If any data is aggregated or de-identified so it is no longer reasonably associated with an identified or identifiable natural person, we may use or disclose such aggregated or de-identified data for any purpose. For example, we may share aggregated or de-identified data with prospects or partners for business or research purposes, such as statistical analysis, to research trends and predictive analysis, or to develop or improve the Services.
- **Enforcement of Agreements.** Gnito may disclose data to ensure compliance with and to enforce contractual or legal obligations with respect to the Services and our business, including any applicable lease agreements.
- **Protection of Rights.** Gnito may disclose data to protect and defend our rights and property, including intellectual property rights, and to ensure compliance with applicable laws and enforce third party rights, including intellectual property and privacy rights.

- **Safety and Security.** Gnito may disclose data to protect your safety and security; to protect the safety, security and property of our users; and to protect the safety, security, and property of Gnito and our employees, agents, representatives, and contractors.

6. Retention

Generally, we maintain all information you submit to us until you affirmatively change or delete such information. This allows us to help ensure full functionality of the Services. To dispose of Personal Information, we may anonymize it, delete it, or take other appropriate steps. Your data, potentially including Personal Information, may persist in copies made for backup and business continuity purposes for additional time.

7. Security Measures

Gnito maintains physical, technical, and administrative procedures to protect the data we collect and to secure it from improper or unauthorized use. We work hard to protect data in our custody and control from loss, misuse, and unauthorized access, use, disclosure, modification, or destruction, and to use industry-standard security measures in order to ensure an appropriate level of security in light of reasonably available methods in relation to the risks and nature of the information we collect.

Please remember:

- You provide information to us, including your Personal Information, at your own risk.
- No data transmission over the Internet is guaranteed to be 100% secure, and we cannot guarantee that unauthorized access, hacking, data losses, or other breaches will never occur.
- You are responsible for protecting your account information related to the Services, including any applicable credentials, log-ins, passwords, etc. and for ensuring that they are not used by others to access the Services.

8. International Data Transfers

Gnito primarily processes and stores data in connection with the Services in the United States. However, it is possible that data may be processed other countries by our Third Party Providers. We will take measures to ensure that your Personal Information remains protected to the standards described in this Privacy Policy and any such transfers comply with applicable data protection laws. In certain circumstances, courts, law enforcement agencies, regulatory agencies or security authorities in those other countries may be entitled to access your Personal Information.

9. Jurisdiction-Specific Notices

California Residents

We do not disclose your Personal Information to third parties' for any third parties' direct marketing purposes. If you reside in California, you can prevent future disclosures for direct marketing purposes of your Personal Information, at no charge, by indicating to us your intent to opt out of such disclosures in a message addressed to the email address or physical mailing address provided under the "Contact Us" heading below.

Nevada Residents

Nevada residents may have the right under applicable law to opt out of the sale of their Personal Information that we have collected or will in the future collect. If you are a Nevada resident and wish to make such a request, please contact us at the contact information provided below in this Privacy Policy.

EU Residents

Although we do not direct our website specifically toward residents of the European Union ("EU"), some EU residents' data may be collected through marketing channels or by virtue of our users' use of our Services. Collection and storage of any EU resident's data by us is minimal and incidental.

Notwithstanding the foregoing, if you are an EU resident and would like to request that your data be securely removed from our systems, however collected, please send an email with proof of EU residency to **[info@Gnito.me]**. We will endeavor to remove all relevant data, so long as that removal is technically feasible, does not impact the legitimate accounting or business practices of our customers, and does not violate other regulatory or legal standards with which we must comply. We will also cooperate with our customers in good faith to address any requests they receive or that may impact them directly.

10. Enforcement

Gnito will actively monitor its relevant privacy and security practices to verify adherence to this Privacy Policy. Any agents, contractors, service providers, or other third parties subject to this Privacy Policy that Gnito determines to be in violation of this Privacy Policy or applicable data protection laws will be subject to disciplinary action up to and including termination of applicable services. Please contact us immediately at the contact information provided under the "Contact Us" heading below if you believe there has been a material violation of this Privacy Policy.

11. Changes to this Privacy Policy

We reserve the right make changes to this Privacy Policy from time to time, in whole or in part, in our sole discretion, at any time without prior notice by posting an updated version of this Privacy Policy on the Site or when you access the Services. When we do, we will revise the "last updated" date at the beginning of the Privacy

Policy. We will make commercially reasonable efforts to notify you by email, through the Services (at log-in or otherwise), and/or by posting a prominent notice on our Site that our Privacy Policy has been updated. Any changes, modifications, or updates to this Privacy Policy will become effective immediately upon posting. By continuing to use the Services, you agree to be bound changes we make to this Privacy Policy. If you disagree with the changes to this Privacy Policy, your only remedy is to discontinue use of the Services and deactivate your account.

11. Contact

Please do not hesitate to contact us with any questions, complaints, or requests with respect to your Personal Information, this Privacy Policy, and/or our privacy practices.

You may contact us at:

Email:
info@Gnito.me

Mail:
Gnito LLC
Attn: Privacy Team
2081 Center Street
Berkeley California
94704