

eVolve Privacy Policy

Updated: June 1, 2022

Protecting user privacy is an important part of our commitment to integrity at eVolve MEP, LLC (“eVolve”). This Privacy Policy explains how we process personal user data collected through web applications, websites, products, and services (“applications”), including through in-person and digital events, webinars, surveys, marketing activities, and products distributed by our resellers and other channel partners, (along with applications, collectively our “offerings”).

We may display other privacy notices on occasion, such as when we believe additional transparency would help you make an informed choice about whether to provide personal data. For example, you may see a supplemental privacy notice regarding cookies or other web-based data collection.

“Personal data” is information that identifies, or can reasonably be used to identify, a specific person. It does not include information that is anonymous, anonymized, or aggregated, as those terms may be defined under applicable law. In this Privacy Policy, “personal information” and “personal data” are used interchangeably.

This Privacy Policy covers how we process personal data for our own use. We may also process personal data on behalf of customers as part of contracted engagements with them. We do not control the data processing practices of our customers, which may differ from those set out in this Privacy Policy.

What Information Does eVolve Collect About You?

We obtain personal data in different ways. Some personal data is collected directly from you, for example when you sign in. Other data is provided by your employer or the corporate licensee of eVolve applications. Other data is automatically collected or generated about how, when, and why you interact with our offerings, including through the use of cookies and other tracking technologies.

Information you provide us:

We may collect information directly from you, such as when you sign up for an account or use our offerings, register a product or service, sign up for our newsletter or for one of our events, interact with one of our events, surveys, activities or with social media, visit our premises, or otherwise contact us. The types of information we may collect from you include

- **Identifiers**, such as your name, physical and/or email addresses, telephone number, IP address, account username, and account password.
- **Professional information**, such as your occupation, professional licenses, trade, work experience and employment history, and other qualifications.
- **Protected characteristics**, such as your date of birth (where applicable).
- **Visual, audio, and electronic information**, such as your picture or signature; records of our interactions, such as correspondence, details of complaints and their resolutions, service records; your preferences, including your preferred tools, experience, language, and the frequency at which you wish to receive marketing communications.

Information we obtain or generate:

Based on your interactions with us, we automatically generate, or collect, certain personal information about you, such as when you use our offerings, and we may associate that information with your account. The information we collect includes:

- **Identifiers**, such as your name, physical and/or email addresses, telephone number, IP address, account username, and account password.

- **Internet or other electronic network activity information**, such as the website domain visited; which activities and offerings are used, how, and for how long; posts, discussions, and other types of engagement with us, including on our blogs, discussion forums, or chat rooms; and the use of any hyperlinks or downloadable content available through the offerings.
- **Geolocation information**
- **Electronic information**, such as information about operating systems, device types, information about browsers, information relating to automatic updates and technical errors, information about your use of our offerings, including your preferred tools and experiences, and your engagement with our activities.
- **Inferences** drawn from any of the personal and offering usage information available to us.

We also use cookies (small text files stored by your web browser when you use websites) and other tracking technologies, such as pixels and beacons (collectively “Cookies”), to collect and store information when you use our applications. We use eVolve analytics programs and tools that incorporate third-party analytics tools, such as Pendo Analytics, to help us understand how, when and why you use our applications. To learn more, see our Cookie Statement.

How Does eVolve Use The Information It Collects About You?

We use your personal data mindfully, and in useful ways, including:

- To validate your identity as necessary to perform our contract with you.
- To deliver services, products, and other offerings, including information such as personalized insights and recommendations, as necessary to perform our contracted service.
- To send you information you requested to the extent necessary to perform our contracted service or, when not necessary to perform a contract, in furtherance of our legitimate interest, for example in responding to customer inquiries.
- To maintain and improve the security of, and to troubleshoot any issues relating to, our offerings as necessary to perform our contract with you or, when not necessary to perform a contract, in furtherance of our legitimate interest in protecting our business.
- To anonymize, aggregate, or de-identify your personal data so it can no longer identify you in furtherance of our legitimate interest in conducting research and analysis.
- To develop and improve our current and future offerings and your experience, including through the use of automated systems that analyze data using machine learning and other analytic techniques, in furtherance of our legitimate interests and, where needed, with consent.
- To understand the ways our offerings are used and who is using them in furtherance of our legitimate interest in improving our offerings and the overall user experience and, where needed, with consent.
- To analyze information about how you interact or may interact with us or our offerings in furtherance of our legitimate interest in improving our offerings and your experience with us and, where needed, with consent.
- To make strategic decisions concerning our business operations, including reporting on the performance of our business, in furtherance of our legitimate interest in making those decisions and, where needed, with consent.
- To detect, prevent, or otherwise address non-valid use such as through fraud and software piracy (e.g., to confirm that software is genuine and properly licensed) and to protect you, eVolve, and/or third parties in furtherance of our legitimate interests.

- To enforce, and review compliance with, the legal terms that govern our offerings in furtherance of our legitimate interest in ensuring adherence to the relevant terms.
- To comply with our legal obligations under applicable laws.
- To protect the rights, safety, and property of eVolve, you, or any third party in furtherance of our legitimate interest in protecting us, our users, and third parties.
- For other purposes for which we obtain your consent.
- As further described in our offerings and supplemental notices.

Where we ask for your consent to process personal data, you may withdraw your consent at any time by contacting us at the details below or as otherwise indicated to you in writing.

Where we rely on our legitimate interests to process your personal information, we balance your rights against ours so that our interest is not overridden by the interests you have to protect your information.

You may also have the right to object to processing on the basis of circumstances specific to you. For more information, see “**What Rights and Choices Do You Have?**” below.

When we process personal data about you to perform our obligations under a contract with you or comply with legal requirements, failure to provide such data may prevent or delay our fulfillment of these obligations.

How Does eVolve Disclose Your Personal Data?

We may disclose the types of information outlined above to the following categories of persons or entities:

- **Our service providers**, including vendors, consultants, and other service providers who perform services or functions on our behalf, for business purposes.
- **Our business partners**, such as integration partners, channel partners (e.g., resellers), event sponsors, partners, and attendees, with whom you interact to facilitate your relationship with eVolve and those business partners for any of the purposes described in our or those business partners’ Privacy Policies.
- **Persons to whom we are required by law to provide information**, such as pursuant to a subpoena or a court order.
- **Law enforcement, legal counsel, or other reasonably necessary parties** when we have a good faith belief that the disclosure is necessary to prevent or respond to fraud or software piracy, defend ourselves against attacks, or protect the rights, property, and safety of eVolve, our customers, and the public.
- **Persons involved in the consideration, negotiation, or completion of a business transaction**, including the sale, merger, consolidation, acquisition, change in control, transfer of substantial assets, bankruptcy, or reorganization, and any subsequent integration.

When we have your consent to do so or when you direct us to, we may also disclose your personal information to other parties for any purposes requested or permitted by you.

We may share aggregate, anonymous, or anonymized demographic, statistical, and other information regarding use of our offerings with third parties for marketing, analytics, planning, and other purposes. Such information will not specifically identify any particular user.

How Does eVolve Protect Your Data?

We maintain a combination of reasonable and appropriate physical, administrative, and technological controls to protect your data from unauthorized access or malicious actions.

We take reasonable steps to limit the access employees, contractors, and agents of eVolve have to your personal data to those who need to know this data to perform their assigned functions.

However, no electronic transmission over the internet or information storage technology can be guaranteed to be 100% secure, so we cannot promise or guarantee that hackers, cybercriminals, or other unauthorized third parties will not be able to defeat our security and improperly collect, access, steal, or modify your information.

How Can You Safeguard Your Own Personal Information?

You should carefully protect the personal information you provide to us, including passwords, user names, location, images and videos, so that third parties can't manipulate your account or assume your identity.

What Rights And Choices Do You Have?

You have the right to access, update, delete, receive a copy of, or restrict our use of your personal data. When we process personal data based on your consent, you have the right to withdraw consent any time.

Please log-in to your account to manage your personal data and content using our applications. You can also delete your personal data and close your account. We may retain certain data about you for legal and internal business purposes, such as fraud prevention, in accordance with applicable laws.

Certain jurisdictions grant individuals additional rights with respect to their personal data. Depending on where you live or applicable law, you may also have the right to:

- Object to our processing of your personal data
- Have us block or anonymize your personal data, as appropriate
- Receive a copy of your personal data to transfer it to a third party
- Opt-out of certain disclosures of your personal information to third parties
- Not be denied a good or service for exercising your rights, though you may be provided a different level of service or charged a different rate or price consistent with applicable law
- Lodge a complaint with the relevant data protection authority in the jurisdiction in which you are located

These rights may be limited in some circumstances by local law. For example, even if you ask us to delete your personal information, we may need to retain it to complete transactions you have requested, to comply with our legal obligations, or for other limited business purposes as required or permitted by law. To exercise applicable rights, please contact us.

Where we process personal data on behalf of our customers, we may refer the request to the relevant customer and cooperate with their handling of the request, subject to any special contractual arrangement with that customer.

Canada residents, please read the “**Your Canada Privacy Rights**” section for additional disclosures and information regarding your rights under Canada law.

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What Are eVolve’s Storage And Data Retention Practices?

We may store your personal data and content on our servers and the servers of our service providers. Because we may, and our service providers may, maintain servers in global locations, your personal data may be transferred across national borders and stored on the servers outside of your country or region. For transfers of

personal data from the European Economic Area (EEA) to countries not considered adequate by the European Commission, we will prior to transfer put in place adequate measures, such as the standard contractual clauses adopted by the European Commission, to protect personal data.

We will retain your personal data for as long as necessary to provide you with the offerings that you are using or have requested, for the establishment, exercise or defense of legal claims, and as needed to comply with our legal obligations. Data may persist in copies made for backup and business continuity purposes for additional time.

Will This Privacy Policy Change?

We may change this Privacy Policy to reflect changes in the law, our data handling practices, or the features of our business. We will show the date the Privacy Policy was last updated to help you know when we change it. If we make material changes to our Privacy Policy, we will endeavor to provide you with notice before such changes take effect, such as through prominent notice on our website or services or by email.

How To Contact Us?

If you want to contact us, please use the following contact information. When you do so, please tell us the name of the offering about which you are contacting us:

By email at: privacy.questions@eVolvemep.com

By postal mail to:

Privacy Questions
eVolve MEP, LLC
5901 Peachtree Dunwoody Rd., Suite C230
Atlanta GA, 30328

Data protection officer: To contact our data protection officer, please use the following contact information: DPO@eVolvemep.com.

Who Can I Contact With Questions Or Concerns?

We are committed to working with you to obtain a fair resolution of any complaint or concern about privacy. If, however, you believe that we have not been able to assist with your complaint or concern, you have a right to lodge a complaint with the data protection authority of the United States of America (www.ftc.gov) and/or with a competent European supervisory authority, such as the European Commission (https://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm) or your local equivalent.

Your Canada Privacy Rights

Canadian law allows eVolve to process your personal information if you have given us specific permission (i.e., express consent) to use your personal information for a specific purpose, or in situations where your permission can be inferred (i.e., implied consent). You can withdraw your consent at any time.

In some exceptional cases, we may be legally permitted under applicable law to process your information without your consent, including, for example:

- If collection is clearly in the interests of an individual and consent cannot be obtained in a timely way
- For investigations and fraud detection and prevention
- For business transactions provided certain conditions are met

- If it is contained in a witness statement and the collection is necessary to assess, process, or settle an insurance claim
- For identifying injured, ill, or deceased persons and communicating with next of kin
- If we have reasonable grounds to believe an individual has been, is, or may be victim of financial abuse
- If it is reasonable to expect collection and use with consent would compromise the availability or the accuracy of the information and the collection is reasonable for purposes related to investigating a breach of an agreement or a contravention of the laws of Canada or a province
- If disclosure is required to comply with a subpoena, warrant, court order, or rules of the court relating to the production of records
- If it was produced by an individual in the course of their employment, business, or profession and the collection is consistent with the purposes for which the information was produced
- If the collection is solely for journalistic, artistic, or literary purposes
- If the information is publicly available and is specified by the regulations

Your California Privacy Rights

California law treats certain disclosures of personal information with third parties in exchange for something of value as “sales,” even when no money changes hand. eVolve does not exchange your personal information for money. However, some of the technologies we use to provide our offerings involve transfers of personal information that may be considered a “sale” under California law. You have the right to opt-out of these transfers by emailing us at privacy.questions@eVolvemep.com.

We described several types of rights in “**What Rights and Choices Do You Have?**” above. If you reside in California, you have rights to access the specific pieces of your information, the right to know details about our processing of your information, the right to request deletion of your personal information, and the right to not be denied goods or services for exercising these rights. You can exercise those rights by emailing us at privacy.questions@eVolvemep.com.

We may need to verify your identity before completing your California Consumer Privacy Act (“CCPA”) rights request. How we verify your identity depends on whether you hold an account with eVolve:

- Individuals with eVolve accounts can verify their identity by logging into their account.
- Individuals without eVolve accounts (non-accountholders) will need to provide information establishing their identity to the degree of certainty required by law. We may ask non-accountholders to provide information such as name, e-mail addresses, and information relating to their use of the eVolve websites or other offerings.

Persons authorized to submit requests on behalf of a consumer (“agents”) can submit a request by email to privacy.questions@eVolvemep.com. We may notify the consumer and require the consumer to independently verify their identity before fulfilling the authorized agent’s request.

We will retain certain information relating to your CCPA request to demonstrate compliance with the CCPA and to improve our consumer request process.

The following table provides a description of the personal information typically collected by companies.

| Category of Personal Information | Categories of Third Parties |
|---|-----------------------------|
| Identifiers | None |
| Commercial Information | None |
| Financial Account Information | None |
| Education Information | None |
| Protected Characteristics | None |
| Internet or other Electronic Network Activity Information | None |
| Geolocation information | None |
| Inferences | None |