

## Privacy Policy

Last modified: 5/7/2020

### Introduction

MyToolbox Technologies, Inc. ("**Company**" or "**We**" or "**Toolbox**") respect your privacy and are committed to protecting it through our compliance with this privacy policy (the "**Policy**"). This Policy describes the types of information we may collect from you or that you may provide when you visit the website at <https://www.trytoolbox.com> (our "**Website**") and our mobile and desktop applications (the "**Applications**", the Applications and the Website, collectively, the "**Platform**") and our practices for collecting, using, maintaining, protecting, and disclosing that information. This Policy forms part of and is incorporated into our Customer Terms of Service and Worker Terms of Service published at <https://app.trytoolbox.com/terms-of-service-worker> and <https://app.trytoolbox.com/terms-of-service-customer> (individually and collectively, the "**Terms of Service**").

### Users and Information to Whom this Privacy Policy Applies

In this Policy, "user" or "you" means any individual using the Platform. Portions of this Policy are directed toward particular groups of users as defined below:

"**Customers**" are users seeking to obtain construction services.

"**Workers**" are users seeking to provide construction services.

This Policy applies to information we collect:

- On the Website.
- In email, text, and other electronic messages between you and the Company.
- Through mobile and desktop Applications you download from this Website, the App Store or the Google Play Store, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Policy.

It does not apply to information collected by any third party, including through any application or content (including advertising) that may link to or be accessible from the Platform.

Please read this Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Platform. By accessing our Website, downloading our Applications or otherwise using our Platform, you agree to this Privacy Policy. This Policy may change from time to time (see [Changes to Our Privacy Policy](#)). Your continued use of the Platform after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

### Children Under the Age of 16

Our Platform is not intended for children under 16 years of age. No one under age 16 is permitted to provide any Personal Information to or on the Platform. We do not knowingly collect personal information from children under 16. If you are under 16, do not use or provide any information on this Platform or on or through any of its features/register on the Platform, make any purchases through the Platform, use any of the interactive or public comment features of this Platform or provide any information about yourself to us, including your name, address,

telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us at [admin@trytoolbox.com](mailto:admin@trytoolbox.com).

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Platform, including information by which you may be personally identified (“**Personal information**”).

**Limited Personal Information Collected from All Users:** We may collect certain personal information about you in connection with your use of the Platform. If you communicate with us by email but do not otherwise register to use the Platform, we will collect your email address.

**Information Collected from Registered Users:** If you register to use the Platform as a Customer or a Worker, we may collect Personal Information through our online registration form. From Workers, we collect your name, email address, mailing address, phone number, username, password and additional information about your professional background, including licenses and certifications. If you agree to perform services as a Worker through the Platform, we will collect additional information including payment information, and for certain engagements, additional onboarding information described in the applicable onboarding documents. For Customers, we collect your name, email address, mailing address, phone number, username, password and additional information about your professional background, including employer information, title and payment information. If you directly disclose personally identifiable information or personally sensitive data through public areas of the Platform or messages with other users, this information may be collected and used by others. We collect the contents of chat messages that occur on the Platform’s chat feature. We use an automatic scanning technology to flag key words in the chat messages and may review the chat messages as part of our fraud prevention and product improvement efforts. If you contact Toolbox or another user and disclose additional Personal Information, we may store that information.

**Web Tracking Information:** We and our contractors engaged to provide services on our behalf (“Contractors”) may use web tracking technologies such as cookies, pixel tags and clear GIFs in order to operate the Platform efficiently and to collect data related to usage of the Platform. Such collected data (“Web Tracking Information”) may include the address of other websites you have visited, the type of browser you are using, your Internet Protocol (IP) address, device model, device ID and other unique device identifiers, what pages in the Platform you visit and what links you clicked on, and whether you opened email communications we sent to you. We may collect your search queries on the Platform. We and our Contractors may also use web tracking technologies that are placed in web pages on the Platform or in email communications to collect information about actions that you take when you interact with the Platform or such email communications. We do not correlate Web Tracking Information to individual user Personal Information. Some Web Tracking Information may include data, such as IP address data, that is unique to you. We use this information not to identify individual users, but to analyze trends, administer the Platform, track users’ movements around the Platform, and gather demographic information about our user base as a whole which provides us with the ability to determine aggregate information about our user base and usage patterns.

**Cookies:** The Website also uses cookies to enhance the browsing experience. A cookie is a small text file or record that is stored on your computer when you visit our Website, which collects information about your activities on the Website. Cookies transmit this information back to the computers at Toolbox or our third-party distributors of advertisements and newsletters;

these computers are, generally speaking, the only computers which are authorized to read such information. The information captured makes it possible for us to: (i) speed up navigation, and provide you with custom tailored content; (ii) remember information you give to us, so you don't have to reenter it each time you visit the Website; (iii) monitor the effectiveness of our marketing campaigns; and (iv) monitor total number of visitors, pages viewed, and the total number of ads served. You can choose to have your browser warn you every time a cookie is being sent to you or you can turn off cookie placement. Also, by not using cookies, your overall internet browsing experience will be affected.

Surveys: From time to time, we may ask our users to participate in surveys. Such surveys may be used to collect both Personal and other Information. Participation in these surveys is completely voluntary, and you therefore have a choice whether or not to disclose your information.

User Contributions: You also may provide information to be published or displayed (hereinafter, "**posted**") on public areas of the Platform, or transmitted to other users of the Platform or third parties (collectively, "**User Contributions**"). Your User Contributions are posted and transmitted to others at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Platform with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

### **How We Use Your Information**

Personal Information: We will use and store your Personal Information for the purpose of delivering the Platform, and to analyze and enhance the operation of the Platform. We may also use your Personal Information for the internal operational and administrative purposes of the Platform. If you become a registered User, we will use your Personal Information including your name and e-mail address to communicate with you regarding the functionality of the Platform, including to send you messages regarding project requests, new messages in your account from other Users, and notices about your account/subscription, including expiration and renewal notices. If you are a Worker, we may share your profile information with potential employers, and if you are a Customer, we may share project or job information with potential Workers.

User Payment Information: If you make or receive payments on or through the Platform, we may use Personal Information that you provide for one-time and recurring billing purposes according to the terms pertaining to such payment. If we (or our payment processor) have trouble processing a payment, such information may be used to contact you. Payment card information is sent in encrypted format and is used only to send to our payment card processor, for the purposes of collecting or remitting payment for services ordered. We do not make this information visible to anyone other than our payment card processor and do not communicate it over a non-encrypted connection. The full payment card number is not seen by anyone inside Toolbox, once entered and submitted, except by the payment card processor for the purposes of authorizing, clearing and reversing charges to your payment card.

Payment processing services for the Platform are provided by Stripe, Inc. ("**Stripe**"), and are subject to the [Stripe Connected Account Agreement](#), which includes the [Stripe Platforms Agreement](#) and [Stripe Privacy Policy](#). Users share payment information with Stripe as necessary to process payments.

Web Tracking Information: We use Web Tracking Information to administer the Platform and to understand how well the Platform is working, to store your user preferences, and to develop statistical information on usage of our services. This allows us to determine which features visitors like best to help us improve the Platform, to personalize your user experience, and to measure overall effectiveness.

Aggregate and De-Identified Information: We will also create statistical, aggregated and/or de-identified data relating to our users and the Platform for analytical and commercial purposes. Aggregated and/or de-identified data is derived from Personal Information but in its aggregated and/or de-identified form, it does not duplicate or reveal any Personal Information or relate to or identify any individual. This data is used to understand our customer base and to develop, improve and market our services.

Legal Exception: Notwithstanding the above, we may store and use Personal Information to the extent required by law or legal process, to resolve disputes (including billing and collection), to enforce our agreements (including this Privacy Policy and the Terms of Service) with you, or if in our reasonable discretion use is necessary to protect our legal rights or to protect third parties.

Promotional Communications: If you register and provide your email address, we may send you administrative and promotional emails. We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you. If you do not want us to use your information in this way, please inform us at [admin@trytoolbox.com](mailto:admin@trytoolbox.com). For more information, see [Choices About How We Use and Disclose Your Information](#).

Account Closure: If any of your account information appears to be incorrect, please contact us and let us know. If you close your account, we will delete any Personal Information associated with your account, except for information that we are required to retain for our business records. Other information you submitted to us that is not associated with you personally may not be deleted.

Other Purposes: We may use Personal Information in other ways we describe when you provide the information, or for other purposes with your consent.

### **Disclosure of Your Information**

Personal Information: We will not disclose your Personal Information to any third parties except as follows:

- (i) If you are a Customer and engage Workers to perform services on your behalf via the Platform, we may disclose your name, email address, company information and other contact information to Workers matched with you on a project.
- (ii) If you are a Worker, we may disclose your name, email address and other contact information to Customers who have engaged you to perform services on their behalf.
- (iii) To third-party Contractors, who perform services such as analyzing data and usage of the Platform, hosting and operating the Platform, providing marketing, payment processing or support and maintenance services for the Platform or providing customer service. We enter into agreements with all Contractors that require Contractors to use the Personal Information they receive only to perform services for us.
- (iv) To third-party marketing partners to market their products or services to you if you have not opted out of these disclosures. We contractually require these third parties to keep Personal Information confidential and use it only for the purposes for which we disclose it to them. For more information, see [Choices About How We Use and Disclose Your Information](#).

(v) When we have your consent to share the information.

**Web Tracking Information:** We disclose Web Tracking Information to Contractors, in order to analyze the performance of the Platform and the behavior of users, and to operate and improve the Platform.

**Aggregate and De-Identified Information:** We may disclose aggregated and/or de-identified data that does not contain Personal Information to third parties, such as Contractors, business partners, marketers, and funding sources, in order to describe our business and operations or to notify you about products and services that may be relevant to you.

**Network Operators:** Use of the Platform may involve use of the services of third-party telecommunications carriers. Such carriers are not our contractors, and any information that a carrier collects in connection with your use of the Platform is not "Personal Information" and is not subject to this Privacy Policy. We are not responsible for the acts or omissions of telecommunications carriers.

**Additional Disclosures:** We reserve the right to disclose any information we collect in connection with the Platform, including Personal Information, to: (a) our affiliates and subsidiaries; (b) any successor to our business as a result of any merger, acquisition, asset sale, dissolutions, liquidation, reorganization or similar transaction; and (c) any law enforcement, judicial authority, or governmental or regulatory authority, to the extent required by law or if in our reasonable discretion disclosure is necessary to enforce or protect our legal rights or to protect third parties.

### **Choices About How We Use, Process and Disclose Your Information**

We strive to provide you with choices regarding the Personal Information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your Personal Information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by emailing [admin@trytoolbox.com](mailto:admin@trytoolbox.com).
- **Promotional Offers from Toolbox.** If you do not wish to have your contact information used by Toolbox to promote our own products or services, you can opt-out by sending us an email stating your request to [admin@trytoolbox.com](mailto:admin@trytoolbox.com). If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions.
- **Targeted Advertising.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by sending us an email stating your request to [admin@trytoolbox.com](mailto:admin@trytoolbox.com). We do not control third parties' collection or use of your information to serve interest-based advertising. However, these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's website.

### **Accessing and Correcting Your Information**

You can review and change your Personal Information by logging into the Platform and visiting your account profile page. You may also send us an email at [admin@trytoolbox.com](mailto:admin@trytoolbox.com) to request access to or correct any Personal Information that you have provided to us.

### **Privacy Settings and Opt Out**

You may send us an email at [admin@trytoolbox.com](mailto:admin@trytoolbox.com) to delete Personal Information that you have provided to us. We cannot delete your Personal Information except by also deleting your user account. 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. Your removal from the mailing list or database will not remove data you have submitted to us or records of past use of the Platform, nor delete information stored in our data backups and archives. Such data will be maintained and/or deleted in the ordinary course of Toolbox's business.

If you wish to opt out of promotional emails (but would not like to have your information permanently removed from our database), you may do so by following the "unsubscribe" instructions in the email, or by modifying your account settings. All users receive administrative emails, and so you cannot opt out of them while you remain registered.

If you delete your User Contributions from the Platform, copies of your User Contributions may remain viewable in cached and archived pages or might have been copied or stored by other Platform users. Proper access and use of information provided on the Platform, including User Contributions, is governed by our Terms of Service.

### **Your California Privacy Rights**

On September 27, 2013, California enacted A.B. 370, amending the California Online Privacy Protection Act to require website operators like us to disclose how we respond to "Do Not Track Signals"; and whether third parties collect personally identifiable information about users when they visit us.

(1) We do not track users who do not interact with our sharing functionality across the web, and therefore do not use "do not track" signals.

(2) We do not authorize the collection of personally identifiable information from our users for third party use through advertising technologies without separate member consent.

California Civil Code Section § 1798.83 permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [admin@trytoolbox.com](mailto:admin@trytoolbox.com) or write us at: 335 Madison Avenue, 4<sup>th</sup> Floor, New York, NY 10017. Please note that we are only required to respond to one request per user each year.

### **Data Security**

We have implemented reasonable measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Platform, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Platform

like message boards. The information you share in public areas may be viewed by any user of the Platform.

UNFORTUNATELY, THE TRANSMISSION AND PROTECTION OF INFORMATION VIA THE INTERNET IS NOT COMPLETELY SECURE. ALTHOUGH WE DO OUR BEST TO PROTECT YOUR PERSONAL INFORMATION, WE CANNOT GUARANTEE THE SECURITY OF YOUR PERSONAL INFORMATION TRANSMITTED TO OR STORED ON OUR PLATFORM. ANY PROVISION AND TRANSMISSION OF PERSONAL INFORMATION IS AT YOUR OWN RISK. WE ARE NOT RESPONSIBLE FOR CIRCUMVENTION OF ANY PRIVACY SETTINGS OR SECURITY MEASURES CONTAINED ON THE PLATFORM. BY USING THE PLATFORM, YOU ACKNOWLEDGE THAT YOU UNDERSTAND AND AGREE TO ASSUME THESE RISKS.

### **Changes to Our Privacy Policy**

It is our policy to post any changes we make to our Privacy Policy on this page. If we make material changes to how we treat our users' Personal Information, we will notify you by email to the primary email address specified in your account and/or through a notice on the Website home page. The date the Privacy Policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this Privacy Policy to check for any changes. Notwithstanding any modifications we may make, any Personal Information collected by Toolbox from you will be treated in accordance with the Privacy Policy in effect at the time such information was collected, unless we obtain your consent otherwise.

### **Third Party Websites**

The Website may contain links to other websites. Toolbox is not responsible for the privacy practices or the content of those websites. Users should be aware of this when they leave the Website and review the privacy statements of each third-party website. This Privacy Policy applies solely to information collected by the Platform. We encourage our users to read the privacy policies of these other websites before proceeding to use them.

### **Users from Outside the United States**

Toolbox and its servers are located in the United States and are subject to the applicable state and federal laws of the United States. If you choose to access the Platform, you consent to the use and disclosure of information in accordance with this Privacy Policy and subject to such laws.

### **Contact Information**

To ask questions or comment about this Privacy Policy and our privacy practices, contact us at: [admin@trytoolbox.com](mailto:admin@trytoolbox.com) or 335 Madison Avenue, 4<sup>th</sup> Floor, New York, NY 10017.