

PRIVACY POLICY

Last Updated: January 20, 2024

Welcome to the Tellem App! Feedback Worldwide, LLC (“Feedback Worldwide”) is committed to respecting the privacy rights of users of Feedback Worldwide’s website at www.mytellem.com (the “Website”) and services on the website, including the mobile and web based application known as a “tellem” (or referred to as the “Services”). Feedback Worldwide created this Privacy Policy to give you or your company (in either case, “You” or “Your”) confidence as You visit and use the Website and the Services, and to demonstrate its commitment to fair information practices and to the protection of privacy. Capitalized terms that are not specifically defined in this Privacy Policy have the meaning given to them in the Terms of Use.

As a user who sends a review via the Tellem App (a “Tellem User”) to a Subscriber, Your identity as a user of the Services, including your phone number, and all “tellems” (i.e. the reviews you send through the Tellem App) You send are anonymous with no identifying information associated with You as the person sending them (unless You provide that information in the tellem that you send). As a paid subscriber (“Subscriber”) who replies to a tellem received, the identity of the Subscriber is displayed and is not anonymous.

This Privacy Policy is only applicable to the Website and Services and not to any websites of third parties (“Third-Party Websites”), which may have data collection, storage and use practices and policies that differ materially from this Privacy Policy. For additional information, see the section concerning Third-Party Websites, below.

BY USING THE WEBSITE AND THE SERVICES, YOU REPRESENT AND WARRANT THAT YOU HAVE READ AND UNDERSTOOD AND AGREE TO THE TERMS OF THIS PRIVACY POLICY. IF YOU DO NOT UNDERSTAND OR DO NOT AGREE TO BE BOUND BY THIS PRIVACY POLICY, YOU MUST IMMEDIATELY LEAVE THE WEBSITE AND NOT USE THE SERVICES.

Each time You use the Website and Services, the then-current version of this Privacy Policy will apply. Accordingly, each time You use the Website and Services You should check the date of this Privacy Policy (which appears at the top) and review any changes since the last time You used the Website. For additional information, see the section concerning Updates and Changes to Privacy Policy, below.

1. WHO ARE WE?

Any information or other data provided to or gathered by Feedback Worldwide is controlled by:

Feedback Worldwide, LLC
P.O. Box 115
Kingston, NJ 08528
privacy@myTellem.com

2. TYPE OF INFORMATION COLLECTED & INFORMATION COLLECTION PRACTICES

(a) Traffic Data.

Like most website operators, Feedback Worldwide automatically gathers information of the sort that browsers automatically make available for users accessing the Website and Services, including: (i) IP addresses; (ii) domain servers; (iii) types of computers; (iv) types of Web browsers; and (v) time zone and geographic location (collectively “**Traffic Data**”). Traffic Data is anonymous information that does not personally identify You.

(b) Cookie Policy.

“**Cookies**” are text files that are placed on your computer and mobile devices by websites that you visit or certain emails that you open. A Cookie acts as a string of information that a website stores on a user’s computer or mobile device, and that the user’s browser provides to the website each time the user submits a query to the website. The purpose of a Cookie is to identify the user as a unique user of the Website and Services. Feedback Worldwide uses Cookies. Feedback Worldwide uses cookies on the Website and Services for the following purposes:

- to customize your experience to your interests
- to ensure that you do not see the same informational messages repeatedly, and
- to auto log you into the website using an unidentifiable string

IF YOU DO NOT WISH TO HAVE COOKIES PLACED ON YOUR COMPUTER, YOU SHOULD SET YOUR BROWSERS TO REFUSE COOKIES BEFORE ACCESSING THE WEBSITE OR USE THE SERVICES, WITH THE UNDERSTANDING THAT CERTAIN OF THE SERVICES AND CERTAIN FEATURES OF THE WEBSITE MAY NOT FUNCTION PROPERLY WITHOUT THE AID OF COOKIES. IF YOU REFUSE COOKIES, YOU ASSUME ALL RESPONSIBILITY FOR ANY RESULTING LOSS OF FUNCTIONALITY. You can learn more about how to delete or control cookies at www.aboutcookies.org.

(c) Personal Information.

“Personal Information” as used in this Privacy Policy means personal information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular user. Examples include a user’s name and email address. In order for You to use certain parts of the Services, You will be asked to provide Feedback Worldwide certain information that personally identifies You. Personal Information includes, without limitation: (1) **“Contact Data and Demographic Data”** (such as Your name, business name and address, and email address). Regarding number 1, You will be asked to provide Personal Information; the Website and Services will not gather it surreptitiously. Feedback Worldwide may supplement the Personal Information You provide with publicly available mapping services to help identify locations/addresses.. You are under no obligation to provide Personal Information, with the caveat that Your refusal to do so may prevent you from using certain or all of the Services.

(d) Information You Make Public.

The Website and Services may contain features (e.g. instant messages, electronic messaging, etc.) that permit You to upload, post, transmit, display, perform or distribute content, or other information, including Your Personal Information between Subscribers and Tellem Users. Any information that You choose to disclose by means of such features transmitting tellem and any replies may become public information over which Feedback Worldwide is unable to exercise control. You should exercise caution when deciding to disclose Your Personal Information by means of such features, and You agree to assume all responsibility for doing so.

(e) Mobile Device Information.

The Website and Services may collect: (i) information about the type, make, and model of Your device, the operating system You use on the device, browser type and specifications, the network service or wireless communication provider who connects Your device to a telecommunications system or systems, Your internet protocol address, and other unique identifiers assigned by third parties to Your mobile device, Laptop or Desktop computer and (ii) Cookies (defined above), and visitor history. The Website and Services may access and collect information regarding the physical geographic location of your device.

(f) Transaction and Payment Data.

We gather additional information from You when You complete a checkout transaction or save payment preferences to Your Account. Such information may include your bank account number, credit card number, debit card number, expiration date, cvv, order number, billing data, or any other information submitted to us as part of your checkout transaction.

(g) Geolocation Information.

We may collect information about where You are located, both generally and at the time You access the Services. For example, we may collect Your billing or business address or ascertain Your approximate location from Your IP address.

(h) Other Information.

From time to time, we may collect other information from You, such as when You make a claim for a prize pursuant to a contest or other promotion run on the Services, when You request assistance from our customer service team, or when You voluntarily subscribe to promotions, reminders, or newsletters. You will always be asked for Your consent in advance of providing such other information, and we will not collect it without Your permission.

3. INFORMATION USE AND DISCLOSURE PRACTICES

Feedback Worldwide may use the information identified in Section 2 for certain “business purposes” that are necessary to provide the Website and related Services and for certain “commercial purposes,” meaning a use that advances our business interests, such as marketing the Website and Services.

The following are the business and commercial purposes for which we may use Your information:

(a) To Improve the Website and Services. Feedback Worldwide analyzes Traffic Data and information gathered using Cookies to help Feedback Worldwide better understand who is using the Website and Services and how they are using it. By identifying patterns and trends in usage, Feedback Worldwide is able to better design the Website and Services to improve Your experience, and to provide You access to more relevant and interesting content. From time to time, Feedback Worldwide may release Traffic Data and information gathered using Cookies in the aggregate, such as by publishing a report on trends in the usage of the Website and Services. Feedback Worldwide does not attempt to link information gathered using Cookies to Personal Information.

(b) To Communicate with You, To Personalize Your Experience, To Advertise to You. Feedback Worldwide uses Your Contact, Demographic Data, and Geolocation to send You information about Feedback Worldwide and Feedback Worldwide’s products and services, and to contact You when necessary in connection with the Services. Feedback Worldwide uses Your Demographic Data to customize and tailor Your experience on the Website and Services. As with Traffic Data and information gathered using Cookies, from time to time Feedback Worldwide may release

Demographic Data in the aggregate, such as by publishing a report on trends in the usage of the Website and Services.

(c) To Process and Complete Checkout Transactions, including when you sign up for a Subscription.

(d) To Secure the Website and Services, such as by detecting security incidents, protecting against malicious, deceptive, fraudulent, or illegal activity, and identifying and prosecuting those responsible for that activity.

(e) To Advertise Public Content to Others, such as by sharing your reviews or testimonials about us.

We may also use Your information, combined with that of other users, to create deidentified "Aggregate Information," which is statistical information about all users or a subset thereof and is pseudonymized and deidentified, i.e., cannot be used to identify or relate back to you. Aggregate Information may be used by Feedback Worldwide for the purposes listed above. We may also use Aggregate Information to develop use cases that compare average industry trends.

In other words, we process Your data when necessary to perform our responsibilities under a contract with You (e.g., providing and processing payments for the services you have ordered), if we need to comply with a legal obligation, if necessary for the purposes of legitimate interests unless they are overridden by Your interests or rights, to protect the vital interests of users, or when we have Your consent to do so, which you may withdraw by contacting us as outlined below.

Disclosure Practices. Except under the following circumstances, Feedback Worldwide will keep Your Personal Information private, and will not share it with third parties.

- **Disclosure in Connection with Services.** Feedback Worldwide discloses Personal Information to those who help it provide services, including without limitation those who perform technical, administrative, and data processing tasks such as hosting, billing, fulfillment, and data storage and security.
- **License to User Content.** As stated in our Terms of Use, by using the Website or Services, You grant Feedback Worldwide the right to publish Your contact and demographic information in connection with Feedback Worldwide's exercise of its license in and to Your Content. You further waive any claims arising from Feedback Worldwide's exercise of that right. For additional information, see Terms of Use Section 16, regarding User Content.

- **By Law or to Protect Rights.** Feedback Worldwide discloses Personal Information when required to do so by law, or in response to a subpoena or court order, or when Feedback Worldwide believes in its sole discretion that disclosure is reasonably necessary to protect the property or rights of Feedback Worldwide, third parties or the public at large.
- **Business Transfers; Bankruptcy.** Feedback Worldwide reserves the right to transfer all Personal Information in its possession to a successor organization in the event of a merger, acquisition, or bankruptcy or other sale of all or a portion of Feedback Worldwide's assets. Other than to the extent ordered by a bankruptcy or other court, the use and disclosure of all transferred Personal Information will be subject to this Privacy Policy, or to a new privacy policy if You are given notice of that new privacy policy and an opportunity to affirmatively opt-out of it. Personal Information submitted or collected after a transfer, however, may be subject to a new privacy policy adopted by Feedback Worldwide's successor organization.
- **Unpaid Accounts.** If You fail to pay any balance owed in consideration of the Services, Feedback Worldwide may, as permitted by law, report Your Personal Information, including without limitation Your unpaid balance, to consumer credit reporting services, collection agencies and others.
- **Advertising Partners.** We may disclose information as needed to advertising partners. For example, we may share information gathered through Cookies and tracking tools to allow a third party to advertise our Services to you after you leave the Website.
- **Other Users.** We may share Your Content, such as reviews and comments about the Services, including by reposting Your reviews on the Website, in our advertising, and through our social media accounts.

4. CONSENT TO RECEIVE ELECTRONIC COMMUNICATIONS FROM FEEDBACK WORLDWIDE

Without limitation, by registering for the Website and/or Services and/or by providing Your name and email address through the Website or Services, You hereby expressly consent to receive electronic and other communications from Feedback Worldwide, over the short term and periodically, including email and short-message service ("SMS" or "text message") communications, regarding the Website and/or Services, new product offers, promotions, and other matters. You may opt-out of receiving electronic communications at any time by following the unsubscribe instructions contained in each communication. Please note that, even if You unsubscribe from advertising emails, we will still send You any necessary, non-promotional emails about Your purchases, Account, or updates to our Privacy Policy and Terms of Use.

5. CONSENT TO RECEIVE ELECTRONIC COMMUNICATIONS FROM OTHER FEEDBACK WORLDWIDE USERS

By registering for the Website and/or Services and/or by providing Your name and email address through the Website or Services, You hereby consent to receive electronic communications, including instant messages within the Tellem App whether it is web based or mobile, from other users of the Website and Services. Such electronic communications can only be between a Subscriber and a Tellem User, or a Subscriber and another Subscriber, but not between two or more paid/non-paid Tellem Users.

6. CONSENT TO RECEIVE ELECTRONIC COMMUNICATIONS FROM FEEDBACK WORLDWIDE PAID SUBSCRIBERS

By registering and sending a tellem through the Website and/or Services You hereby consent to receive, and openly and knowingly solicit, electronic communications, including instant messages from Feedback Worldwide Subscribers to whom You sent a tellem regarding their surveys, services, including offers, promotions, and other related matters. You may opt-out of receiving electronic communications from a Subscriber at any time by using the “block” feature contained in the Services.

7. SECURITY OF PERSONAL INFORMATION

Feedback Worldwide has implemented and maintains reasonable security procedures and practices to protect against the unauthorized access, use, modification, destruction or disclosure of Your Personal Information. However, no data transmission over the internet can be 100% secure. As a result, to the extent permitted by law, we do not guarantee or warrant the security of any information You transmit to or from our Website and Services, and you do so at your own risk. The security of Your Personal Information also depends on You. You should protect and refrain from sharing Your sensitive Personal Information and immediately notify us or impacted third parties of any suspected data breach.

8. LOST OR STOLEN INFORMATION

You must promptly notify us if Your credit card information, user name or password is lost, stolen or used without permission. In such an event, we will remove that credit card number, user name or password from Your Account and update our records accordingly. To notify us, you may email us at support@mytellem.com with the subject line “Lost/Stolen [credit card information/account information]”.

9. DO WE SELL YOUR INFORMATION TO OTHERS?

Feedback Worldwide does not sell your Personal Information for money. However, please note that the California Consumer Privacy Act (“CCPA”) defines “sale” of “information” very

broadly to cover many common business activities, even when the information is partially de-identified and is not exchanged for money. As outlined above, the Website and Services use Cookies and other tracking tools, including those placed by, and where information is shared with, third parties. The primary purpose of this practice is to deliver personalized advertisements that are specific to Your interests and to avoid displaying repetitive or irrelevant advertisements to You.

Although Feedback Worldwide's practices may not constitute a "sale" of Personal Information, You have the right to direct us to not use Your information for these practices. You may do so by disabling Cookies and other tools or visiting informational websites, as outlined above, or contacting us.

10. PRIVACY RIGHTS

Process for Making a Request

Feedback Worldwide wants Your Personal Information to be complete and accurate. As stated in the Feedback Worldwide Terms of Use, by using the Website and Services, You represent and warrant that all information You provide in connection with Your use of the Website and Services will be current, complete, and accurate, and that You will update that information as necessary to maintain its completeness and accuracy. To confirm the completeness and accuracy of, or make changes to, Your Personal Information, visit and, as necessary, update the User Profile section of the Website or email us at privacy@mytellem.com.

To protect Your privacy and security, we may take reasonable steps to help verify Your identity before granting access, making corrections, providing you with information, or deleting information.

California Residents

California residents have the following rights under California privacy laws:

- **Right to access and correct** Your Personal Information;
- **Right to request disclosure** of the categories of information collected about You, the categories of sources from which the information is collected, the business or commercial purpose for collecting or selling information, the categories of third parties with whom we share Your information, and specific pieces of information we have collected about You;
- **Right to opt out** of certain privacy practices, including any sale of information;
- **Right to request deletion** of Personal Information collected about You; and
- **Right to no discriminatory treatment** (and Feedback Worldwide will not discriminate against You, for example by charging you a different price, for exercising your rights).

In addition, under California's "Shine the Light" law, California residents who provide information to the Website may request certain information regarding our disclosure of Your information to third parties for their direct marketing purposes.

11. CHILDREN'S PRIVACY

Feedback Worldwide does not solicit or knowingly collect personally identifiable information from anyone under the age of 18. If Feedback Worldwide obtains actual knowledge that it has collected personally identifiable information from a child under the age of 13, Feedback Worldwide will immediately delete such information from its database. Because Feedback Worldwide is intended for use by people at or over the age of 18 and does not knowingly collect personally identifiable information from anyone under the age of 13, Feedback Worldwide has no such information to use or disclose to third parties. Feedback Worldwide has designed this Privacy Policy in order to comply with the Children's Online Privacy Protection Act ("COPPA").

12. HOW LONG DO WE KEEP YOUR INFORMATION?

We retain your information as long as necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law or a valid court order. If You request deletion of Your information, Your request will be processed according to the timeframes indicated therein and/or pursuant to any applicable legislation.

13. DO WE TRANSFER YOUR INFORMATION TO A DIFFERENT COUNTRY?

If You are visiting the Website or Services, Your connection will be through and to servers located in the United States, and all information You provide will be processed and securely maintained in our web servers and internal systems located within the United States. By using the Website or Services, You authorize and consent to the transfer of personal data to the United States and its storage and use as specified above when you provide such information to us.

14. THIRD-PARTY WEBSITES

Feedback Worldwide neither owns nor controls Third-Party Websites. Accordingly, Third-Party Websites are under no obligation to comply with this Privacy Policy except with respect to Personal Information provided directly to them by Feedback Worldwide. Before visiting or providing Personal Information to a Third-Party Website, You should inform Yourself of the privacy policies and practices (if any) of that Third-Party Website (in particular, Stripe for payment processing), and should take those steps necessary to, in Your discretion, protect Your privacy.

15. PROMOTIONAL ACTIVITIES

From time to time, Feedback Worldwide may conduct contests, giveaways and other promotions (collectively, “Promotional Activities”). Any information submitted in connection with Promotional Activities will be treated in accordance with this Privacy Policy. From time to time, Feedback Worldwide may also ask You to participate in surveys designed to help Feedback Worldwide improve the Websites or Services. Any Personal Information provided to Feedback Worldwide in connection with any survey will be used only in relation to that survey, and will be disclosed to third parties not bound by this Privacy Policy only in aggregated form.

16. UPDATES AND CHANGES TO PRIVACY POLICY

Although most changes are likely to be minor, Feedback Worldwide reserves the right, at any time and without notice, to add to, update, change or modify this Privacy Policy, simply by posting such update, change or modification on this page. Any such addition, update, change or modification will be effective immediately upon posting on the Website. Each time You use the Website or Services, the then-current version of this Privacy Policy will apply. Accordingly, each time You use the Website or Services You should check the date of this Privacy Policy and review any changes since the last time You used the Website/Services. Unless Feedback Worldwide obtains Your express consent, any revised Privacy Policy will apply only to information collected after the effective date of such revised Privacy Policy, and not to information collected under any earlier Privacy Policy.

17. DO NOT TRACK (“DNT”)

DNT is a feature offered by some browsers which, when enabled, sends a signal to websites to request that Your browsing is not tracked. We do not respond to DNT requests.

18. CONTACTING US

If you would like to access, correct, amend, or delete any Personal Information we have about You, make a complaint, or simply want more information, please contact us. You may contact us at support@mytellem.com.