

## Privacy Policy

Effective date: April 1, 2024

This Privacy Policy for the Electric IT Hub (the “Service”) provided by Electric AI, Inc. (“Electric” or “we”) describes how we treat your personal data. **By using or accessing the Service in any manner, you acknowledge that you accept the practices and policies outlined in this Privacy Policy, and you hereby consent that we will collect, use, and share your information as described in this Privacy Policy.**

### What Does This Privacy Policy Cover?

This Privacy Policy covers our treatment of personally identifiable information (“Personal Data”) that we gather when you are accessing or using our Service. “Personal Data” means any information that identifies or relates to a particular individual and also includes information referred to as “personally identifiable information” or “personal information” under applicable data privacy laws, rules or regulations. This Privacy Policy does not cover the practices of companies we don’t own or control, or people we don’t manage. We gather various types of Personal Data from you, as explained in more detail below, and we use this Personal Data internally in connection with the Service, including to personalize, provide, and improve the Service, to contact you and allow others to contact you, to fulfill your requests for certain products and services, and to analyze how you use the Service. In certain cases, we may also share some Personal Data with third parties, but only as described below.

### What Personal Data Do We Collect From You?

#### Categories of Personal Data We Collect

This chart details the categories of Personal Data that we collect and have collected over the past 12 months:

Category of Personal Data	Examples of Personal Data We Collect	Categories of Third Parties With Whom We Share this Personal Data:
<b>Account Information</b>	Information associated with the account such as the administrator’s contact information, billing information, and account plan information	<ul style="list-style-type: none"><li>• Service Providers</li></ul>

		<ul style="list-style-type: none"> <li>● Analytics Partners</li> </ul>
<b>User Contact Information</b>	Information about users using the Service, which includes their first and last name, email, and may include their mailing address and phone number	<ul style="list-style-type: none"> <li>● Service Providers</li> <li>● Analytics Partners</li> </ul>
<b>Service Usage Information</b>	Information related to users using the Service, which includes web page interactions within the Service	<ul style="list-style-type: none"> <li>● Service Providers</li> <li>● Analytics Partners</li> </ul>
<b>Device/IP Data</b>	Information associated with the device(s) users use to access the Service online, including IP addresses and operating system. For users using the device management services, this information also includes hardware and software details, such as the amount of disk space available, memory, list of applications installed and system update information.	<ul style="list-style-type: none"> <li>● Service Providers</li> <li>● Analytics Partners</li> </ul>
<b>Geolocation Data</b>	<ul style="list-style-type: none"> <li>● IP-address-based location information</li> </ul>	<ul style="list-style-type: none"> <li>● Service Providers</li> <li>● Analytics Partners</li> </ul>

*Our Commercial or Business Purposes for Collecting Personal Data*

We process Personal Data to operate, improve, understand, and personalize our Service. We use Personal Data for the following:

- **Providing, Customizing and Improving the Service**
  - Providing you with the products, services or information you request.
  - Meeting or fulfilling the reason you provided the information to us.

- Providing support and assistance for the Service.
  - Improving the Service, including testing, research, internal analytics and product development.
  - Personalizing the Service, its content and features, and communications based on your preferences.
  - Responding to user inquiries and fulfilling user requests.
  - Doing fraud protection, security and debugging.
  - Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the “CCPA”).
- **Corresponding with You**
    - Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about Electric, the Service or our other products and services.
    - Sending emails and other communications according to your preferences or that display content that we think will interest you.
- **Meeting Legal Requirements and Enforcing Legal Terms**
    - Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
    - Fulfilling our contractual obligations.
    - Protecting the rights, property or safety of you, Electric or another party.
    - Enforcing any agreements with you.
    - Responding to claims that any posting or other content violates third-party rights.
    - Resolving disputes.
    - Maintaining the security of our products and services.

We reserve the right to access, read, preserve, and disclose any information that we reasonably believe is necessary to comply with law or court order; enforce or apply this Privacy Policy and other agreements; or protect the rights, property, or safety of Electric, our employees, our users, or others.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice.

### **Will Electric Share Any of the Personal Data it Receives?**

We disclose your Personal Data to the categories of service providers and other parties listed in this section. Depending on state laws that may be applicable to you, some of these disclosures may constitute a “sale” of your Personal Data. For more information, please refer to the state-specific sections below.

- **Service Providers.** In some circumstances, we employ other companies and people to perform tasks on our behalf and need to share your information with them to provide products or services to you; for example, we may use a third-party mail management service to send you emails on our behalf. Unless we tell you differently, our agents do not have any right to use the Personal Data we share with them beyond what is necessary to assist us. They include:
  - Hosting, technology and communication providers.
  - Authentication providers
  - Shipping providers
- **Analytics Partners.** These parties provide analytics on web traffic or usage of the Service.

### Legal Obligations

We may share any Personal Data that we collect with third parties in conjunction with any of the activities set forth under “Meeting Legal Requirements and Enforcing Legal Terms” in the “Our Commercial or Business Purposes for Collecting Personal Data” section above.

### Business Transfers

We may choose to buy or sell assets, and may share and/or transfer account, contact, and other Personal Data in connection with the evaluation of and entry into such transactions. Also, if we (or our assets) are acquired, or if we go out of business, enter bankruptcy, or go through some other change of control (in whole or in part), Personal Data could be one of the assets transferred to or acquired by a third party.

### Data that is Not Personal Data

We may de-identify your Personal Data so that you are not identified as an individual, and provide that information to our partners. We may also provide aggregate usage information to our partners (or allow partners to collect that information from you), who may use such information to understand how often and in what ways people use our Service, so that they, too, can provide you with an optimal online experience.

### **Use of Google Workspace Data**

If you choose to integrate the Service with your Google Workspace, the following information will be accessed, stored, and used to simplify creating employee accounts and groups in the Service:

- User email, name, profile picture, job title
- Group names
- Organization unit names and hierarchy

This information will also be accessible by our HRIS integration partner, Merge.dev. Merge.dev's privacy policy is available here:  
<https://www.merge.dev/legal/privacy-policy>.

**Limited Use Policy Disclosure:** The Service's use and transfer to any other app of information received from Google APIs will adhere to Google API Services User Data Policy, including the Limited Use requirements.

### **Tracking Tools, Advertising and Opt-Out**

The Service uses cookies and similar technologies such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, "Cookies") to enable our servers to recognize your web browser, learn about our user base and operate and improve our Service. Cookies are small pieces of data – usually text files – placed on your computer, tablet, phone or similar device when you use that device to access our Service. The Service does not support "Do Not Track" requests sent from a browser at this time.

We use cookies that are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Service. Disabling these Cookies may make certain features and services unavailable.

You can decide whether or not to accept Cookies through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. If you do this, however, you may have to manually adjust some preferences every time you visit our Service and functionalities may not work.

To explore what Cookie settings are available to you, look in the "preferences" or "options" section of your browser's menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit

<http://www.allaboutcookies.org/> or <https://ico.org.uk/for-the-public/online/cookies/> if you are located in the European Union.

## **Data Storage and Security**

We endeavor to protect the privacy of your Personal Data we hold in our records, but unfortunately, we cannot guarantee complete security. Unauthorized entry or use, hardware or software failure, and other factors, may compromise the security of user information at any time.

We seek to protect Personal Data using appropriate technical and organizational measures based on the type of Personal Data and applicable processing activity.

## **Where Does Electric Store My Data?**

When you use the Service on your device, some of your data will be stored locally on that device.

When your device is connected to the Internet and syncs with the Service's software that is operated by Electric, that data will be replicated on servers maintained in the United States. This means that if you store information in or submit data to the Service on your device and sync such device with the Service online, you acknowledge your personal data will be transmitted to, hosted, and accessed in the United States.

If you are not located in the United States, data privacy laws or regulations in your home country may differ from, or be more protective than, those in the United States. We will collect, store, and use your personal data in accordance with this Privacy Policy and applicable privacy laws, wherever it is processed.

## **How Long Do We Retain Your Personal Data?**

We retain Personal Data about you for as long as necessary to provide you with the Service. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. Afterwards, we retain some information in a depersonalized or aggregated form but not in a way that would identify you personally.

## **What Personal Data Can I Access?**

The Service currently does not include the ability to access your information; however, the information you can view, update, and delete may change as the Service changes. If

you are a registered user, you may have the ability to view and change your username, password, email address, and other contact information. If you have any questions about the information we have on file about you (including any request to delete, correct, or update that information), please contact us at [hello@electric.ai](mailto:hello@electric.ai).

### **What Choices Do I Have?**

You can always opt not to disclose information to us, but keep in mind some information may be needed to register with us or to take advantage of some of our features.

You may be able to add, update, or delete information as explained above. When you update information, however, we may maintain a copy of the unrevised information in our records. Some information may remain in our records even if you request deletion of such information from your account. We may use aggregated data derived from or incorporating your Personal Data after you update or delete it, but not in a manner that would identify you personally.

### **Personal Data of Children**

We do not knowingly collect or solicit Personal Data about children (defined as anyone under the age of 18). If you are under 18, please do not attempt to register for the Service or send any Personal Data about yourself to us. If we learn that we have collected Personal Data from a person under age 18, we will delete that information as quickly as possible. If you believe that anyone under 18 may have provided us Personal Data, please contact us at [hello@electric.ai](mailto:hello@electric.ai).

### **California Resident Rights**

If you are a California resident, you have the rights set forth in this section. Please see the “Exercising Your Rights” section below for instructions regarding how to exercise these rights. Please note that we may process Personal Data of our customers’ end users or employees in connection with our provision of certain services to our customers. If we are processing your Personal Data as a service provider, you should contact the entity that collected your Personal Data in the first instance to address your rights with respect to such data.

If there are any conflicts between this section and any other provision of this Privacy Policy and you are a California resident, the portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this

section or whether any of the following rights apply to you, please contact us at [hello@electric.ai](mailto:hello@electric.ai).

### Access

You have the right to request certain information about our collection and use of your Personal Data over the past 12 months. In response, we will provide you with the following information:

- The categories of Personal Data that we have collected about you.
- The categories of sources from which that Personal Data was collected.
- The business or commercial purpose for collecting or selling your Personal Data.
- The categories of third parties with whom we have shared your Personal Data.
- The specific pieces of Personal Data that we have collected about you.

If we have disclosed your Personal Data to any third parties for a business purpose over the past 12 months, we will identify the categories of Personal Data shared with each category of third party recipient. If we have sold your Personal Data over the past 12 months, we will identify the categories of Personal Data sold to each category of third party recipient.

### Deletion

You have the right to request that we delete the Personal Data that we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Data to provide you with our services or complete a transaction or other action you have requested. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

### Exercising Your Rights

To exercise the rights described above, you or your Authorized Agent (defined below) must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Data, and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it. Each request that meets both of these criteria will be considered a "Valid Request." We may not respond to requests that do not meet these criteria. We will only use Personal Data provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within 45 days of receipt. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request by emailing us at [hello@electric.ai](mailto:hello@electric.ai).

You may also authorize an agent (an "Authorized Agent") to exercise your rights on your behalf. To do this, you must provide your Authorized Agent with written permission to exercise your rights on your behalf, and we may request a copy of this written permission from your Authorized Agent when they make a request on your behalf.

### Personal Data Sales Opt-Out and Opt-In

We will not sell your Personal Data, and have not done so over the last 12 months. To our knowledge, we do not sell the Personal Data of minors under 18 years of age.

### *We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA*

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of our services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates or levels of quality of the goods or services you receive related to the value of Personal Data that we receive from you.

## **Other State Law Privacy Rights**

### California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at [hello@electric.ai](mailto:hello@electric.ai) or submit a written request to:

Electric AI, Inc.  
Attn: Privacy Policy  
915 Broadway, Suite 802  
New York, NY 10010

### Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties who intend to license or sell that Personal Data. You can exercise this right by contacting us at [hello@electric.ai](mailto:hello@electric.ai) with the subject line “Nevada Do Not Sell Request” and providing us with your name.

### Colorado Resident Rights

If you are a resident of Colorado, you have the right to access and delete your Personal Data, the right to data portability, and the right to opt out of targeted advertising or the sale of Personal Data. You also have a right of appeal with respect to the exercise of these other rights. You can exercise these rights by contacting us at [hello@electric.ai](mailto:hello@electric.ai) with the subject line “Colorado Privacy Rights” and providing us with your name, your email address used with this Service, and a detailed explanation of your request. If an appeal is denied, you may contact the Colorado Attorney General at 1300 Broadway, 10th Floor, Denver, CO 80203.

### Virginia Resident Rights

If you are a resident of Virginia, you have the right to access, correct and delete your Personal Data, the right to data portability, and the right to opt out of targeted advertising or the sale of Personal Data. You also have a right of appeal with respect to the exercise of these other rights. You can exercise these rights by contacting us at [hello@electric.ai](mailto:hello@electric.ai) with the subject line “Virginia Privacy Rights” and providing us with your name, your email address used with this Service, and a detailed explanation of your request. If an appeal is denied, you may contact the Virginia Attorney General at 202 N. 9th Street, Richmond, VA 23219.

## **European Union and United Kingdom Data Subject Rights**

### EU and UK Residents

If you are a resident of the European Union (“EU”), United Kingdom (“UK”), Lichtenstein, Norway or Iceland, you may have additional rights under the EU General Data Protection Regulation or the UK General Data Protection Regulation (collectively, the “GDPR”) with respect to your Personal Data.

For this section, we use the terms “Personal Data” and “processing” as they are defined in the GDPR, but “Personal Data” generally means information that can be used to individually identify a person, and “processing” generally covers actions that can be performed in connection with data such as collection, use, storage and disclosure.

Electric will be the controller of your Personal Data processed in connection with the Service.

If there are any conflicts between this section and any other provision of this Privacy Policy, the policy or portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following applies to you, please contact us at hello@electric.ai. Note that we may also process Personal Data of our customers' end users or employees in connection with our provision of certain services to customers, in which case we are the processor of Personal Data. If we are the processor of your Personal Data (i.e., not the controller), please contact the controller party in the first instance to address your rights with respect to such data.

Where applicable, this section is intended to supplement, and not replace, the Company's Privacy Policy.

### Personal Data We Collect

The "Categories of Personal Data We Collect" section above details the Personal Data that we collect from you.

### Personal Data Use and Processing Grounds

The "Our Commercial or Business Purposes for Collecting Personal Data" section above explains how we use your Personal Data.

We will only process your Personal Data if we have a lawful basis for doing so. Lawful bases for processing include consent, contractual necessity and our "legitimate interests" or the legitimate interest of others, as further described below.

- Contractual Necessity: We process the following categories of Personal Data as a matter of "contractual necessity", meaning that we need to process the data to provide you with the Service. When we process data due to contractual necessity, failure to provide such Personal Data will result in your inability to use some or all portions of the Service that require such data.
  - Account Information
  - User Contact Information
  - Service Usage Information
- Legitimate Interest: We process the following categories of Personal Data when we believe it furthers the legitimate interest of us or third parties:

- Device/IP Data including IP addresses and log data (e.g. access times, hardware and software information).
  - Geolocation Data.
  - We may also de-identify or anonymize Personal Data to further our legitimate interests.
- Examples of these legitimate interests include (as described in more detail above):
  - Providing, customizing and improving the Service.
  - Marketing our services.
  - Corresponding with you.
  - Providing customer support.
  - Protecting you from fraud or security threats.
  - Meeting legal requirements and enforcing legal terms.
  - Completing corporate transactions.
- Consent: In some cases, we process Personal Data based on the consent you expressly grant to us at the time we collect such data. When we process Personal Data based on your consent, it will be expressly indicated to you at the point and time of collection.
- Other Processing Grounds: From time to time we may also need to process Personal Data to comply with a legal obligation, if it is necessary to protect the vital interests of you or other data subjects, or if it is necessary for a task carried out in the public interest.

### Sharing Personal Data

The “Will Electric Share Any of the Personal Data it Receives?” section above details how we share your Personal Data with third parties.

### EU Data Subject Rights

You have certain rights with respect to your Personal Data, including those set forth below. For more information about these rights, or to submit a request, please email us at [hello@electric.ai](mailto:hello@electric.ai). Please note that in some circumstances, we may not be able to fully comply with your request, such as if it is frivolous or extremely impractical, if it jeopardizes the rights of others, or if it is not required by law, but in those circumstances, we will still respond to notify you of such a decision. In some cases, we may also need you to provide us with additional information, which may include Personal Data, if necessary to verify your identity and the nature of your request.

- **Access:** You can request more information about the Personal Data we hold about you and request a copy of such Personal Data.
- **Rectification:** If you believe that any Personal Data we are holding about you is incorrect or incomplete, you can request that we correct or supplement such data.
- **Erasure:** You can request that we erase some or all of your Personal Data from our systems.
- **Withdrawal of Consent:** If we are processing your Personal Data based on your consent (as indicated at the time of collection of such data), you have the right to withdraw your consent at any time. Please note, however, that if you exercise this right, you may have to then provide express consent on a case-by-case basis for the use or disclosure of certain of your Personal Data, if such use or disclosure is necessary to enable you to utilize some or all of our Service.
- **Portability:** You can ask for a copy of your Personal Data in a machine-readable format. You can also request that we transmit the data to another controller where technically feasible.
- **Objection:** You can contact us to let us know that you object to the further use or disclosure of your Personal Data for certain purposes, such as for direct marketing purposes.
- **Restriction of Processing:** You can ask us to restrict further processing of your Personal Data.
- **Right to File Complaint:** You have the right to lodge a complaint about our practices with respect to your Personal Data with the supervisory authority of your country or EU Member State. A list of Supervisory Authorities is available here: [https://edpb.europa.eu/about-edpb/board/members\\_en](https://edpb.europa.eu/about-edpb/board/members_en) .

### *Transfers of Personal Data*

The Service is hosted and operated in the United States (“U.S.”) through Electric and our service providers, and if you do not reside in the U.S., laws in the U.S. may differ from the laws where you reside. By using the Service, you acknowledge that any Personal Data about you, regardless of whether provided by you or obtained from a third party, is being provided to Electric in the U.S. and will be hosted on U.S. servers, and you authorize Electric to transfer, store and process your information to and in the U.S., and possibly other countries. You hereby consent to the transfer of your data to the U.S. pursuant to a data processing agreement incorporating standard data protection clauses promulgated by the European Commission, a copy of which can be obtained at [https://eur-lex.europa.eu/eli/dec\\_impl/2021/914/oj?uri=CELEX:32021D0914&locale=en](https://eur-lex.europa.eu/eli/dec_impl/2021/914/oj?uri=CELEX:32021D0914&locale=en), as may be amended or replaced from time to time by the European Commission.

### **Will Electric Ever Change This Privacy Policy?**

We're constantly trying to improve our Service, so we may need to change this Privacy Policy from time to time as well, but we will alert you to changes by placing a notice in the Service, by sending you an email, and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Service, and you are still responsible for reading and understanding them. If you use the Service after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is collected.

### **What If I Have Questions About This Policy?**

If you have any questions or concerns regarding our Privacy Policy, please send us a detailed message to [hello@electric.ai](mailto:hello@electric.ai) and we will try to resolve your concerns.