

# Privacy Policy

How we collect, use, share and protect your information

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Cargofy Inc. has created this privacy policy in order explain our privacy practices. The following explains how we collect, use, share and protect your information, and how you can access your information and decide how it is used.

The Privacy Policy covers our activities online, such as web and mobile services, including any our websites such as [www.cargofy.com](http://www.cargofy.com) (the Site) and [cargofy.com](http://cargofy.com), sub-domains, other Cargofy Powered sites, the Cargofy mobile applications, any available Cargofy APIs, and all other related services, websites, applications, and tools furnished to you in Cargofy's online shipping marketplace. It also covers our offline activities, such as collection of information through telephone, or in person. Our online and offline activities are referred to as the Services.

By using the Services, you hereby warrant and represent that you have read, understand and agree to all terms and conditions herein, including our Terms of Use, available here, which is incorporated here in by reference. You further warrant and represent that you are giving Cargofy permission to use and store such information consistent with this policy and our Terms of Use.

**Please review this Privacy Policy carefully.**

**If you do not agree to this Privacy Policy, do not use any of our Services or give us any of your information.**

A user of the Service is hereinafter referred to as a User, or collectively, the Users.

## Links and Information

This website contains links to other websites. Please review Section 13 of our Terms of Use, available here, for more information.

## Information Received by Cargofy

### Personal Information

Cargofy collects personal information if you voluntarily choose to share such information. You may browse the Site without disclosing any personal information. However, to take advantage of particular opportunities provided through the Service, we may require that you furnish personal information. When you register your account, complete forms and through communications transmitted through the Services, we collect information including your name, company name, phone number (including to use to call or text you in order to provide the service) and email address. In the case of carriers, further information is required to be added to the platform, including, but not limited to, your CA or MC number, certificates of insurance, copy of ICC/DOT authority, W-9 forms, and safety documentation.

### Usage Information

Cargofy may use technologies that collect and store certain data about the use of the Service on an aggregate and/or anonymous basis. This information may be non-identifying or may be associated with you. Whenever we associate usage information with your personal information, we will treat it as personal information.

In addition, tracking information is collected as you navigate through our Services, such as geographic areas. Vehicles registered through the Services are tracked via GPS coordinates sent to our servers. We collect this information for various purposes, including to provide you with support, to notify carriers as soon as shipments are available nearby, to keep consignees informed of arrival times, to help dispatchers or shippers know where drivers are headed, to enhance our Services, and for our internal business purposes.

### IP Address

Cargofy and/or third parties with whom Cargofy has contracted to provide services may collect your Internet Protocol Address (IP Address), which is a number that is automatically assigned to the computer that you are using by your Internet Service Provider. This number is identified and logged automatically in our server log files whenever you visit the Site, along with the time of your visit(s) and the pages you visited. We use IP Addresses to monitor locations from which Users navigate the Site and for fraud prevention.

## **Cookies and Other Technologies**

Like many websites, we may use "cookies" to collect information. A cookie is a data file placed on a device when it is used to access the Services. A Flash cookie is a data file placed on a device via the Adobe Flash plug-in that may be built-in to or downloaded by you to your Device. Cookies and Flash Cookies may be used for many purposes, including, but not limited to, remembering you and your preferences and tracking your visits to our web pages. Cookies work by assigning a number to the user that has no meaning outside of the assigning website.

We may utilize persistent cookies that only Cargofy can read and use to save your login information for future logins, to hold session information, and to track user preferences. We may utilize session ID cookies to enable certain features of the Service, to better understand how you interact with the Site and to monitor aggregate usage by our users and web traffic routing on the Service. Session cookies are deleted from your computer when you log off from the Site and Service and then close your browser, while persistent cookies remain. If you do not want information to be collected through the use of cookies, your browser allows you to deny or accept the use of cookies. Cookies can be disabled by setting a preference within your web browser or on your device. If you disable cookies or Flash cookies on your device, you will not be able to use all portions or all functionalities of the Service.

We and our service providers may also use pixel tags, web beacons, clear GIFs, or similar means in connection with the Service and HTML-formatted email. Web beacons or similar technologies help us better manage content on our Services by informing us what content is effective, count users of the Services, monitor how users navigate the Services, or count how many e-mails were actually opened.

## **Financial Information.**

We may require you to provide us with financial information, including billing name, address and credit card number (Financial Information).

Only authorized Cargofy staff have access to your Personal Information in its entirety. Other staff may have access to portions of this information if it pertains to their job duties. We use Financial Information solely as authorized by you in accordance with the Service.

## **How We Use Your Information**

Our primary goal in collecting information is to provide you with an enhanced experience when using the Services.

Cargofy uses Personal Information for the following general purposes:

- to provide, operate, maintain, and enhance our products and the Service;
- to provide you with information, administrative notices and communications relevant to your use our products and services;
- to process your registration with the Services, including verifying your information is active and valid;
- for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy;
- to contact you for administrative purposes such as customer service, to address intellectual property infringement, defamation issues or privacy violations related to user content, or to send communications, updates, and promotions related to products and services;
- in the case of cookies and automatically-collected information, to personalize or customize our services (for example, with auto-population of sign-in fields), provide customized content and information, track your participation in any activities on the Service, and in the case of carriers and shippers, to track the location of shipments transported through the Service;
- for billing, identification and authentication, and fraud prevention;
- for internal business purposes;
- to analyze Site usage, improve our products and the Service, and develop new products, services, features and functionality;
- for troubleshooting problems, market research, and detecting and protecting against error, fraud or other criminal activity;

- for distribution to carriers providing services through the Cargofy platform or shippers receiving services through the Cargofy platform;
- to conduct market research about the Service, and/or usage or Users of the service, including in order to market the Service;
- to help diagnose problems with our computer server, and to administer our web site(s);
- to enforce our Terms of Use; and
- as otherwise set forth in the Policy.

### **When We Disclose Your Information**

We will not disclose your information to third parties without your consent, except as disclosed in this policy. We may disclose information to third parties in the following circumstances:

- Any information you include in a publicly-accessible area of the Service, such as a public profile page, will be available to anyone who has access to that content, including other users.
- Third party carriers provide services through the Cargofy platform, and third party shippers receive services through the Cargofy platform. We may provide these carriers and shippers with access to user information, including Personal Information, only as necessary to carry out or receive the services being provided. These parties are bound by privacy restrictions at least as restrictive as those set forth in this policy.
- Third party service providers work on website or application development, hosting, maintenance, and other services for us. These third parties may have access to and/or process your information, including Personal Information, in connection with providing these services. Such third party providers agree to maintain the confidentiality of such information.
- We may share non-personally identifiable information, such as aggregated user statistics and log data, with third parties for business purposes.
- We cooperate with government and law enforcement officials and private parties to enforce and comply with the law. Thus, we may access, use, preserve, transfer and disclose your information (including Personal Information) if required to do so by law or in the good-faith belief that disclosure is necessary to comply with applicable laws in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies, or to protect the safety, rights and property of the Company, our Services or any third party. Such disclosures may be carried out without notice to you.
- User information, including Personal Information, may be disclosed and/or transferred to an acquirer, or successor or assignee as part of any merger, acquisition, debt financing, sale of assets, or similar transaction, as well as in the event of an insolvency, bankruptcy, or receivership in which information is transferred to one or more third parties as one of our business assets.
- We also may disclose your information as may be described to you at the time the information is collected, or in any other manner to which you consent.

We do not sell, share, rent or trade the information we have collected about you, including Personal Information. We do not share your Personal Information with third parties for those third parties direct marketing purposes unless you consent to such sharing at the time you provide your Personal Information.

Although we ensure that our third party agents receiving your information are bound by privacy restrictions at least as restrictive as those set forth in this policy, Cargofy is not responsible for any issues that may arise regarding the Privacy Policies of any such third parties. By using this website, you do hereby agree to hold Cargofy harmless from any claims and/or damages that may arise from the actions of any third parties.

Cargofy reserves the right to disclose Personal Information from both private and public areas of this website at our discretion, if required by law, in order to comply with a judicial proceeding, court order or legal process or if we are given reason to believe, in our sole discretion, that someone is causing injury to or interference with the rights of Users, the general public, or Cargofy .

Cargofy reserves the right to transfer, sell and/or distribute all information collected through the Service to an affiliate, subsidiary, or third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or part of our business, assets or stock. We will use our best efforts to ensure that the new entity follows this Privacy

Policy with respect to your Personal Information, as and to the extent required by applicable law.

If you provide Cargofy any feedback, suggestions, bug reports, system errors, and other information or ideas regarding the Service (Feedback), you hereby assign to Cargofy all rights in the Feedback and agree that Cargofy shall have the right to use such Feedback and related information in any manner it deems appropriate. Without limiting the foregoing, this assignment of rights applies to any testimonials you provide, and you hereby also grant Cargofy the right to use your name in connection with sharing such testimonials with the public. Cargofy will treat any Feedback you provide to Cargofy as nonconfidential and non-proprietary. You agree that you will not submit to Cargofy any information or ideas that you consider to be confidential or proprietary. If you agree to participate in any case studies, you agree that information you provide in connection with the case study is deemed Feedback and that Cargofy may use your name in connection with such Feedback.

### **Opt-Out**

You may decline to share certain personal information with us, in which case we may not be able to provide to you some of the features and functionality of the Service.

You may opt-out of receiving email campaigns from us by unsubscribing from such emails. You may also remove your information from our database by contacting us at support@cargofy.com. If you receive unsolicited email from a Cargofy domain, please contact us at unsubscribe at the bottom of the email, or ask to unsubscribe by emailing support@cargofy.com.

You may update or delete your profile information and preferences by contacting us at support@cargofy.com with your username and password. If you wish to update or delete any other personal information we have, you may contact us at support@cargofy.com.

Note that while changes you make will be updated in user databases within a reasonable period of time, to preserve the integrity of our databases, we may retain information submitted by Users for an indefinite length of time. If required by law, we will delete Personal Information by erasing it from our database.

### **Cargofy's Security of Collected Information**

Your Cargofy account is one-time SMS password-protected so that only you and authorized Cargofy staff have access to your account information. In order to maintain this protection, do not give your password to anyone. Further, if someone who represents to you they are Cargofy staff and asks for any personal account information, including password, check their URL to confirm it is a Cargofy email address. Finally, if you share a computer, you should sign out of your Cargofy account and close the browser window before someone else logs on.

We utilize many physical and technical safeguards to create and improve the integrity and security of your personally identifiable information. Further, only certain authorized Cargofy staff can access Personal Information, and then only if it is relevant to their job duties. Cargofy also has staff dedicated to ensuring the security of its platform. However, unfortunately, no data transmission over the Internet can be guaranteed to be 100% secure. As such, we cannot guarantee the security of any information you transmit to us, and you do so at your own risk.

While Cargofy will use commercially reasonable efforts to ensure the security of all credit card and all other personal information, we expressly disclaim any liability for any unauthorized access to or use of our secure servers and/or any and all personal and/or financial information stored therein, and you agree to hold Cargofy harmless for any damages that may result therefrom. Cargofy expressly disclaims any liability that may arise should any other individuals obtain the information you submit to this website.

### **International Use**

The Service is hosted in the United States and is intended for visitors located in the U.S. If you use the Service from other regions of the world with different governing laws, please note that you are transferring your personal information from those regions to the U.S. for storage and processing. By providing any information, including personal information, on or to the Service, you consent to such transfer, storage, and processing.

### **Notification of Changes to this Policy**

Cargofy's security and privacy policy are periodically reviewed and enhanced as necessary. Please revisit this page periodically to stay aware of any changes. If we modify the Policy, we will make it available through the Service. Cargofy will endeavor to notify you of these changes by email, but will not be liable for any failure to do so. Cargofy also encourages you to review this privacy policy periodically. If you do not understand any of the terms or

conditions of any of Cargofy's policies, or if you have any technical problems, questions or other issues related to your use of Cargofy, you may inquire regarding the same via email at [support@cargofy.com](mailto:support@cargofy.com).

**Address and Contact Information**

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