

UltuCup Privacy Policy

Last Updated June 21, 2018

We are committed to preserving the privacy of all individuals who use our websites, applications, tools, or products ("**Services**") and provide us their information. Accordingly, this Privacy Policy is designed to help you understand how your personal information is collected, used, stored and disclosed when you engage with us. Before registering, submitting any content or personal information, or otherwise engaging with us, please make sure that you read this entire Privacy Policy as well as our terms of use (our "**Terms**").

This Privacy Policy applies to the personal information you provide to us when using our platform. In the course of engaging with us, you may use a third party's intellectual property, tools or resources (e.g., for payment processing), and such third party's privacy policy may also apply to you. We encourage you to read and review each privacy policy that applies to you as our Privacy Policy terms may differ from the terms contained in third parties' privacy policies. We invite you to contact us with questions at the contact details provided below.

By using our Services through any means, or otherwise submitting your information, you consent to the terms set out herein. If you have any objections to the terms in this Privacy Policy, you should not use our Services or provide us with any of your personal information. If you have any hesitations or are unsure about any of the terms, contact us at info@ultucup.com.

PART A – COLLECTION OF PERSONAL INFORMATION

1. Information You Provide

We collect the personal information that you provide to us, which may include, but is not limited to:

- basic personal information, including your name and contact information;
- information about third parties with whom you are sharing content using our Services;
- information collected in a dispute resolution if applicable; and
- any feedback you provide regarding our products and services.

Collection of this personal information is necessary for us in order to execute upon your preferences.

2. Information We Collect Automatically

We may collect and store anonymous information ("**Automatic Information**") about you, including but not limited to; your IP address, operating system and web browser, as you engage with our websites, applications, tools, or products ("**Services**"). This information may be collected using various technologies including, without limitation, cookies, Internet tags and navigational data. Some of this information is automatically transmitted to us through your browser, such as the URL that you just visited, the browser version that your computer uses, the date and "Cookies" are alphanumeric identifiers that are stored on your device with which you access the Services. These cookies allow us to adjust our Services to meet your personal browsing preferences. If your browser is not set to allow cookies, you may not have access to all areas or features of the website.

PART B – USE OF YOUR INFORMATION

1. What We Do with Your Information

Information you provide to us is stored on our servers in Canada. To accomplish any of the purposes listed below, we may combine personal information, Automatic Information, and non-personal information collected through your use of our Services. This information may be used in a variety of ways including, but not limited to: to connect you to members of our team;

- to enforce our Terms;
- to prevent, detect and investigate potentially prohibited or illegal activities, fraud and security breaches;

- to collect data on our Services;
- to improve our Services;
- personalize your experience while using our Services; and
- to provide you with any additional information you may request.

Except as set forth above an, your personal information will not be provided to any other users of our Services.

All of our third-party partners (e.g., for payment processing) are required to be in compliance with data protection requirements, as applicable in the EU.

With your consent and/or as permitted by law, we may also use your data for marketing purposes which may include contacting you by email, telephone or text messages. We will not, however, send you any unsolicited marketing or spam and will take all reasonable steps to ensure that our marketing practices are in compliance with applicable laws.

All personal data is stored securely in accordance with the EU General Data Protection Regulation (Regulation (EU) 2016/679) (“GDPR”).

2. Automatic Information

We may aggregate, evaluate and use Automatic Information in order to help improve our Services. We may use cookies, IP addresses or other Automatic Information to analyze trends, administer the Services, track your website navigation and gather broad demographic information. Automatic Information will not be published or made public through our Services.

We also reserve the right to use personal information and Automatic Information as set forth in our Terms, if applicable.

3. If Our Business Changes Hands

We may, from time to time, expand or reduce our business and this may involve the sale and/or the transfer of control of all or part of our business. Data provided by users will, where it is relevant to any part of our business be transferred along with the transferred part of the business. The new owner of the business will, under the terms of this Privacy Policy, be permitted to use the data for the purposes for which it was originally collected by us. In the event that any of your data is to be transferred in such a manner, you will not be notified in advance.

4. Your Data Related Rights

Under the GDPR, you have certain rights in relation to your data, which include the right to: Request a copy of the data that we have about you.

- Request that we provide you with an electronic copy of the personal data that you have provided us with (data portability).
- Request that we correct the data that we have about you.
- Request that we restrict our use of your data.
- Request to erase your data.
- Notify us that you object to particular ways in which we are using your personal data.
- File a complaint with the governmental authority in your country which is mandated with regulating data privacy matters.

In certain circumstances we will not be able to comply with your request. For example, we may have a legitimate interest permitting us not to act as you requested. To exercise your rights, to correct information that we have about you, or to ask questions about your rights, please contact us through the contact details provided in this Privacy Policy.

5. Legal Basis for Our Use of Your Data

We will process your data, as described in the Privacy Policy, according to one of the following recognized legal grounds for processing under the GDPR:

- The processing of your data is necessary for us to provide you with our Services in accordance with the contractual relationship between you and us;
- The processing of your data is required for us to comply with our legal obligations, including maintaining records which we may legally be required to keep;
- The processing of your data is required in connection with our legitimate interests, or those of a third party recipient of your personal data;
- The processing of your data is done according to an express consent that you gave us.

PART C – DISCLOSURE OF YOUR INFORMATION1. To Help with Business Operations

We may disclose your information to our representatives, affiliates, suppliers or other third parties with which we do business (our “Business Partners”) when it is deemed necessary for our business operations. For example, from time to time, we may engage companies or individuals for certain services on our behalf including, without limitation, conducting audits, performing legal services, processing credit card payments, collecting feedback, and providing customer service. Our Business Partners and any other third-party service providers will only have incidental access to personal information to the extent required to perform their services. They are prohibited from the use of your personal information for any purpose other than assisting with our business operations.

2. Safety and Security

We may disclose your information as necessary to protect the safety or security of users of our Services, to detect and prevent fraud or abusive behaviour, or when otherwise required or permitted by law.

3. Legal Requirement

We may disclose your information, if required, to supervisory authorities, tax authorities, police and other regulatory authorities as required by law or in response to a subpoena, court order, or other legally valid inquiry or order;

- to either prevent/minimize a criminal offense or to protect a person’s rights and personal and or financial health; and
- an intellectual property rights owners or such party’s representative if a room ad may be considered, in good faith by such owner, to violate owner’s rights; provided however the owner will be required to enter into an agreement to limit the use of the personal information provided only for purposes of the possible violation of an intellectual property right.

5. Consent

In addition to permissions already granted under this Privacy Policy by you, we may provide, disclose or transfer your personal information with your consent provided either as a part of the Services or in writing by you otherwise.

You may withdraw your consent for the collection, use, storage or disclosure of your personal information at any time by contacting us at the coordinates provided below. Your withdrawal of consent is not retroactive, since we may already have used your information for the purposes described here; it will be applied on a go-forward basis.

PART D – PROTECTING, RETAINING AND STORING YOUR PERSONAL INFORMATION

1. **Protection.** We have put in place appropriate and industry-accepted technical and security measures in order to prevent your data from being lost or used without proper authorization. That said, we cannot guarantee that information provided to us through our Services will remain private, or that the information you transmit to us over the Internet will not be intercepted.

2. **Storage.** Your information is currently stored in Canada as well other jurisdictions in which our Services’ technology platform resides. However, we retain the right to transfer your information to an affiliate or third party to protect the information or for internal business reasons as we see fit. BY AGREEING TO THIS PRIVACY POLICY, YOU AGREE AND CONSENT TO US DOING SO WITHOUT YOUR FURTHER CONSENT.

3. **Identification.** To help prevent unauthorized access to your personal information you are responsible for keeping the username and password (collectively, “ID”) that you receive upon registration with our Services private and confidential. You are solely responsible for preventing the unauthorized use of your ID. If you suspect that your information has been

compromised or that your account has been accessed without your consent, please contact us immediately at info@ultucup.com.

4. **Retention:** We may store your personal information for no longer than 3 years from the date of collecting such personal information, or until the agreement which governs your use of the Services is terminated, whichever period may be longer. We will use commercially reasonable efforts to delete your personal information and any other information you may have provided to us in a reasonable time frame.

For security purposes we will continue to store your email address and IP address after the lapse of 3 years. Your email address, as saved on our servers, will be encrypted, and your IP address will be saved in an anonymized form. Maintaining your email address and IP address is required, among other things, in order for us to be able to comply with some of the requirements under GDPR, relating to your rights to access, restriction of processing, erasure, correction, objection or portability of your data.

PART E – ELECTRONIC COMMUNICATIONS

Should you submit an inquiry through our Services, or otherwise communicate with us electronically, you consent to us responding to such inquiries electronically. We cannot guarantee that information that we send to or receive from you over the Internet will not be intercepted.

PART F – ACCESSING AND MODIFYING YOUR PERSONAL AND ACCOUNT INFORMATION

We aim to give you effective controls on our use of your data including the ability to opt-out of receiving emails from us which you may do by unsubscribing using the links provided in our emails.

You are under no obligation to provide us with any information. However, we do require certain information in order to be able to provide you with our Services.

To request the removal or correction of your data please contact us through the contact details provided in this Privacy Policy. We will do our best to respond to your request within 7 business days.

To the extent that you gave us consent with respect to the collection and use of your data, such consent can be withdrawn at any time by contacting us through the contact details provided in this Privacy Policy. We will do our best to respond to your request within 7 business days.

Removal of data or withdrawal of consent will limit our ability to provide our Services to you. Your request may be subject to a processing fee as allowed under law.

PART G – CHANGES TO THIS PRIVACY POLICY

We may change this Privacy Policy as we may deem necessary from time to time, or as may be required by law. Any changes will be immediately posted on our website (www.ultumum.com and www.ultucup.com). At the top of the modified Privacy Policy we will include the date upon which it was last updated. We recommend that you check this page regularly to be informed of updates. If we apply substantial changes to this Privacy Policy, we will notify you of such changes.

PART H – HOW TO CONTACT US

Any questions, comments or concerns relating to this Privacy Policy, and any requests to correct or access personal information collected during your use of the Services, should be directed to us by email at info@ultumum.com or info@ultucup.com, with attention to the Privacy Officer.

You can also send a letter to Ultumum Sales Marketing Innovations Group Inc., 55 Shoemaker Street, Unit 1A, Kitchener, Ontario, Canada N2E 3B4.

In addition, you can contact our Data Protection Officer, John Szustaczek, at 55 Shoemaker Street, Unit 1A, Kitchener, Ontario, Canada N2E 3B4 or john@ultumum.com.