

# Pontera Privacy Notice for California Residents

Last Updated: 21 February 2022  
For Residents of the State of California Only

This Pontera Privacy Notice for California Residents (this “**Privacy Notice**”) applies solely to users of the Pontera website at [www.Pontera.com](http://www.Pontera.com) (the “**Site**”) and any other of our Services who reside in the State of California or to whom the California Consumer Privacy Act of 2018, as amended (the “**CCPA**”) otherwise applies by its terms. The CCPA provides residents of California with specific rights regarding their personal information. It should be noted that personal information under the CCPA does not include publicly available information from governmental records and de-identified or aggregated consumer information, among other classes of information that may be regulated by other laws or regulations. To the extent the CCPA is applicable, this Privacy Notice section describes your rights under the CCPA and explains how to exercise those rights.

The terms “**Pontera**”, “**we**”, “**our**” or “**us**” means Pontera Solutions Inc. (formerly FeeX, Inc.), its parent company and its affiliates. The term “**Services**” refers to the Site and any of our services provided through the Site, together with the Order Management System (OMS) and any other of our products or services.

The terms “**personal information**”, “**business purpose**”, “**commercial purpose**”, “**consumer**”, “**sale**” and “**service provider**” as used in this Privacy Notice have the meanings ascribed to them in the CCPA. This Privacy Notice may be incorporated by reference into other of our agreements with you. If there is any conflict or inconsistency between the terms of this Privacy Notice and the terms of any referencing document, the terms of this Privacy Notice will govern solely to the extent of such conflict.

## 1. CATEGORIES OF PERSONAL INFORMATION WE COLLECT FROM CALIFORNIA CONSUMERS

In the preceding 12 months, we have collected, as may be applicable to you, the following categories and types of personal information from California consumers, and intend to continue doing so subject to the requirements under the CCPA:

- **Identifiers**, such as first name, last name, position, company name, email, country, and/or phone number.
- **Consumer characteristics**, which includes the categories of personal information described in the California Customer Records statute (California Civil Code Section 1798.80), including physical characteristics, payment information and, for employment candidates, education and employment history, and characteristics of protected classifications under California law, such as gender and age.
- **Commercial Information**, including information relating to investments preferences and strategy, such as investment priorities, choices of service providers, and other relevant commercial information provided.
- **Financial Data**, including individual retirement account(s), 401(k) plan and other workplace retirement plan accounts, brokerage accounts and mutual fund accounts, including account numbers, account access information, identity of financial service providers, investment holdings, fee billings and deductions, fee disclosure documents, purchases, sales and other transactions.

- **Technical Identifier**, such as internet and other similar network activity, such IP address, ad ID and website activity.
- **Inferences**, which are drawn from the above information to create consumer profiles reflecting certain preferences and behaviors and customized content/offerings.

For more information about the types of personal information we collect, please refer to the terms governing the types of information we collect from you as set forth in the Pontera privacy policy applicable to you.

## **2. BUSINESS OR COMMERCIAL PURPOSE FOR COLLECTING, SHARING AND SELLING INFORMATION.**

We collect and share your personal information for the following business and commercial purposes: to authenticate you when you use our Services, to provide customer support, to audit our Services, to detect, mitigate and prevent security incidents, to debug and fix errors associated with our Services, to perform activities to maintain the quality of our Services, to encourage and enable purchases such as through our various promotions, to provide personalized marketing offers and programs, to enroll you in our newsletter subscription program, and for other commercial transactions involving you that occur from time to time.

We do not: make your data publicly available, act as a data broker and/or trade in your data. However, certain standard generally accepted business practices may be deemed a “sale” of data under the CCPA, such as when we utilize third-party service providers that provide us with services, while they retain certain rights to use your data for their own business needs.

To the extent applicable, if you are a California consumer, you may have a right under the CCPA’s definition of “sale”, to request to opt-out of certain data transfers and sharing of your personal information. Please refer to section 3 - “Your California Consumer Rights” below, for information on how you can exercise such rights.

For more details on how and with whom we share your personal information, please refer to the terms governing the sharing of your information with third parties as set forth in the Pontera privacy policy applicable to you.

## **3. YOUR CALIFORNIA CONSUMER RIGHTS.**

To the extent applicable, California consumers have the right to request access to the specific pieces of personal information we have collected about them in the last 12 months. To the extent applicable, you may also request additional details about our information practices, including the categories of personal information we have collected about you, the categories of sources of such collection, the business or commercial purpose for collecting or “selling” personal information, the categories of third parties with whom we share and sell your personal information, the categories of personal information we have disclosed and “sold” about you in the preceding 12 months, and the categories of third parties to whom we “sold” personal information in the preceding 12 months.

To the extent applicable to you if you are a California consumer, you also have the right to:

- request deletion of your personal information which Pontera has collected. If it is necessary for us to maintain the personal information for certain purposes, we are not required to comply with your deletion request. If we determine that we will not delete your personal information when you request us to do so, we will inform you and tell you why we are not deleting it.
- opt out of sales of personal information.
- not be discriminated against if you exercise any of your CCPA rights to the extent applicable (unless permitted by the CCPA, such as if the differences are reasonably related to your information).

Pontera has not “sold” your personal information in the preceding 12 months and does not currently “sell” your personal information. We use and share your information only as described in this Privacy Notice and do not believe such use and/or sharing constitutes a “sale” as defined by the CCPA.

To the extent applicable, if you wish to send us a request pursuant to this Privacy Notice, your request must include sufficient information that allows us to reasonably verify you are the person about whom we collected personal information, which may include your email address, name and account ID (which is required only if you already have an account with us). To the extent this section is applicable, please send your requests to [support@Pontera.com](mailto:support@Pontera.com).

You may submit a verifiable consumer request pursuant to this Privacy Notice as frequently as you would like, but we are not required to respond to requests to provide personal information to you more than twice in any 12-month period.

To submit a verifiable consumer request, you will be asked to provide certain information to help us verify your identity, including your name, email address, phone number or information regarding your previous interactions with us. The information we ask you to provide to initiate a request may differ depending upon the type of request; the type, sensitivity and value of the personal information that is the subject of the request; and the risk of harm to you that may occur as a result of unauthorized access or deletion, among other factors.

You may designate an authorized agent to make a request on your behalf. If you designate an authorized agent to make a request on your behalf, we reserve the right to require verification of your authorized agent’s identity and authority, which may include, among other things, a requirement that your authorized agent provide us with (i) your written authorization permitting the authorized agent to submit a request on your behalf or (ii) a duly executed power of attorney permitting the authorized agent to submit a request on your behalf. If we cannot verify your identity or the authority to make the request, we will not be able to comply with such request. We will inform you if we cannot verify your identity or authority. We will only use personal information provided in a verifiable consumer request to verify the requestor’s identity or authority to make the request.