

THEIA MARKERLESS, INC.

Privacy Policy

Last Updated: March 13, 2023

This Privacy Policy is a part of Theia Markerless, Inc.'s ("Theia", "we", "us", or "our") End-User License Agreement and it describes our policies on the collection, use, and disclosure of information that applies to your access and use of the software application called **Theia3D** (the "**Application**") and the Services on behalf of yourself or your organization. The Application includes, but is not limited to and all other sites owned and operated by Theia that redirect to the Application, all subdomains provided through such other site or the Application, and all downloadable applications, features, functionality, content or information that is made available or provided on the Application. The Application is made available to you for the purposes of providing you with access to information about Theia and other product offerings (the "**Services**").

We may change this Privacy Policy from time to time in our sole discretion, so please be sure to check back periodically. You can tell if this Privacy Policy has changed by checking the last updated date that appears at the beginning of this Privacy Policy. We may, but are not obligated to, provide you with notice in case of any material changes made to this Privacy Policy. You should not continue using the Services if you do not agree with the version of this Privacy Policy in effect at that time. By clicking accept below and otherwise continuing to use the Services, you agree and accept the version of this Privacy Policy in effect at that time. Any changes will be effective only after the effective date of the change and will not affect any dispute arising prior to the effective date of the change.

This Privacy Policy applies solely to information collected by the Services. It will notify you of the following:

- What personal information is collected from you through the Services, how it is used and with whom it may be shared.
- What choices are available to you regarding the use of your personal information.
- The security procedures in place to help protect against the misuse of your personal information.
- How you can correct any inaccuracies in your personal information.

1 What is Personal Information?

Personal information is information that identifies you as an individual. The information we may collect or obtain (depending on the circumstances) includes but may not be limited to:

- **Information you provide us or to the organization that is using our Services:** We collect information you provide to us or to the organization that is using our Services, including without limitation, your photo, video, name, meta data, and role.
- **General usage data:** When you use our Application, we may also collect your Internet Protocol ("IP") address, information about the date and time of your access as well as how long you use our Application in each session, features you use in our Application, and how long you use our Application overall.
- **Cookies:** In addition, when you visit our Application, we collect certain information about your activity on our Application, as described below under the heading "Our Use of Cookies and Log Files".

2 Information Collection and Use

We are the sole owners of the information collected on our Application or via our Services. We will not sell or rent this information to anyone.

We use the information we collect from you to respond to your requests, communicate with you, and customize your use of our Application or Services. We will not share your information with any third party outside of our organization without your knowledge and consent, other than as described in this Privacy Policy or as necessary to fulfill your request.

We may also use personal information to analyze, develop, improve, and optimize the use, function and performance of the Application, Services and other Theia products and services. For example, Theia will use these datasets inclusive of personal information for internal research for technological development and demonstration and to improve, upgrade, or enhance Theia products and services to provide more intelligent, automated and predictive functionalities.

To the extent permitted by applicable law, we may use, process, transfer, and store any data about individuals and customers in an anonymous (or pseudonymous) and aggregated manner. We may combine personal information with other information collected online and offline, including information from third party sources. We may share anonymized data with third parties for business development purposes.

We may also use your personal information in other ways with consent or as permitted by applicable law. By using the Application and/or the Services, you agree that we are hereby licensed to collect, use, share, and store anonymized (or pseudonymized) aggregated data collected through the Application or your use of the Services for benchmarking, analytics, metrics, research, reporting, machine learning, and other business purposes.

Unless you ask us not to, we may contact you via email to specifically answer your requests or notify you of changes to this Privacy Policy.

3 When Do We Share Your Personal Information

There are some circumstances where we may share your personal information with a third party. For example:

- We share personal information with the customer with whom we are engaged to collect and otherwise process your personal information.
- We reserve the right to disclose personal information if required to do so by law or in the good faith belief that such action is reasonably necessary to comply with legal process, enforce our End-User License Agreement, respond to claims, prevent fraud, or to protect the rights, property or safety of Theia, its affiliates, its customers, service providers, or the public.
- We may share personal information with our affiliates or any business partners or agents acting on our behalf or with our financial, insurance, legal, accounting or other advisors that provide professional services to us.
- Your personal information may be disclosed to a company or individual employed or engaged by us to perform functions on our behalf such as data processing or document retention. Any such disclosure of your personal information is made on a strictly confidential basis, and the information is to be used only for the purpose for which it was shared. We ensure that the company or individual adheres to this Privacy Policy.
- We may share, disclose or transfer personal information to a buyer, investor, new affiliate, or other successor in the event Theia or any affiliate, portion, group or business unit thereof,

undergoes a business transition, such as a merger, acquisition, consolidation, reorganization, divestiture, liquidation or dissolution (including bankruptcy), or a sale or other transfer of all or a portion of any assets of Theia or any affiliates or during steps in contemplation of such activities (e.g., negotiations and due diligence).

- Subject to applicable regulations, we may disclose your personal information to a government agency, court, or law enforcement personnel.

4 Your Access to and Control Over Information

You may opt out of any future contact from us at any time. You can do the following at any time by contacting us via the email address given on our Application:

- See what data we have about you, if any.
- Change/correct any data we have about you.
- Request that we delete any data we have about you.
- Express any concern you have about our use of your data.

If you refuse to provide us with the information we require or later contact us to withdraw your consent for us to use and disclose your personal information, we may no longer be able to provide you with our Services.

5 Security

We take precautions and implement safeguards designed to protect your personal information.

Unfortunately, no data transmission over the Internet or data storage system can be guaranteed to be 100% secure. Therefore, despite our efforts, we cannot guarantee its absolute security. **WE DO NOT WARRANT OR REPRESENT THAT PERSONAL INFORMATION ABOUT YOU WILL BE PROTECTED AGAINST, LOSS, MISUSE, OR ALTERATION BY THIRD PARTIES.**

6 Our use of cookies and log files

We use browser tracking cookies (or “**cookies**”), which are small text files that are placed on the hard disk of a computer by a website. Cookies are uniquely assigned to you, and can only be read by a website or web server that issued the cookie to you. We also use browser “log files” which record certain information when you visit a website, including your IP address. To improve your experience on our Application, we use cookies and log files to: recognize you when you return to our Application; keep track of activity on our Application and remember what items you have clicked on or viewed; study how you navigate through our Application and which website you request in site searches so that we can improve the design, content and function of our Application; and customize the message, content and delivery of online banner advertisements and e-mails that reflect how you navigate to and through our Application based on your online behavior. We call this “**Browsing Data**”. We may hire third-party service providers to assist us in the collection and analysis of this Browsing Data collected through cookies, but none of your personal information is disclosed to these third party service providers.

You have the ability to accept or decline our use of cookies. You can refuse cookies by turning them off or blocking them in your Internet browser. If you decide to turn off or block cookies, our Application or Services might not function correctly.

We will not respond to Web browser “do not track” signals. If you would like additional information about online tracking and various opt-out mechanisms, please see <https://youradchoices.com/>.

Please note that not all tracking will stop even if you delete cookies.

7 Personal Information used by Third Party Applications

From time to time, we may include links to third party websites which are not controlled or maintained by us. We are not responsible for personal information submitted by you to third party websites or the personal information collected by third party websites. You should review the privacy policies of third party websites or contact the third party website’s operator if you have questions or concerns.

8 Age of Majority

The Application and Services are not intended for individuals under the age of 18. If we learn we have collected or received personal information from a minor without verification of parental consent, we will delete such personal information. If you believe we might have any information from or about a minor, please contact us as set forth below.

9 Limitation of Liability

UNDER NO CIRCUMSTANCES SHALL WE BE LIABLE FOR ANY DIRECT OR INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES THAT MAY ARISE FROM A CLAIM OF BREACH OF THIS PRIVACY POLICY. Some jurisdictions do not allow the exclusion or limitation of liability for consequential or incidental damages. In such jurisdictions, our liability is limited to the greatest extent permitted by law, or \$5, whichever is less.

10 Contact

If you have any requests, questions or comments about your personal information or this Privacy Policy, you may contact us in one of the following ways:

By email: info@theiamarkerless.ca

By mail: 27 Sydenham Street, Kingston Ontario, Canada, K7L3G8