

This Privacy Policy sets out how Seakeeper Inc. collects, stores, and handles your personal information. This policy applies to Seakeeper Inc. and all of its subsidiaries (collectively “SeaKeeper”). This Privacy Policy is effective on December 21, 2018.

Seakeeper Inc. complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries and Switzerland. For detailed information see our Privacy Shield Statement below.

Seakeeper collects, stores, and uses your personal information in connection with and in order to provide and develop Seakeeper’s products, mobile applications, services and websites (together the **“Service”**) according to this Privacy Policy Statement.

This Privacy Policy Statement (“Privacy Policy”) applies to all visitors, users and others who access the Service (“Users”) or provide us information, in addition to any other agreements you might have with us. By providing us information or using or accessing the Service you give consent to the processing, use and disclosure of your data and other content (“User Content”). This also means that other Users may search for, see, use, or share any of your User Content that you make publicly available through the Service, consistent with the terms and conditions of this Privacy Policy. Please do not provide your personal information to us or use the Service if you do not agree with this Privacy Policy.

This Privacy Policy includes Seakeeper Privacy Policy Statement and the Privacy Shield Statement.

## **SEAKEEPER PRIVACY POLICY STATEMENT**

### **1. INFORMATION WE COLLECT**

We collect the following types of information.

Information you provide us directly:

- Your username, password and e-mail address when you register for a Seakeeper online account or opt in to receive marketing communications from us.
- Profile information that you provide for your user profile (e.g., first and last name, address, picture, phone number).
- User Content that you may post to the Service.

Communications between you and Seakeeper. For example, we may send you Service-related emails (e.g., account verification, changes/updates to features of the Service, technical and security notices).

## Analytic Information

We use third-party analytics tools such as [Google Analytics](#) and [Mail Chimp](#) to help us measure traffic and usage trends for the Service. These tools collect information sent by your device or our Service, including the web pages you visit, add-ons, and other information that assists us in improving the Service.

## Cookies and Similar Technologies

- When you visit the Service, we may use cookies and similar technologies like pixels, web beacons, and local storage to collect information about how you use Seakeeper and provide features to you. We use cookies to understand site usage and to improve the content and offerings on our sites. We also may use cookies to offer you products, programs, or services. We may ask advertisers or other partners to serve ads or services to your devices, which may use cookies or similar technologies placed by us or the third party.
- You have many choices with regards to the management of cookies on your computer. All major browsers allow you to block or delete cookies from your system. To learn more about your ability to manage cookies, please consult the privacy features in your browser.

## Log file Information

- Log file information is automatically reported by your browser each time you make a request to access (i.e., visit) a web page or app. It can also be provided when the content of the webpage or app is downloaded to your browser or device.
- When you use our Service, our servers automatically record certain log file information, including your web request, Internet Protocol ("IP") address, browser type, referring / exit pages and URLs, number of clicks and how you interact with links on the Service, domain names, landing pages, pages viewed, and other such information. We may also collect similar information from emails sent to our Users which then help us track which emails are opened and which links are clicked by recipients. The information allows for more accurate reporting and improvement of the Service.

## Device Identifiers

- When you use a mobile device like a tablet or phone to access our Service, we may access, collect, monitor, store on your device, and/or remotely store one or more "device identifiers." Device identifiers are small data files or similar data structures stored on or associated with your mobile device, which uniquely identify your mobile device. A device identifier may be data stored in connection with the device hardware, data stored in connection with the device's operating system or other software, or data sent to the device by Seakeeper.
- A device identifier may deliver information to us or to a third-party partner about how you browse

and use the Service and may help us or others provide reports or personalized content and ads. Some features of the Service may not function properly if use or availability of device identifiers is impaired or disabled.

## Metadata

- Metadata is usually technical data that is associated with User Content. For example, Metadata can describe how, when and by whom a piece of User Content was collected and how that content is formatted.
- Users can add or may have Metadata added to their User Content. This makes your User Content more searchable by others and more interactive. If you geotag your User Content or tag your User Content using other's application programming interface then, your latitude and longitude will be stored with the User Content and searchable (e.g., through a location or map feature) if your User Content is made public by you in accordance with your privacy settings.

## 2. HOW WE USE YOUR INFORMATION

In addition to some of the specific uses of information we describe in this Privacy Policy, we may use information that we receive to:

- manage your customer relationship and provide you with customer support;
- help you efficiently access your information after you sign in;
- remember information so you will not have to re-enter it during your visit or the next time you visit the Service;
- provide personalized content and information to you and others, which could include online ads or other forms of marketing;
- provide, improve, test, and monitor the effectiveness of our Service;
- develop and test new products and features;
- monitor metrics such as total number of visitors, traffic, and demographic patterns;
- diagnose or fix technology problems;
- communicate with you by e-mail, postal mail, telephone and/or mobile devices about products or services that may be of interest to you either from us, or other third parties;
- enforce our terms and conditions;
- manage our business; and
- perform functions as otherwise described to you at the time of collection.

### 3. SHARING OF YOUR INFORMATION

We will not rent or sell your information to third parties outside Seakeeper without your consent, except as noted in this Privacy Policy.

#### **Parties with whom we may share your information:**

- We may share User Content and your information (including but not limited to, information from cookies, log files, device identifiers, location data, and usage data) with businesses that are legally part of Seakeeper corporate family, or that become part of Seakeeper corporate family in the future ("**Affiliates**"). Affiliates may use this information to help provide, understand, and improve the Service (including by providing analytics) and Affiliates' own services (including by providing you with better and more relevant experiences). But these Affiliates will honor the choices you make about who can see your User Content.
- We also may share your information as well as information from tools like cookies, log files, and device identifiers and location data, with third-party organizations that help us provide the Service to you ("**Service Providers**"). Our Service Providers will be given access to your information as is reasonably necessary to provide the Service under reasonable confidentiality terms.
- We may remove parts of data that can identify you and share anonymized data with other parties. We may also combine your information with other information in a way that it is no longer associated with you and share that aggregated information.

#### **Parties with whom you may choose to share your User Content:**

Any information or content that you voluntarily disclose for posting to the Service, such as User Content, becomes available to the public, as controlled by any applicable privacy settings that you set. Once you have shared User Content or made it public, that User Content may be re-shared by others.

#### **What happens in the event of a change of control?**

If we sell or otherwise transfer part or the whole of Seakeeper or our assets to another organization (e.g., in the course of a transaction like a merger, acquisition, bankruptcy, dissolution, liquidation), your information such as name and email address, User Content and any other information collected through the Service may be among the items sold or transferred.

#### **Responding to legal requests and preventing harm:**

We may access, preserve and share your information in response to a legal request (like a search warrant,

court order or subpoena) if we have a good faith belief that the law requires us to do so. This may include responding to legal requests from jurisdictions outside of the United States where we have a good faith belief that the response is required by law in that jurisdiction, affects users in that jurisdiction, and is consistent with internationally recognized standards. We may also access, preserve and share information when we have a good faith belief it is necessary to: detect, prevent and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; when we have a good faith belief that there is an emergency that poses a threat to the health and/or safety of you, another person or the public generally; and to prevent death or imminent bodily harm. Information we receive about you may be accessed, processed and retained for an extended period of time when it is the subject of a legal request or obligation, governmental investigation, or investigations concerning possible violations of our terms or policies, or otherwise to prevent harm. In certain situations, we may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

#### 4. INTERNATIONAL TRANSFERS OF YOUR INFORMATION

When you use our Service, your data may be sent to the United States and possibly other countries. Your information collected through the Service may be stored and processed in the United States or any other country in which Seakeeper or Service Providers maintain facilities. Seakeeper or Service Providers may transfer information that we collect about you, including personal information across borders and from your country or jurisdiction to other countries or jurisdictions around the world. Please note that we may transfer information, including personal information, to a country and jurisdiction that does not have the same data protection laws as your jurisdiction. By registering for and using the Service you consent to the transfer of information to the U.S. or to any other country in which Seakeeper or Service Providers maintain facilities and the use and disclosure of information about you as described in this Privacy Policy.

European Union or Swiss individuals may refer to the Privacy Shield statement below with regard to the transfer of their personal data.

#### 5. SECURITY MEASURES TO PROTECT YOUR INFORMATION

We use commercially reasonable safeguards to help keep the information collected through the Service secure and take reasonable steps (such as requesting a unique password) to verify your identity before granting you access to your account. However, Seakeeper cannot ensure the security of any information you transmit to Seakeeper or guarantee that information on the Service may not be accessed, disclosed, altered, or destroyed.

Please do your part to help us. You are responsible for maintaining the secrecy of your unique password and account information, and for controlling access to emails between you and Seakeeper, at all times. Your privacy settings may also be affected by changes to the social media services you use to connect to Seakeeper. We are not responsible for the functionality, privacy, or security measures of any other organization that Seakeeper does not own or control.

## 6. YOUR CHOICES ABOUT YOUR INFORMATION

### Your account information and profile/privacy settings:

- Update your email communications preferences at any time by clicking on the link in any marketing communication you receive from us and changing your profile settings.
- Unsubscribe from email communications from us by clicking on the “unsubscribe link” provided in such communications. As noted above, you may not be able opt out of Service-related communications (e.g., account verification, purchase and billing confirmations and reminders, changes/updates to features of the Service, technical and security notices).

### How long we keep your User Content:

- Following termination or deactivation of your account, Seakeeper or its Service Providers may retain information (including your profile information) and User Content for as long as necessary to fulfill the business purpose it was collected for and for backup, archival, and/or audit purposes. We will also retain and use your User Content for as long as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## 7. YOUR CALIFORNIA PRIVACY RIGHTS

Seakeeper does not currently respond to Do Not Track signals, whether that signal is received on a computer or on a mobile device. Third parties may collect information about your online activities over time and across sites when you use the Service.

If you are a California resident, California Civil Code Section 1798.83 permits you to request certain information regarding our disclosure of personal information to third parties for the third parties’ direct marketing purposes. To make such a request, please contact us by sending an e-mail to [privacy@seakeeper.com](mailto:privacy@seakeeper.com).

Our site, products, and services are not intended to appeal to minors. However, if you are a California resident under the age of 18, and a registered user of our Service, California Business and Professions Code Section 22581 permits you to request and obtain removal of content or information you have publicly posted. To make such a request, please send an e-mail with a detailed description of the specific content or information to [privacy@seakeeper.com](mailto:privacy@seakeeper.com). Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and that there may be circumstances in which the law does not require or allow removal even if requested.

Under California law, California residents who have an established business relationship with us may opt-out of our disclosing personal information about them to third parties for their marketing purposes.

## 8. CHILDREN'S PRIVACY

Seakeeper does not knowingly collect or solicit any information from anyone under the age of 13 or knowingly allow such persons to register for the Service. Because of the nature of our business, the Service and its content are not directed at children under the age of 13. In the event that we learn that we have collected personal information from a child under age 13 without parental consent, we will delete that information as quickly as possible. If you believe that we might have any information from or about a child under 13, please contact us at [privacy@seakeeper.com](mailto:privacy@seakeeper.com).

## 9. OTHER WEB SITES AND SERVICES

We are not responsible for the practices employed by any websites or services linked to or from our Service, including the information or content contained within them. Please remember that when you use a link to go from our Service to another website or service, our Privacy Policy does not apply to those third-party websites or services. Your browsing and interaction on any third-party website or service, including those that have a link on our website, are subject to that third party's own rules and policies. In addition, you agree that we are not responsible and do not have control over any third-parties that you authorize to access your User Content. If you are using a third-party website or service and you allow them to access your User Content you do so at your own risk.

## 10. HOW TO CONTACT US ABOUT A DECEASED USER

In the event of the death of a Seakeeper user, please contact us at [privacy@seakeeper.com](mailto:privacy@seakeeper.com). We will usually conduct our communication via email; should we require any other information, we will contact you at the email address you have provided in your request.

## 11. HOW TO CONTACT US

If you have any questions about this Privacy Policy or the Service, please contact us at [privacy@seakeeper.com](mailto:privacy@seakeeper.com).

## 12. CHANGES TO OUR PRIVACY POLICY

Seakeeper may modify or update this Privacy Policy from time to time, so please review it periodically. We may provide you additional forms of notice of modifications or updates as appropriate under the circumstances. Your continued use of Seakeeper Service after any modification to this Privacy Policy will constitute your acceptance of such modification.

## PRIVACY SHIELD STATEMENT

Seakeeper Inc. adheres to the Privacy Shield Principles. Seakeeper Inc. complies with the EU-US Privacy Shield Framework and the Swiss-US Privacy Shield Framework as set forth by the US Department of Commerce regarding the collection, use, and retention of personal information from European Union member countries (including Iceland, Liechtenstein, and Norway) and Switzerland transferred to the United States pursuant to Privacy Shield. Seakeeper Inc. has certified that it adheres to the Privacy Shield Principles with respect to such data. If there is any conflict between the policies in this privacy policy and data subject rights under the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification page, please visit <https://www.privacyshield.gov/>

This Privacy Shield Statement outlines our general policy and practices for implementing the Principles, including the types of information we gather, how we use it and the notice and choice affected individuals have regarding our use of and their ability to correct that information.

### A) Definitions

“Personal Data” means information that (1) is transferred from the EU/EEA or Switzerland to the United States; (2) is recorded in any form; (3) is about or pertains to a specific individual; and (4) can be linked to that individual.

“Sensitive Personal Information” means personal information that reveals race, ethnic origin, sexual orientation, political opinions, religious or philosophical beliefs, trade union membership or that concerns an individual’s health.

### B) Principles

Seakeeper may receive Personal Data from its own personnel as well as from its affiliates and other parties located in the EU/EEA. Such information may contain names, addresses, email addresses and payment information and may be about customers, clients of customers, business partners, consultants, employees, and candidates for employment and includes information recorded on various media as well as electronic data.

Whenever Seakeeper collects Personal Data directly from individuals, Seakeeper complies with the following Principles:

1. **Inform.** We shall inform an individual of the purpose for which we collect and use their Personal Data and the types of third parties to which our Company discloses or may disclose that Personal Data. Our Company shall provide the individual with the choice and means for limiting the use and disclosure of their Personal Data. Notice will be provided in clear and conspicuous language when individuals are first asked to provide Personal Data to our Company, or as soon as practicable thereafter, and in any event before our Company

uses or discloses the Personal Data for a purpose other than for which it was originally collected. Seakeeper may be required to disclose Personal Data in response to lawful request by public authorities, including to meet national security or law enforcement requirements.

2. **Choice.** Individuals have the opportunity to choose (opt out) whether their Personal Data is (1) to be disclosed to a third party or (2) to be used for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual by contacting our privacy officer via email at [privacy@Seakeeper.com](mailto:privacy@Seakeeper.com) . For Sensitive Personal Information, our Company will give individuals the opportunity to affirmatively or explicitly (opt in) consent to the disclosure of the information to a third party or for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual. Our Company shall treat Sensitive Personal Information received from an individual the same as the individual would treat and identify it as Sensitive Personal Information. Agents, technology vendors and/or contractors of Seakeeper may have access to an individual's Personal Data on a need to know basis for the purpose of performing services on behalf of Seakeeper or providing or enabling elements of the services. All such agents, technology vendors and contractors who have access to such information are contractually required to keep the information confidential and not use it for any other purpose than to carry out the services they are performing for Seakeeper or as otherwise required by law.
3. **Accountability for Onward Transfer.** Prior to disclosing Personal Data to a third party, we shall notify the individual of such disclosure and allow the individual the choice (opt out) of such disclosure. Our Company shall ensure that any third party to which Personal Data may be disclosed subscribes to the Principles or is subject to laws providing the same level of privacy protection as is required by the Principles and agrees in writing to provide an adequate level of privacy protection. Seakeeper is liable for the onward transfer of person data to agent third parties unless we can prove we were not a party giving rise to the damages.
4. **Data Security.** We shall take reasonable steps to protect the Personal Data from loss, misuse and unauthorized access, disclosure, alteration and destruction. Our Company has put in place appropriate physical, electronic and managerial procedures to safeguard and secure the Personal Data from loss, misuse, unauthorized access or disclosure, alteration or destruction. However, our Company cannot guarantee the security of Personal Data on or transmitted via the Internet.
5. **Data Integrity and Purpose Limitation.** We shall only process Personal Data in a way that is compatible with and relevant for the purpose for which it was collected or authorized by the individual. To the extent necessary for those purposes, our Company shall take reasonable steps to ensure that Personal Data is accurate, complete, current and reliable for its intended use.

6. **Access and Recourse.** We acknowledge the individual's right to access their Personal Data. We shall allow an individual access to their Personal Data and allow the individual the opportunity to correct, amend or delete inaccurate information, except where the burden or expense of providing access would be disproportionate to the risks to the privacy of the individual in the case in question or where the rights of persons other than the individual would be violated. Individuals may contact our Privacy Officer via email at [privacy@seakeeper.com](mailto:privacy@seakeeper.com) to request access. Contact information can be found below. In cases where Seakeeper is a Data Processor, individuals must contact the Data Controller.
7. **Enforcement and Liability.** The Federal Trade Commission has jurisdiction over Seakeeper's compliance with the Privacy Shield.

In compliance with the Privacy Shield Principles, Seakeeper commits to resolve complaints about privacy and our collection or use of Personal Data. European Union or Swiss individuals with inquiries or complaints regarding this privacy policy should first contact us at:

Seakeeper Inc.  
Privacy Officer/Data Protection Officer  
45310 Abell House Lane, Suite 350  
California, MD 20619, USA  
E-mail: [privacy@seakeeper.com](mailto:privacy@seakeeper.com)

### Human Resources Data

If your complaint is not satisfactorily addressed by Seakeeper, and your inquiry or complaint involves human resource data, you may have your complaint considered by an independent recourse mechanism in Europe: for EU/EEA Data Subjects, a panel established by the EU data protection authorities ("DPA Panel"), and for Swiss Data Subjects, the Swiss Federal Data Protection and Information Commissioner ("FDPIC"). To do so, you should contact the state or national data protection or labor authority in the jurisdiction where you work. Seakeeper agrees to cooperate with the relevant national DPAs and to comply with the decisions of the DPA Panel and the FDPIC. The services of EU DPAs are provided at no cost to you.

Contact details for the EU data protection authorities can be found at [http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm)

### Non-Human Resources Data

In compliance with the EU-US and Swiss-US Privacy Shield Principles, Seakeeper commits to resolve complaints about your privacy and our collection or use of your personal information. European Union or Swiss individuals with inquiries or complaints regarding this privacy policy should first contact Seakeeper at:

[Privacy@seakeeper.com](mailto:Privacy@seakeeper.com)

Seakeeper has further committed to refer unresolved privacy complaints under the Privacy Shield Principles to an independent dispute resolution mechanism, the BBB EU PRIVACY SHIELD, operated by the Council of Better Business Bureaus in the United States. If you do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit [www.bbb.org/EU-privacy-shield/for-eu-consumers](http://www.bbb.org/EU-privacy-shield/for-eu-consumers) for more information and to file a complaint.

If your Privacy Shield complaint cannot be resolved through the above channels, under certain conditions, you may invoke binding arbitration for some residual claims not resolved by other redress mechanisms. See Privacy Shield Annex 1 at <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

### **C) Amendments**

This Privacy Statement may be amended from time to time consistent with the requirements of the Shield Frameworks. We will post any revised policy on this website.

### **D) Information Subject to Other Policies**

We are committed to following the Principles for all EU or Swiss Personal Data transferred to the United States pursuant to Privacy Shield within the scope of the Privacy Shield Frameworks.

Last updated: December 21, 2018