

EngineEars Inc.

Privacy Policy

Effective Date: Mar 20, 2023

This Privacy Policy is applies to <http://www.engineears.com>, and any other websites, online applications, blogs, social network sites, or other online or wireless sites, accessed via computer, mobile device, or other technology that may be operated by or for EngineEars [LLC] (together, the “Sites”). It explains how we collect information from users of the Sites and how we use such information. Your use of the Sites constitutes your acceptance of this Privacy Policy. Please also read our Terms of Use which govern the basic operations of the Sites. If you do not agree with the terms of this Privacy Policy or the Terms of Use, you should immediately stop using or visiting the Sites.

1. The Information We Collect and Use

A. Non-Personally Identifiable Information. When you use the Sites, we may collect certain data that does not tell us specifically who you are. This is “Non-Personally Identifiable Information.” It includes things like your Internet Protocol (IP) address, browser type, and the last domain you visited before coming to our Sites or the domain you go to when you leave. It also includes various statistical data such as which pages you visit our Sites, how long you stay on them, and what you click.

We may place a “cookie” on your computer. A cookie is a small amount of data, which often includes an anonymous unique identifier, sent to your browser from a Sites’ computers and stored on your computer’s hard drive. Our “preference” cookie expires after thirty (30) days. We may use cookies to keep track of your choice of language and home page preference; to understand your exposure to certain Internet advertisements as you use the Sites, and to gather usage data that will help us generally improve the quality of the Sites. There is a simple procedure in most browsers that allows you to deny or accept cookies. You should note that cookies may be necessary to provide you with certain features on the Sites.

We also may use a small piece of code (sometimes referred to as “1x1 clear pixel,” “Web beacon” or “clear GIF”) placed in our Sites to help us gather additional information about which parts of the Site receive the most visitors and other user traffic patterns, and enable us to administer the Site.

No Personally Identifiable Information (see below) is collected through our cookies or web beacons however we may, from time to time, allow advertisers, third-party advertising

networks, and third-party advertising serving companies to serve advertisements directly to you within the Sites. By serving these advertisements directly to you, these companies can set their own cookies on your computer, which may not expire, and trigger their own web beacons. If you would like to contact the advertisers, third-party advertising networks, and third-party advertising serving companies with which we have relationships to learn more about their privacy policies and what options (if any) they offer to opt out of their data collection, please visit their websites.

B. Personally Identifiable Information. We also may collect information that can be used to identify you (“Personally Identifiable Information”). We only collect Personally Identifiable Information when you specifically provide it to us. For example, in connection with your subscription to or use of certain features of the Sites you may be asked to create a user account and provide certain information including your name, email addresses, address, and telephone number. You may also provide user uploaded information to the Sites, or you may provide information such as your credit card number in connection with the purchase of products, services or content available through the Sites. When you create a user account with EngineEars [LLC] and sign in to your account within the Sites or post user uploaded information, you are not anonymous to us. The Personally Identifiable Information we collect may include:

- **Contact details**, such as name, postal or shipping address, telephone number, email address;
- **Financial and transaction data**, such as credit or debit card number, and bank account information; and
- **Other personal data**, such as date of birth or age.

We may use Personally Identifiable Information to fulfill your requests, respond to your inquiries and provide other services, and to alert you to information, offers, or publications in which we think you may be interested. The emails that we send contain links that enable you to “unsubscribe” from such mailings.

We do not sell Personally Identifiable Information or other information you make available through use of the Sites, or share such information with third parties, except as described below.

From time to time, we may partner with unaffiliated companies or individuals for market research, product development or similar purposes. These companies or individuals may be provided with access to Personally Identifiable Information and Non-Personally Identifiable Information, but we will require by contract that they agree to maintain the confidentiality, security and integrity of such information. We also may subcontract with

other companies and individuals to do work on our behalf; they may be provided with access to Personally Identifiable and Non-Personally Identifiable Information, but only as needed to perform their functions.

When you create a user account with us, you agree to be automatically opted in to be included on our email lists and to receive emails from us directly. You can manage some of your messaging preferences, but note that you cannot opt out of receiving certain administrative, transactional or legal messages from EngineEars [LLC]. To opt out of all email marketing messages from us, you must follow the instructions provided within each email or contact us at info@engineears.com.

We may share Personally Identifiable Information with third parties, who may contact you to offer products and services. At any time, you can contact EngineEars [LLC] to request that we not share your Personally Identifiable Information with third parties.

We may disclose your Personally Identifiable Information to third parties in connection with a corporate transaction where all or a portion of our business (e.g., a portion that includes our customer lists) is sold or transferred. We also may disclose your Personally Identifiable Information if disclosure is required by law or as part of a lawsuit or government investigation or proceeding, or in order to permit us to exercise or preserve our legal rights or take action regarding potentially illegal activities or to protect the safety of any person.

We reserve the right, but have no obligation, to monitor information, comments or other content that you voluntarily disclose and post to the Sites. We reserve the right to remove any such information or material for any reason or no reason, including without limitation, if in our sole opinion such information or material violates, or may violate, any applicable law or the Terms of Use or to protect or defend our rights or property or those of any third party. We also reserve the right to remove information upon the request of any third party.

We reserve the right to investigate abuses on the Sites and enforce and apply this Privacy Policy, the Terms of Use, the Terms and Conditions of Sale and any other terms or conditions applicable to the Sites or the use thereof. We may disclose information about you to third parties if we have a good faith belief that such disclosure is reasonably necessary to (1) take action regarding suspected illegal activities; (2) enforce or apply the Terms of Use; (3) comply with legal process and law enforcement instructions and orders, such as a search warrant, subpoena, statute, judicial proceeding or other legal process served on us; (4) protect our rights, reputation, and property or that of our users or the public; or (5) protect against legal liability.

C. Location Information. We may obtain information about your physical or geographic location through information provided by your or by use of such means as GPS or by using

other geolocation tools in your smart phone or other mobile device used in accessing the Sites. **2. Data Security**

EngineEars [Inc] cannot ensure or warrant the security or privacy of any information you transmit to us. We attempt to follow policies and procedures that will protect against unauthorized access to your Personally Identifiable Information. But we can make no guarantees or promises in this regard, and you provide information to us at your own risk.

We may store the Personally Identifiable Information we hold about you indefinitely. We may store this information in the United States or we may transfer it to any other country. The data protection laws of the countries where we store your personal data may or may not provide a level of protection equivalent to the laws in your home country. Wherever we hold the data, we will apply the terms of this Privacy Policy.

While we have implemented certain security measures designed to protect against the unauthorized access, interception, loss, misuse and or alteration of the Personally Identifiable Information under our control, no security system is impenetrable and, in any case, our systems are generally not designed to protect highly confidential or sensitive information. We do not guarantee that events of unauthorized access, interception, loss, misuse and or alteration of the Personally Identifiable Information under our control will not occur, and we do not warrant, either expressly or impliedly, that the information provided by any user or customer will be free from unauthorized access, interception or misuse. No transmission or storage of information can be guaranteed to be absolutely private and secure. EngineEars [LLC] does not ensure the security of any information you transmit to us, and your use of the Sites and provision of information to us is at your risk. As a result, we cannot and do not guarantee the security of any information you transmit on or through the Sites, and you do so at your own risk.

Please be advised that we will never send e-mails asking you to provide or confirm credit card numbers, dates of birth, usernames or passwords. Such an e-mail is an example of “phishing” or “spoofing” (i.e., counterfeit websites purporting to be from a legitimate company and designed to trick recipients into divulging personal information in order to steal identities and financial account credentials). If you receive a “phishing” or “spoofing” e-mail, DO NOT click on any link contained in the e-mail.

3. Children

The Sites are open to all individuals. In compliance with the requirements of COPPA (Children’s Online Privacy Protection Act), we do not knowingly collect or permit the collection, storage or use of any Personally Identifiable Information from anyone under 13. If you are a parent or guardian who knows or has discovered that your child under the age of 13 has submitted Personally Identifiable Information or other information without your

permission, upon request, we will promptly: (a) provide direct notice to you indicating what, if any, Personally Identifiable Information of your child has been collected and how it has been used and/or disclosed; (b) remove your child's Personally Identifiable Information or other information from our database, cease the use of such information and direct any other party with access to such information to do the same; and (c) notify you of our compliance with the above. The Sites is not directed at or intended for children under the age of 13 and we endeavor not to knowingly collect any Personally Identifiable Information from children under the age of 13. If a parent or guardian believes that the Service has collected the Personally Identifiable Information of a child under the age of 13, please contact us.

4. Access to your information

You may contact us at if at any time you would like to see the Personally Identifiable Information we hold about you, or to ask us to correct or update this information, or to ask us to delete it. Please contact us if you have questions or wish to take any action with respect to information to which this Privacy Policy applies (see below for contact information).

California Privacy Rights. If you are a user of the Sites and a California resident, California's "Shine the Light" law (California Civil Code § 1798.83) permits you to request and obtain from us once a year, free of charge, information regarding our disclosure of your Personally Identifiable Information (if any) to third parties for direct marketing purposes. If this law applies to you and you would like to make such a request, please submit your request to EngineEars [LLC] to support@engineears.org or mail to 1500 Artesia Blvd, Unit D, Gardena, CA 90248

5. Links to Other Websites

This Privacy Policy applies only to the Sites. Websites and applications related to the Sites may contain links to other websites that EngineEars [LLC] may not own or operate. The links from the Sites do not imply that EngineEars [LLC] endorses or has reviewed these websites. The policies and procedures we describe here do not apply to these websites. We neither can control nor are responsible for the privacy practices or content of these websites. We suggest contacting these websites directly for information on their privacy policies.

6. European Union – GDPR

This Section 6 is intended to establish the information we collect, how we collect and use it, as well as other information regarding disclosures required for users in the European Union. We may hold your personal information either for our own purposes or on behalf

of persons, organizations or entities that have signed up for use of the Sites (as set forth in the Terms of Use) (“Customers”). Under European data protection laws, we act as a “data processor” where we hold personal information on behalf of a Customer. We may act as “data controller” in some circumstances – i.e., we use your information for our purposes and determine how and why we use your information.

This privacy policy sets out how we will collect, hold and use your personal information where we are a data controller with respect to your personal information. Where we refer to “you” and “your” in this privacy policy, we are talking to the individual whose personal information we use as a data controller. **When we hold information solely on behalf of our Customers and do not use it for our own purposes, under European data protection laws we will be acting as a “data processor” and will hold that information in accordance with the terms of our contracts with our Customers. In these circumstances, our Customers will be acting as data controllers in respect of the information. In such circumstances, by using our services, you hereby agree and acknowledge that you are a “data controller” under the terms of the European General Data Protection Regulations (“GDPR”) and, to the extent the GDPR applies to your use of such services, you further acknowledge and agree that (i) EngineEars [LLC] holds information solely on your behalf, (ii) EngineEars [LLC] will be acting solely as a “data processor” and, (iii) you are fully compliant with all GDPR rules and regulations relating to your use of such services (including providing requisite notice and opt-out rights to your users regarding the collection and storage of user data outside of the European Union).**

Personal information

Some of the information stored by Customers through our services incorporates personal information about individuals. While we keep this information secure as a key feature of our services, this Privacy Policy does not address our use of personal information where we are acting as a data processor, as it is our Customer’s responsibility to provide this information to the people whose information we hold.

We may collect, use and hold the following different kinds of personal information: Identity data (e.g., name, username, date of birth, gender); Profile data (e.g., user preferences, comment); Contact data (e.g., email address, phone numbers); Content data (e.g., personal information contained in messages); Support data (e.g., comments made in customer support efforts); Technical data (e.g., IP address, browser information); Usage data (e.g., how our services are used); and marketing data (e.g., user preferences relative to marketing efforts).

Information Collection

We collect data through direct interaction (express/overt use of the service) as well as through automated technologies (e.g., use of cookies), as well as through use of our services by our Customers.

Use of Information

Where we are a data controller in respect of personal information, we are required by European data protection laws to be clear about the purposes for which we are processing that personal information and our lawful basis for doing so, these include:

- account management and other administrative purposes;
- marketing and communication purposes;
- performance of our contract with a Customer;
- as necessary for our legitimate interests to develop our products/services and grow our business; and/or
- as necessary to comply with the law.

Where you are an individual Customer, the provision of your personal information is necessary for us to enter into a contract with you and to perform that contract and you hereby consent to such use.

Marketing

We may use your information to form a view on what we think you may want or need, or what may be of interest to you and provide marketing materials regarding same. At your request (through our unsubscribe process), we will cease sending messages or otherwise contacting you.

Data security

We engage appropriate security measures to prevent the loss, misuse or destruction of personal information. Additionally, we limit access to your personal information to those employees, agents, contractors and other third party service providers who have a business need to know. They will only process your personal information on our instructions and they are subject to a duty of confidentiality. We have policies in place to address suspected personal data breaches and will notify you and any applicable regulator of a breach where we are legally required to do so.

Data retention & Handling

We will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

We take into consideration the amount, nature, and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data, and the applicable legal requirements, when considering retention terms.

By law we have to keep basic information about our Customers for six years after they cease being customers for tax and legal purposes.

Use and transfer of information received from Google APIs to any other app will adhere to [Google API Services User Data Policy](#), including the Limited Use requirements.

Mobile Notifications via Phone Number

Non-Sharing of Mobile Numbers: We do not share, sell, or lease your mobile number to any third parties for marketing purposes without your explicit consent. Your mobile number is collected solely for the purpose of providing our services and to communicate with you regarding your account, transactions, or any other service-related matters.

Message Frequency: When you provide us with your mobile number, you may receive text messages from us with relevant updates, alerts, or other information related to your account or the services we offer. The message frequency will be limited to what is necessary to provide our services effectively and will not exceed a reasonable volume.

"Message and Data Rates May Apply" Disclosure: By opting to receive text messages from EngineEars, you acknowledge that standard message and data rates may apply from your mobile carrier. These rates are dependent on your mobile plan and carrier and are beyond our control. Please consult your mobile carrier regarding your messaging and data plan for more information about applicable rates.

Opt-Out: You can opt-out of receiving text messages from us at any time. To do so, simply follow the instructions provided in the text messages or contact our support team.

Your Rights

Under certain circumstances, you have rights under data protection laws in relation to your personal information. This may include the following rights:

- **Access Rights.** This is the right to receive a copy of the personal information we hold about you.
- **Correction Rights.** This is the right to have any incomplete or inaccurate information we hold about you corrected.
- **Removal Rights.** This is the right to ask us to delete or remove personal information where there is no good reason for us continuing to process it.
- **Process Restriction.** This right applies where we are relying on our legitimate interests (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.

- **Transfer Rights.** This is the right to request the transfer of your personal information to another party.
- **Withdraw consent.** This right applies only if we are relying on your consent to process any of your personal information. This will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us at support@engineears.com

You will not have to pay a fee to access your personal information (or to exercise any of the other rights), unless such request is unfounded or excessive (in which case, a reasonable fee may apply, or we may refuse to comply with your request).

7. How To Contact Us

You may contact EngineEars [Inc] regarding our privacy practices at the following address:

EngineEars [Inc]

18720 Oxnard Street #102 Tarzana,
CA 91356

8. Changes To The Privacy Policy

This Privacy Policy is effective as of the date indicated above. We reserve the right to change this Privacy Policy at any time. We do not undertake to provide you with personal notice of any changes. In the event of material changes, we will provide notice by means that are reasonable under the circumstances, such as by posting a notice on our website and/or sending a notice to the primary email address we have on file for you. Your continued use of the Sites following the posting of changes to this Privacy Policy means you accept those changes.

9. Consent

By visiting our Sites, you consent to this Privacy Policy.