

Privacy Policy

This Privacy Policy (“Privacy Policy” or “Policy”) applies to the various websites and the cloud based services owned and operated by Elemica, Inc., our divisions, affiliates and subsidiaries, including without limitation, Elemica Parent, Inc., Elemica Holdings, Inc., Elemica International, Inc. and EMNS, Inc. (collectively, “Elemica”, “us”, “we” or “our”). This Privacy Policy describes how Elemica collects and uses your information, our disclosure and security practices, and the choices available to you. In this privacy policy, “you,” “your” and “yours” refer to you as an individual and, where applicable, to the company or legal entity on whose behalf you are viewing this Privacy Policy. Your privacy is important to us, and we are committed to protecting and carefully handling the information that you provide. Please read this Privacy Policy carefully; by visiting our websites or by using our services, you consent to our collection and use practices.

Elemica complies with the EU-U.S. Privacy Shield Framework and the Swiss – U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union and Switzerland to the United States, respectively. Elemica has certified to the Department of Commerce that it adheres to the Privacy Shield Principles. If there is any conflict between the terms in this privacy policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit <https://www.privacyshield.gov/>.

Elemica commits to cooperate with EU data protection authorities (DPAs) and the Swiss Federal Data Protection and Information Commissioner (FDPIC) and comply with the advice given by such authorities with regard to human resources data transferred from the EU and Switzerland in the context of the employment relationship.

This policy may be amended or modified from time to time consistent with the EU-U.S. Privacy Shield Framework and/or Swiss-U.S. Privacy Shield Framework. If there is any conflict between the terms in this policy and the Privacy Shield Principles, the Privacy Shield Principles shall govern. To learn more about the Privacy Shield program, and to view our certification, please visit www.privacyshield.gov.

Information We Collect

You may visit our websites without telling us who you are or revealing any personal information. To access certain functions, however, we require that you create an account profile by providing certain identification, contact, and certification information, such as your name and your company’s name and email address. We may collect and maintain any information that you provide us on our websites or in any other manner. We do not collect sensitive information as defined by the Privacy Shield Framework to access our websites. However, to use our services, we require that you create an account profile by providing certain identification, contact, and certification information, such as your name and your company’s name, email address, postal address and telephone number. We may collect and maintain any Customer Information that you provide us through our services or in any other manner.

“Customer Information” means the information you provide and that we maintain about you, your company, your accounts, and your transactions. We do not collect sensitive information as defined by the Privacy Shield Framework to use our services. We also collect and receive personal information related to current employees and those seeking employment or internship opportunities with us. This information is considered sensitive information as defined by the Privacy Shield Framework.

As you use our websites, we may also collect information using common information gathering tools. While we do log IP addresses (the Internet address of a computer) and use cookies to track user sessions and page views on our websites, we only use the data to analyze overall user trends, and individual users remain anonymous. Tracking user sessions and page views helps us understand how visitors use our websites, which areas are most popular, and how long visitors spend there.

You may subscribe to email newsletters and other email communications by providing us your email address which, with your consent, we may use to send you promotional materials. If you would like to participate in the surveys we occasionally offer, we may ask you for contact information, preferences or other information, which we may use to conduct research, improve our offerings, or report customer perceptions and trends.

To facilitate the provision of our services, we must transfer some of your Customer Information to your trading partners and/or third-party service providers. We transfer Customer Information as provided by you, and other information that is directed by you, to your trading partner or third-party service provider. If you use any of the notification and documentation features, information about your transaction may be transmitted to you via telephone, email, pager, or other wireless device that you have identified to us. We may be unable to protect the information transmitted through our services. We may also contract with financial services providers to help you manage invoices and payments, and we will provide them the Customer Information needed to manage the settlement requirements that you select.

We establish and maintain transaction records, which become part of the account history for you and your trading partners. We also retain records about your customer service and technical service requests. We use these records only to service your request, maintain appropriate business records, and assess and improve our services.

We provide a variety of tools that allow you to report and analyze your use of our services. We will periodically generate statements for internal use that contain statistical information regarding transaction volume and value, and we may periodically report and publish aggregate general performance metrics. The reports and aggregated information will not be linked to you, and we will not commercially exploit your Customer Information for other purposes without your consent.

Use of Your Information

We may use your information: (1) to respond to or fulfill your requests; (2) to evaluate the quality of our products and services; (3) to communicate with you about our products, services and related issues; (4) to notify you of and administer marketing campaigns; (5) for internal administrative and analytics purposes; (6) to comply with our legal obligations, policies and procedures; and (7) to assist you in managing your use of our websites or in managing your use of our services. We may use employee data solely for the purposes of their employment and is only provided to authorized third parties who have a need to provide services related to the employment, such as benefits and payroll.

Disclosure of Customer Information

In General. We do not share information with third parties other than as noted elsewhere herein. Moreover, other than as noted above, we will not disclose your information unless we are required by law or have a good faith belief that such action is necessary to: (a) comply with a judicial proceeding, court order or legal process; (b) respond to lawful requests by public authorities, including to meet national security or law enforcement requirements; (c) protect and defend our rights or property; (d) protect the personal safety of our users, our web websites, or the public; or (e) enforce our agreements or Terms of Use. We may transfer your information if we buy or sell any or any portion of our business.

Enforcement. Elemica is subject to the investigatory and enforcement powers of the Federal Trade Commission ("FTC").

Consultants and Outsourcers. We sometimes employ or work with consultants, temporary workers, software developers, or outsourcers to complete a business process or provide a service (e.g., delivering products, offering online software applications, or sending email messages on our behalf), and we may need to provide them with some information about you. Except in limited circumstances, these agents and developers are prohibited through their contracts with us from using that information or disclosing it for purposes other than to offer or complete the service that we are outsourcing. For all such instances of onward transfer of your information to third parties, Elemica remains responsible to you for any liability that may arise caused by any such third party. In addition, Elemica requires our service providers to whom we disclose Personal Information and who are not subject to the laws based on the EU Data Protection Directive 95/46 or Swiss Federal Data Protection law to either (i) subscribe to the Privacy Shield principles, or (ii) contractually agree to provide at least the same level of protection for Personal Information as is required by the relevant Privacy Shield principles.

Security and Integrity

Data Security. We recognize industry standards and employ administrative, technical and physical designed to protect your information from loss, misuse, unauthorized access, disclosure, alternation

and destruction. Please note that no security methodology is 100% safe, we cannot guarantee information security, and it is important for you to protect yourself against the unauthorized access to your information.

Data Integrity. We take reasonable steps to ensure that the information we collect is accurate, complete and current and is relevant and reliable for its intended use. We depend on our customers to update and correct their information whenever necessary.

Enforcement and Oversight. We conduct compliance audits of our privacy practices to verify adherence to this policy.

Notice, Choice and Access

Our approach to responsible data handling is founded on providing notice of our information practices and other privacy issues to allow you to make informed decisions regarding your use of our websites or our services.

Notice. We provide notice of our practices through (i) this Privacy Policy; (ii) customer agreements, if applicable; (iii) employment related documentation; and (iv) specific notices on our websites. Your privacy is important to us and this Privacy Policy is intended to provide you with notice regarding the information we collect in connection with our websites, the fair information practice principles that govern our use of such information and the choices available to you regarding our use of your information.

Choice and Opting Out. We believe that it is important to give you the opportunity to choose how your personal information is collected and used. We will not use your information for any purposes other than those described in this Policy or any service-specific privacy notices without first obtaining your explicit consent.

You may opt-out of receiving promotional emails from us by following the opt-out instructions provided in those emails or by emailing support@elemica.com with your request. Opt-out requests will not apply to transactional service messages, such as security alerts and notices about your current account.

Access. You may access, update, amend, delete or correct your information at any time by contacting Elemica Client services via email at support@elemica.com or via telephone at 1-800-ELEMICA (U.S. and Canada) or 00-800-4-353-6422 (Europe, except Scandinavia).

Navigational Information on Our websites

Cookies. Like most websites, our websites and our services use "cookies," which are small pieces of data our server may send to your browser while you are using our websites or our services. These cookies contain unique identifiers that help us better understand usage of our websites and services in the aggregate. If you simply want to browse the public areas of our websites, you do not have to accept cookies from Elemica. Should you decide, however, that you would like to register and have access to restricted areas of our websites or our services, you will need to accept the cookies that our server sends to your browser. As a registered user, you receive a session-based cookie that is maintained by your browser and contains your identifier. This cookie is used to authenticate your identity and provide you with access to areas of our websites that are limited to registered users and our services.

Tracking Technology. Third party tracking systems in use on behalf of our websites may use cookies to track your involvement with certain links to help us improve and better understand our websites. You may choose not to accept these cookies and you will still have full access to site functionality.

Web Site Usage Data. With or without cookies, we keep track of usage data, such IP addresses and/or domain names, the dates and times of page requests, the names and/or IP addresses of referring websites, and other Uniform Resource Locator ("URL") parameters. We use this information for aggregated and statistical reporting and to better understand usage of our websites in the aggregate. This information is stored in log files and is not linked to other Customer Information.

Information Collected by Third Parties. Third parties, such as advertising networks and business partners, may use cookies to collect information about your involvement with advertising on our websites. You may choose not to accept these cookies. We do not control, and we are not responsible

for, these parties, and you should review their privacy policies to learn more about what, why and how they collect and use information they collect. The websites may also include widgets, such as social network buttons or other interactive mini-programs that run on our websites. These widgets may collect information, such as your IP address or email address, and may set cookies to enable proper functioning. We do not control, and are not responsible for, these information collection practices, and you should review the privacy policies of the companies providing the widgets.

Miscellaneous

Human Resources Data. With respect to any human resources data collected under the Privacy Shield, Elemica will cooperate with the appropriate EU Data Protection Authorities and/or the Swiss Federal Data Protection and Information Commission during the investigation and resolution of complaints. As further explained below, a binding arbitration option will also be made available to you in order to address complaints not resolved by any other means.

Data Transfers. You understand and agree that any information you submit may be transferred across national boundaries and may be stored and processed in any of the countries in which we maintain offices, including the United States. You also acknowledge that, in certain countries or with respect to certain activities, our trusted vendors may collect, transfer, store, and process your information. Because privacy laws vary from one jurisdiction to another, personal information may be transferred to a jurisdiction where the laws may differ from the laws in the jurisdiction in which the information originated.

Information Retention. We store information about our customers, our websites for automated access and processing, and we reserve the right to keep records for a period of not less than 20 years (the "Data Retention Period") as operational records, historical archives, and for analysis and reporting. We will retain your information for as long as your account is active or as needed to provide you services, comply with our legal obligations, resolve disputes, and enforce our agreements. At the end of the Data Retention Period, Elemica will delete your Customer Information so that it cannot be reconstructed or read. You may request that we purge specific information from our databases and archives prior to the expiration of the retention period.

Replies and Comments. If you use a blog or other feature to post information on our websites, you should be aware that any information you submit there can be read, collected, or used by other users, and could be used to send you unsolicited messages. We are not responsible for the Personally Identifiable Information you choose to submit through these features. To request removal of your information, contact us at support@elemica.com. In some cases, we may be unable to remove your information, in which case we will let you know if we are unable to do so and why.

Third Party websites. We may provide links to third party websites, such as those of our business partners and customers. While we try to link only to websites that share our high standards and respect for privacy, we do not control, and we are not responsible for, the privacy practices of these websites. We encourage you to review their privacy policies to learn more about what, why and how they collect and use information.

Children. Our websites and our services contain business-related content and are for adult use only. We do not knowingly solicit or collect personal information from or about individuals under the age of 18 years.

Dispute Resolution. Any questions or concerns that an EU individual may have regarding the use or disclosure of their information should be directed to our legal department (please contact Elemica's general counsel at +1 484 253 4674 or at ElemicaLegal@elemica.com). We will investigate and attempt to resolve complaints and disputes in accordance with the principles contained in this Policy. For complaints that we cannot resolve, Elemica has agreed to participate in the dispute resolution procedures of the panel established by the European data protection authorities to resolve disputes pursuant to the Privacy Shield principles. Elemica is further committed to referring unresolved privacy complaints to JAMS, an alternative dispute resolution provider, at no cost to you. Please visit www.jamsadr.com/eu-us-privacy-shield for more information and to file a complaint. As further explained in the Privacy Shield Principles, a binding arbitration option will also be made available to

you in order to address complaints not resolved by any other means. Please note that our services of JAMS will be provided at no cost to you.

Changes to this Privacy Policy. We reserve the right to modify this Privacy Policy at any time and we encourage you to periodically review this Privacy Policy to be informed of how Elemica is protecting your information. If we make material changes to this Privacy Policy, we will provide notification by email or by means of a notice on our home page prior to the change becoming effective. Changes to the Privacy Policy will be effective upon posting. We will also provide notification by email or by means of a notice on our homepage in the event of a merger, corporate change in structure, or sale of substantially all of Elemica's assets, Elemica may also disclose information to third parties as Elemica, in its sole discretion, believes necessary or appropriate, in connection with the merger or consolidation with, or sale of assets to such third party, provided that such third party agrees to comply with Elemica's Privacy Policy with regard to user information.

Submission of Information. If you use our services, be aware that any information you submit may be viewed by others. Elemica cannot ensure the security or privacy of any information that you provide through our services, and we are not responsible for, and cannot control, others' use of any such information. Before submitting any personally identifiable information about any individual (e.g., a company contact), obtain that individual's consent for the collection, transfer, processing, and use of that information in accordance with this Policy.

Contacting Us. We are committed to protecting your information and helping you manage your privacy. If you have any questions or concerns about this Privacy Policy, please refer to the appropriate contact below:

Accessing or Correcting Customer Information and General Inquiries:

Email: support@elemica.com

Phone: 1-800-ELEMICA (U.S. and Canada) or 00-800-4-353-6422 (Europe, except Scandinavia).

Questions about Marketing Communications:

Email: mediarelations@elemica.com

Questions about this Privacy Policy or our use of Customer Information:

Email: ElemicaLegal@elemica.com or the Elemica General Counsel at +1 484 253 4674

Mailing Address:

550 East Swedesford Road, Suite 310, Wayne Pennsylvania 19087 USA

This Privacy Policy was last updated on April 30, 2019