

## **ABLSoft Privacy Policy**

Updated: January 19, 2022

ABLSoft, Inc. (“ABLSoft” or “we”) developed this Privacy Policy to describe how we collect, use, process, and disclose personal information we may collect when you access ABLSoft’s website (“Site”).

We may change this Privacy Policy from time-to-time. If we make changes, we will notify you by revising the date at the top of the policy and, in some cases, we may provide additional notice (such as adding a statement to our homepage or sending our customers an email notification). Please review the Privacy Policy from time to time so that you can stay informed about the information we collect and how we use it.

Only business customers may subscribe to the ABLSoft Services and as such the Sites are not targeted or directed at children under the age of 13 and we do not knowingly collect or store any personal information from children under the age of 13.

### **NOTICE**

Through this Privacy Policy, we provide information about the information we collect, how we collect it, the purposes for which it is used, and we provide notice of how you can contact ABLSoft with any inquiries or complaints, the types of third parties to which we disclose the information, and the ways, if any, we offer for limiting how personal information that we collect or receive is used and disclosed.

### **COLLECTION OF INFORMATION**

ABLSoft provides services to business customers in the commercial lending industry that enter into an agreement with ABLSoft (“Services Agreement”). When a business becomes an ABLSoft customer (“Customer”), that business and the persons it authorizes to access and use the ABLSoft Services subscribed to are deemed Authorized Users under the Services Agreement.

#### Information We Collect or Receive

*Individual User Data.* If you are an Authorized User, we may collect information about you that you provide directly to us and/or when we receive information from the Customer that designated you as an Authorized User. For example, Customers may provide contact information for their respective Authorized Users. That information may include and is not limited to name, company name, titles, job-related information, address, email address, telephone number(s) used to access the ABLSoft Services. We also collect messages (email, voice and/or other) that Customers/Authorized Users may send to us.

#### *Device and Usage Data.*

Usage Data is collected automatically when using the Service. For Authorized Users accessing the ABLSoft Services, we may collect and/or receive information about your use of such services, along with the computer and/or mobile device you use when doing so. This information may include (and is not limited to) information such as Your Device's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that You visit, the time and date of Your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

When You access the Service by or through a mobile device, We may collect certain information automatically, including, but not limited to, the type of mobile device You use, Your mobile device unique ID, the IP address of Your mobile device, Your mobile operating system, the type of mobile Internet browser You use, unique device identifiers and other diagnostic data.

We may also collect information that Your browser sends whenever You visit our Service or when You access the Service by or through a mobile device.

Similarly, we collect log information about persons accessing the Sites, including the type of browser you use, when you access the Site, webpages viewed, IP address and the webpages visited before and after navigating to a different webpage.

Cookies are required for us to provide our Services. A cookie is a small amount of data, which often includes an anonymous unique identifier that is sent to your browser from a web site's computers and stored on your computer's hard drive.

We use both Session and Persistent Cookies for the purposes set out below:

- Necessary / Essential Cookies  
Type: Session Cookies  
Administered by: Us  
Purpose: These Cookies are essential to provide You with services available through the Website and to enable You to use some of its features. They help to authenticate users and prevent fraudulent use of user accounts. Without these Cookies, the services that You have asked for cannot be provided, and We only use these Cookies to provide You with those services.
- Cookies Policy / Notice Acceptance Cookies  
Type: Persistent Cookies  
Administered by: Us  
Purpose: These Cookies identify if users have accepted the use of cookies on the Website.
- Functionality Cookies  
Type: Persistent Cookies  
Administered by: Us  
Purpose: These Cookies allow us to remember choices You make when You use the Website, such as remembering your login details or language preference. The purpose of these Cookies is to provide You with a more personal experience and to avoid You having to re-enter your preferences every time You use the Website.

We use analytics software so that we can improve the functionality of our Sites. This software allows us to collect and record data about how our Sites are used, how often webpages are accessed, other usage data, and performance data, among other data. Standing alone, this information is not personal information and we do not link it to any personal information.

Customers using the ABLSoft Services are not requested to and not required to provide personal data about their respective business customers ("End User PD"). Because ABLSoft does not request or require any End User PD to provide the ABLSoft Service, we will not know if any End User PD has been submitted by such end user or any Authorized User.

## USE OF PERSONAL INFORMATION

We use personal information that we collect/receive for various purposes, including to:

- Provide, maintain, analyze and improve our Services;
- Address and detect security related issues and/or other similar activity;
- Send notices, updates, security alerts and support and administrative messages regarding the ABLSoft Services;
- Send information about marketing, informational, product development and promotional purposes;
- Contact you, which may include but is not limited to responding to emails, comments, questions and requests and provide customer service;
- Monitor and analyze trends, usage and activities in connection with our Services;
- Personalize and improve the Services and provide content or features; and
- Complete any other purpose for which the information is collected.

## SHARING AND TRANSFER OF INFORMATION

We share personal information that we collect about those that use the Services as follows, and as otherwise expressly described in this Privacy Policy:

- *Service providers.* With affiliates (if any), vendors, consultants, other service providers who need access to such information to carry out work on our behalf and/or in order to provide our Services, and only for doing so.

*Certain Requests.* In response to a request for information, if we believe disclosure is in accordance with any applicable law, regulation or legal process, or as otherwise required by any applicable law, rule or regulation. Similarly, if we believe it is reasonable to do so to protect the rights, property and safety of ABLSoft and/or others, such as Customers/Authorized Users;

- *Business Transactions.* In connection with, or during negotiations of, any merger, sale of company assets, financing or acquisition of all or a portion of our business to another company; and

*Your Consent.* With your consent or at your direction, including if notice is provided through the Services that the information you provide will be shared in a particular manner and you provide such information.

We do not sell, share, or rent any personal information to third parties in any ways different from what is disclosed in this Privacy Policy. However, we may share with third parties non-personal information, aggregated information or other anonymized data which cannot reasonably be used to identify you.

## YOUR CHOICES

### *Account Information*

Customers subscribed to the ABLSoft Services may update certain account information, including making corrections and deleting certain information by sending those updates to us at [helpdesk@ABLSoft.com](mailto:helpdesk@ABLSoft.com).

Please note that we reserve the right to send certain important communications relating to the Services, such as Welcome notice, service announcements, security notices and Legal Notices, without offering the opportunity to opt-out of receiving them.

Individuals in the EU and Switzerland have the right to access personal data, and in some cases to limit use and disclosure of their Personal Data. ABLSoft does not knowingly collect any personal data from such individuals. If you would like to request access to, deletions of, alterations to your personal data, or you have questions about your personal information that we maintain, please contact us at [helpdesk@ABLSoft.com](mailto:helpdesk@ABLSoft.com) and provide us your name and contact information.

#### *Promotional Communications*

You may opt out of receiving communications from ABLSoft that are identified as promotional materials by following the instructions in those emails or by sending a request to [helpdesk@ABLSoft.com](mailto:helpdesk@ABLSoft.com). If you opt out, we may still send you non-promotional communications as indicated above.

#### **SECURITY**

To safeguard personal information, ABLSoft takes reasonable, physical, technical and organizational measures to prevent unauthorized access, unlawful processing and unauthorized or accidental loss, destruction, or damage to your personal information. ABLSoft uses industry-standard efforts to safeguard the confidentiality of personally identifiable information, including encryption, firewalls and SSL (Secure Sockets Layer). However, we do want you to be aware that despite our efforts, no security measures are perfect or impenetrable, and that we cannot guarantee that the Services will be free of any defects or flaws that affect your use of it or the security of your information.

#### **DATA RETENTION**

Data that we collect will be stored in the United States and may also be processed by staff operating in the United States (and outside the European Economic Area) who we engage (e.g., provide support services to Customers).

Customers' respective Services Agreements govern the use and disposal of information and data upon termination of such agreement.

For the Sites, we will retain in our files and databases that include personal information, if any, for as long as necessary to comply with our legal obligations, for our business purposes, including but not limited to resolving disputes, troubleshooting service problems, as required by law, and/or to enforce the terms of use, other applicable agreements and/or this Privacy Policy. We may retain non-personally identifiable information without any specific term limitation.

#### **DO NOT TRACK**

Do Not Track (or DNT) is an optional browser setting that you may set in your browser to relay to website you visit your preferences regarding tracking across websites. ABLSoft does not have a mechanism in place to respond Do Not Track requests. For clarity, we continue to collect information in the manner described in this Privacy Notice from web browsers that have enabled DNT signals or similar mechanisms.

#### **DISPUTE RESOLUTION**

ABLSoft is committed to resolve complaints about our collection or use of your personal information. If you have questions or complaints regarding our privacy policy, or practices, please contact us at [helpdesk@ABLSoft.com](mailto:helpdesk@ABLSoft.com).

In the event that ABLSoft transfers personal information it receives to a third party acting as an agent on

its behalf, then ABLSoft will remain liable in the event that the third party processes such personal information in a manner inconsistent with this Privacy Policy, unless ABLSoft proves that it is not responsible for the event giving rise to the damage.

**CONTACT US**

If you have any questions about this Privacy Policy, please contact us at: [helpdesk@ABLSoft.com](mailto:helpdesk@ABLSoft.com).