

Privacy Policy

Last Updated: February 2020

Positioning Universal Inc. (“Positioning Universal”) is committed to protect the privacy of our customers. This Privacy Policy relates to Positioning Universal, together with its affiliates (collectively “we”, “us” and/or “our”), and describes our policies and practices with respect to your personally identifiable information (“Personal Information”) and other data that you may give us or that we may collect about you when using our website: www.positioninguniversal.com and our services. It also describes the choices available to you regarding our use of your personal information and how you can access and update this information. The use of information collected through our service shall be limited to the purpose of providing the service for which the Client has engaged Positioning Universal.

Our servers are located in the United States. Accordingly, if you reside outside of the United States or are a European Union citizen living in the United States, you agree that your information will be transferred to the United States, and processed and stored in the United States in accordance with the Privacy Shield Framework described in the “Data Privacy Regulations” section of this privacy policy. You also acknowledge and agree that your information may be transferred to facilities of those third parties with whom we share data as described herein.

Information Collection, Purpose, Use, and Sharing

We collect, use and share two types of information: Personal Information and Non-Personal Information. Personal Information is information that can be directly or indirectly associated with a specific person or entity, including but not limited to, names, email addresses, user names, passwords, and payment information. Non-Personal Information is information we collect or compile that by itself cannot be directly associated with a specific person or entity.

During the use of our Sites and Services, we process information for the following purposes:

- Improving our websites and their user experience by analyzing their use;
- Diagnosing problems in our websites and providing notifications of issues and corrective actions;
- Communicating with you on contractual information (date established and when it is ready to expire), credit card payment information (ready to expire or expired credit card) and similar information;
- Processing and fulfilling orders requested by resellers and customers;
- Providing information on Positioning Universal's products and services, special offers & promotions, existing and pending regulations and similar information;
- Conducting market research about our customers, their interests, and the effectiveness of our campaigns;
- Completing cybersecurity activities, including fraud prevention, software and IP privacy, misuse of services, and protecting the confidentiality of your account;
- Tracking of vehicles to aid in the recovery if a vehicle is stolen, abandoned or for general recovery purposes;
- Tracking of vehicles or assets for security and fleet optimization;
- Monitoring of driver behavior to improve driver safety and to reduce maintenance and fuel costs;
- Monitoring drive hours for work time and regulatory compliance;
- Management reporting for business optimization;
- Integration with third party hardware or software solutions.

When accessing one of our websites, our system will gather information such as what kind of browser is being used, the user's operating system, their IP address, their navigation patterns, and referring site. Note that information is only gathered while the user is on a website owned or operated by Positioning Universal. Positioning Universal monitors how a user arrives at the website, but cannot, and will not, gather information about other websites the user has been on before arriving at a website owned or operated by Positioning Universal.

When you register with Positioning Universal, information is needed such as your name, company name, and email address. A billing address and credit card information is also required if you have chosen a paid account. We will use collected information for purposes such as processing and fulfilling your order, billing, service improvement, research, and other general purposes. We will share your personal information with third parties only in the ways that are required for the use of our service and as described in this privacy policy. We will not sell, rent, exchange or share your personal information with any third-parties without permission.

Positioning Universal will use your personal information to send a welcome email. We may also email account holders for the purpose of billing or to provide service-related announcements. As this is part of your service, you cannot opt out of any service related email notifications. At any point in which a newsletter subscription is made available, we will use your name and email address to send the newsletter to you. At any time, you may choose to stop receiving our newsletters or other promotional emails by following the instructions provided in the email.

If you use a mobile device connected to a Positioning Universal solution, we receive and process personal data about you which may include, but is not limited to, the monitoring of your driving behavior, hours driven and location. We process this data in accordance with this privacy policy and in adherence to the privacy rights outlined in the "Data Privacy Regulations" section.

If Positioning Universal is involved in a merger, acquisition, bankruptcy, or sale of all or a portion of its assets, you will be notified via email or by notice on our website of any change in ownership or uses of your personal information, as well as any choices you may have regarding your personal information.

When necessary, Positioning Universal will share the collected information in order to respond to court orders, legal processes, or to investigate, prevent or take action against illegal activities, suspected fraud, or other circumstances concerning potential physical threats of personal safety, violations of Positioning Universal's terms of service, or as otherwise required by law.

Cookies

Positioning Universal uses a technology called "cookies" to store session information. A cookie is a small text file that is stored on your local computer and allows us to identify users who have previously registered or visited the site. Session cookies are automatically deleted from your hard drive at the end of a session. If you access the portions of our website that require a password, persistent cookies, which are not automatically deleted from your hard drive at the end of a session, are used. Most web-browsers offer the option to refuse any cookie, but they also usually accept cookies by default. You can change this default in most browsers and cause the browser to stop accepting cookies or to prompt you before accepting a cookie from a website. If you choose to decline cookies, you may not be able to fully experience the functionality for our website or services. Usage of a cookie is in no way linked to any personally identifiable information on our site.

Security

In order to protect both the personal information and the general information that we receive from you through your use of Positioning Universal's website, we have taken measures to ensure your security. When you enter sensitive information (such as your credit card number) on our online forms, we encrypt that information using secure socket layer technology (SSL). You can verify this by looking for a lock icon

in the address bar and looking for "https" at the beginning of the address of the web page. We also follow generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. While every precaution is used to protect your personal information and privacy, Positioning Universal cannot guarantee the security of any information you disclose online. By using Positioning Universal's service, you expressly acknowledge and agree that we do not guarantee the security of any data provided to or received by us through your use of Positioning Universal's service, and that any information or other data received from you through your use of our service is provided to us at your own risk.

While we use encryption to protect sensitive information transmitted online, we also protect your information offline. Only employees who need the information to perform a specific job (for example, billing or customer service) are granted access to personally identifiable information. The computers/ servers in which we store personally identifiable information are kept in a secure environment.

Service by Minors

Positioning Universal's service is a general audience service, and does not direct any of its content, products, or services specifically toward children less than 13 years of age. We understand and are committed to respecting the sensitive nature of children's privacy online. If we learn or have reason to suspect that a user of Positioning Universal's service is under age 13, we will promptly delete any personal information in that user's account. If you have such information, please contact us as admin@positioninguniversal.com.

Positioning Universal's service is intended for use by individuals who are at least 18 years old; or, in the case where your state or province has an age requirement greater than 18 years of age, the stipulated minimum age per your state or province; or, whose parent or guardian have provided consent to use Positioning Universal's service. Any personal information submitted by a minor is in violation of our website terms of use. Personal information provided by minor and collected while visiting this website may be used as indicated in this privacy policy. Positioning Universal is committed to protecting the privacy of children and has no intention of collecting personal data from minors. We encourage parents and guardians of minors to regularly check and monitor their children's use of email and other activities online.

Third Party Relationships

Due to the nature of our business, we work with a variety of third party partners that may process and store your personal data on our behalf. The types of partners include providers of credit card payment processing, customer service software solutions, IT and related services, telecommunication and text providers, location & map services, electronic signature solutions and resellers of our services.

Positioning Universal has executed or is in the process executing appropriate contracts with these third-party partners that restrict them from using or sharing Personal Information except as necessary to perform the contracted services on our behalf or to comply with applicable legal requirements.

Positioning Universal shall be liable for the acts and omissions of its third-party partners that are processing the personal data of Positioning Universal's customers to the same extent Positioning Universal would be liable if performing the services of each third-party partner directly under the terms of this privacy policy, except as otherwise set forth in the privacy policy.

Third-Party Links

Positioning Universal may insert links to third-party websites whose privacy practices may differ from those of Positioning Universal. This privacy policy does not apply to such third-party websites. These links take you outside our service and are beyond our control. This includes links from customers or partners that may use Positioning Universal's logo as part of a co-branding agreement. While we seek to protect the integrity of our service, Positioning Universal is not liable for the content and activities of those sites. Your access to such websites is at your own risk. Please note that those other sites may send their own cookies to users, collect data, or solicit personal information.

Changes to Privacy Policy

We reserve the right to edit Positioning Universal's Privacy Policy at any time. The most recent version of the Privacy Policy is reflected by the version date located at the top of the Privacy Policy. If Positioning Universal changes the Privacy Policy, a notification will be posted after signing into the website for you to review and accept. For new users, the change will become effective upon posting.

If you continue to use our website and / or Services, you agree to be bound by any changes to this privacy policy. If you do not agree to these changes, please contact us so we can attempt to resolve your concern by providing an explanation of these changes. If this information is not acceptable to you, then your only remedy is to discontinue use of the Site and / or our Services.

Questions

You can reach us using the information found on our "Contact Us" page on our website, by contacting our Data Protection Officer via the email listed in the "Data Privacy Regulations" section of this privacy policy or by using the mailing address provided at the end of our privacy policy. We will respond to your request to within 30 days.

Data Privacy Regulations

The European Union's General Data Protection Regulation, California's Consumer Privacy Act and other emerging data privacy regulations provide data subjects that are users of our Site and Services with the following rights:

Right to Access

You have the right to request access to and/or copies of the personal data Positioning Universal holds on you. In order to ensure the safety of your data, Positioning Universal will request identity verification of any data subject requesting access to personal data. As a result, the email must specify the following information:

- 1) Name, company, business address, and scope of information requested
- 2) Identification documents to demonstrate that the user is an employee of the named company

Positioning Universal will comply with the request within 30 days of the request receipt provided the required verification document has been received.

Right to Rectification

You have the right to have your data corrected in the event any personal data held by Positioning Universal is incorrect or incomplete.

Right to Erasure

You have the right to be forgotten or have your data erased. We will remove your personal data from our systems, after receiving written notification from you, once the retention is no longer necessary for the performance of services based on a contractual commitment or if there is not an existing need to retain this information for the establishment, exercise or defense of any legal claims.

Right to Restriction of Processing or Transfer to another Data Controller

You have the right to restrict the processing of your personal data. You also have the right to transfer or port your personal data from Positioning Universal to another data controller. After Service cancellation, data will not be retained on our servers if requested in writing via email. Positioning Universal will abide by this right as long as the data transfer does not infringe on the contractual rights of a customer.

Right to Object

You have the right to object to the use of your personal data. This includes the right to withdraw consent to process personal data if consent was previously given and the right to object to the use of personal data. This could include the removal of your personal data from an account or a request to remove your email from a mailing list.

Exercising Rights

In the event you would like to inquire about exercising these rights, you may contact our Privacy / Data Protection Officer at dataprotection@positioninguniversal.com.

It should be noted that if you choose to withdraw consent, restrict the processing of your personal data or have your personal data erased prior to the contractual end of an existing Service agreement, this may result in Positioning Universal discontinuing your use of the Site and / or Service.

Your information will be retained for as long as your account is active, needed to provide you with our services and in adherence to the data privacy rights outlined within this “Data Privacy Regulations” section. We will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Breach Protocol

In the case of a data breach, Positioning Universal will notify affected users within seventy-two (72) hours. The notification will include the nature of the breach, measures to be taken to correct the breach and the primary point of contact for inquiries at Positioning Universal.

Data Retention

Positioning Universal will retain Personal Data for only as long as needed to fulfill the purposes for which the data was provided and to meet any contractual or legal requirements. Positioning Universal will delete or anonymize Personal Data when there is no longer a legitimate business need for it. If it is not immediately possible to delete Personal Data because, for example, it has been backed up in archives by third party partners, then Positioning Universal will work with its third-party partners to securely store the Personal Data and isolate it from further processing until deletion is possible.

Amazon Web Services (AWS)

Positioning Universal has partnered with AWS to process and store all data for our Services in the United States. AWS has in place effective technical and organizational measures to secure personal data in accordance with GDPR. AWS is also a certified by Privacy Shield on the EU-US privacy framework.

Privacy Shield

Positioning Universal complies with the EU-US Privacy Shield Framework as set forth by the U.S. Department of Commerce regarding the collection, use and retention of personal data transferred from the European Union to the United States. We have certified to the Department of Commerce our adherence to the Privacy Shield Principles. Positioning Universal is also subject to the investigatory and enforcement power of the Federal Trade Commission (FTC) for any failures to comply with 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/list>.

In compliance with the Privacy Shield Principles, Positioning Universal commits to resolve complaints about our collection or use of your personal information. Individuals with inquiries or complaints regarding our Privacy Shield policy should contact us at dataprotection@positioninguniversal.com.

An individual has the possibility, under certain conditions, to invoke binding arbitration for complaints regarding Privacy Shield compliance not resolved by any of the other Privacy Shield mechanisms as outlined here: <https://www.privacyshield.gov/article?id=ANNEX-I-introduction>

Positioning Universal has selected JAMS (<https://www.jamsadr.com/eu-us-privacy-shield>), the largest private alternative dispute resolution (ADR) provider in the world, as its independent dispute resolution body to address any complaints that may arise and to provide appropriate recourse free of charge. The purpose of this option is to provide a prompt, independent, and fair mechanism, at the option of individuals, for resolution of claimed violations of the Principles not resolved by any of the other Privacy Shield mechanisms, if any.

If you feel that we are not abiding by this privacy policy, you should contact us immediately.

Contact

If you have any questions about this Privacy Policy or the practices of this website, please contact Positioning Universal by e-mail at dataprotection@positioninguniversal.com. If you prefer to contact us by mail, please send any communications to:

Attention: Data Protection Officer
Positioning Universal Inc.
7170 Convoy Court
San Diego, California 92111