

## Privacy Policy

Last Updated: December 2022

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 Positioning Universal Holdings Inc and Positioning Universal Enterprise Inc., (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](http://www.positioninguniversal.com) and our services (“Sites and 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 customer 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” and “Cross-Border Data Transfer” sections 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, Disclosure, and Sharing

We collect, use and share two (2) 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, usernames, 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 collect and 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 or to communicate and respond to your requests, including customer support;
- 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 (i.e., speed alerts and late driving) 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;
- Analyzing, troubleshooting, protecting, improving, and further developing our Positioning Universal's products and services;
- As may be required by applicable law; and
- Other purposes to which you consent.

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 or through our website using the Contact Us form.

If you use a mobile device connected to a Positioning Universal solution, we receive and process Personal Information 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.

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. Please note, there is no accepted standard on how to respond to Do Not Track signals, and we do not respond to such signals.

## **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 Personal Information. The computers/ servers in which we store Personal 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 thirteen (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 thirteen (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](mailto:admin@positioninguniversal.com).

Positioning Universal's service is intended for use by individuals who are at least eighteen (18) years old; or, in the case where your state or province has an age requirement greater than eighteen (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 a 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 Information 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 Information on our behalf. These third-party partners are service providers and vendors that we have selected to provide us with services, and process some Personal Information on our behalf, to operate our Services (e.g., payment processing, customer service software solutions, IT and related services, telecommunication and text providers, location & map services, motion detection, order fulfillment, electronic signature solutions and resellers of our services, etc.).

We share Personal Information with third-party partners with your express, affirmative consent. For example, you may give us permission to share Personal Information with others for marketing use, authorize a third-party web client or application to access your account, or ask us to share your feedback with a business. These third-party partners are contractually obligated to safeguard any Personal Information they receive from us. This includes restricting 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.

The use of your Personal Information by our third-party partners is governed by the privacy policies of those third-party partners, and is not subject to our control. Positioning Universal does not assume or have any responsibility or liability for the Personal Information collection, use, security practices, or storage activities of the third-party partners used by Positioning Universal to provide you with our Services.

In the context of an onward transfer Positioning Universal has responsibility for the processing of Personal Information it receives under the Privacy Shield and subsequently transfers to a third party acting as an agent on its behalf. Positioning Universal shall remain liable under the Principles if its agent processes such Personal Information in a manner inconsistent with the Principles, unless we prove that we are not responsible for the event giving rise to the damage.

Additionally, we de-identify and aggregate your Personal Information to Non-Personal Information, to share it with partners and the public in a variety of ways, such as by providing research reports about GPS or vehicle usage. When we provide this Non-Personal Information, we perform appropriate procedures so that the information does not identify you and we contractually prohibit recipients of the information from trying to re-identify you.

### **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 and without prior notice to you to reflect changes in our information practices or relevant laws. We will post a notice on our website that points to this Privacy Policy to notify you of any substantive changes to the way we collect and use information. The most recent version of the Privacy Policy is reflected by the version date located at the top of the Privacy Policy. We strongly encourage you to read our Privacy Policy and regularly check for any changes.

If you continue to use our Site 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 this Privacy Policy. We will respond to your request to within thirty (30) days.

### **Data Privacy Regulations**

The European Union's General Data Protection Regulation and other emerging data privacy regulations, such as the UK's Data Protection Act and implementing regulations, provide data subjects that are users of our Site and Services with the following rights, described below. This section applies to EU and UK data subjects.

### *Right to Access*

You have the right to request access to and/ or copies of the Personal Information 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 Information. As a result, the email must specify the following information:

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

Positioning Universal will comply with the request within thirty (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 Personal Information erased. We will remove your Personal Information 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 Information. You also have the right to transfer or port your Personal Information 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 Information. This includes the right to withdraw consent to process Personal Information if consent was previously given and the right to object to the use of Personal Information. This could include the removal of your Personal Information 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](mailto:dataprotection@positioninguniversal.com).

It should be noted that if you choose to withdraw consent, restrict the processing of your Personal Information, or have your Personal Information 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 of Positioning Universal becoming aware of the breach. 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 Information 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 Information when there is no longer a legitimate business need for it. If it is not immediately possible to delete Personal Information 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 Information 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 Information in accordance with GDPR. AWS is also a certified by Privacy Shield on the EU-US privacy framework.

#### *Cross-Border Data Transfers*

Any Personal Information (including Personal Information) that we collect may be transferred, accessed, and processed outside of your country, as we and our service providers process data in the United States. If you are located in the EEA, Switzerland, the UK, Canada, or other regions with laws governing the processing of Personal Information that may differ from U.S. law, please note that your Personal Information may be transferred to countries that do not have the same data protection laws as the country in which you initially provided the information. We comply with applicable legal requirements providing adequate safeguards for the transfer of Personal Information to countries other than the country where you are located. In particular, we may transfer Personal Information to countries for which adequacy decisions have been issued by the European Commission, the Secretary of State in the UK or other relevant bodies in other jurisdictions, or use contractual protections for the transfer of Personal Information to third parties, such as the European Commission's Standard Contractual Clauses. You may contact us to obtain a copy of the safeguards we use to transfer Personal Information outside the EEA, Switzerland, or the UK.

#### *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 Information 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](mailto: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 Information**

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](mailto:dataprotection@positioninguniversal.com). If you prefer to contact us by mail, please send any communications to:

Attention: Data Protection Officer  
Positioning Universal Inc.  
7071 Convoy Court, Suite 300  
San Diego, CA 92111

## **Additional Information for California Residents**

This section applies to California residents where we are acting as a “business” and provides additional disclosures and our notice at collection and supplements in the information included in this Policy. The rights described herein are subject to exemptions and other limitations under applicable law. Terms used herein have the meaning ascribed to them in the California Consumer Privacy Act of 2018 (California Civil Code §§ 1798.100 to 1798.199) and its implementing regulations, as amended or superseded from time to time (“CCPA”). If you have a disability or would otherwise like to access this notice in an alternative format, please contact us via the Contact Information section. For more information about our privacy practices and details on the information provided in this section, please review our entire Privacy Policy.

### *Information We Collect*

Depending on how you interact with us, we may collect the categories of Personal Information described above in the section, “Information Collection, Purpose, Use, Disclosure, and Sharing,” including:

- Identifiers (such as your name, contact information, or IP address);
- Additional Categories of Personal Information Listed under Cal. Civ. Code § 1798.80(e) (for example your signature or credit card number);
- Commercial Information (for example, records of products or services purchased or considered);
- Internet or Other Electronic Network Activity Information (such as browsing or search history);
- Geolocation Data (including precise physical location); and
- Inferences Drawn from Personal Information Collected (such as profiles reflecting your preferences).

### *How We Use Collected Information*

We may use the Personal Information we collect for our business purposes, described above in the section, “Information Collection, Purpose, Use, Disclosure, and Sharing”.

### *What Information We Have Collected, Sources From Which Collected, and Purpose for Collection*

In the preceding twelve (12) months, depending on how you interact with us, we may have collected the categories of Personal Information listed above from you directly, via automated means such as when you use our website, services, and apps, or from other sources, such as integrated third-party services that you have requested us to access. We may have collected all or a few of these categories of Personal Information in the “Information We Collect” section for the purposes described above.

### *Our Disclosure and Sharing of Personal Information*

The chart below provides the categories of Personal Information we have collected, disclosed for a business purpose, or used for business purposes in the preceding twelve (12) months since this Privacy Policy was last updated. The examples of Personal Information provided for each category reflect each category's statutory definition and may not reflect all of the specific types of Personal Information associated with each category. In the preceding twelve (12) months, we have not sold any California resident's Personal Information. We do not knowingly collect, use, disclose, or share the information of California residents under the age of sixteen (16).



<b>Categories of Information We Collect and Use</b>	<b>Categories of Third Parties to Which Information Disclosed for a Business Purpose</b>
<b>Identifiers</b> (Like your name, billing and delivery address, and online identifiers)	Advertising partners, Analytics providers, Technical service providers, Providers or partners that support our business operations (such as payment services providers; shipping companies; etc.)
<b>Additional Categories of Personal Information in Cal Civ. Code Section 1798.80(e)</b> (such as your credit card number or other financial information)	Advertising partners, Analytics providers, Technical service providers, Providers or partners that support our business operations (such as payment services providers; shipping companies; etc.)
<b>Commercial Information</b> (such as purchase histories or tendencies)	Advertising partners, Analytics providers, Technical service providers, Providers or partners that support our business operations (such as payment services providers; shipping companies; etc.)
<b>Internet or Other Electronic Network Activity Information</b> (like browsing history or interaction with our website)	Advertising partners, Analytics providers, Technical service providers
<b>Geolocation Data</b> (including precise physical location)	Technical service providers
<b>Inferences Drawn from Personal Information</b> (like profiles reflecting preferences, behavior and or attitudes)	Technical service providers, Providers or partners that support our business operations (such as payment services providers; shipping companies; etc.)

## Your California Privacy Rights

If you are a California resident, you may have or exercise the following rights:

### *Right to know and access*

You may submit a verifiable request for information regarding the: (1) the categories of Personal Information we have collected about you; (2) the categories of sources from which we collected the Personal Information; (3) the business or commercial purpose for collecting or selling the Personal Information; (4) the categories of third parties with whom we share Personal Information; (5) the specific pieces of Personal Information we have collected about you; and (6) the categories of Personal Information about you we have sold or disclosed for a business purpose.

### *Right to Delete*

Subject to certain exceptions, you may submit a verifiable request that we delete Personal Information about you that we have collected from you.

### *Opt-out of sale*

Request that we not sell your Personal Information (we do not currently sell Personal Information).

### *Not to be discriminated against*

You have the right not to receive discriminatory treatment for the exercise of your CCPA privacy rights, subject to certain limitations.

### *Shine the light*

We do not rent, sell, or share Personal Information with non-affiliated companies for their direct marketing uses as contemplated by California's "Shine the Light" law (Civil Code § 1798.83), unless we have your permission.

Please note that the CCPA does not restrict our ability to do certain things like comply with other laws or comply with regulatory investigations. We also reserve the right to retain, and not to delete, certain Personal Information after receipt of a request to delete Personal Information from you, where permitted by the CCPA or another law or regulation.

## How to Exercise Your California Privacy Rights

**Submit requests.** To exercise your rights under the CCPA, or if you have any questions, comments, or concerns about our processing activities, please email us at [dataprotection@positioninguniversal.com](mailto:dataprotection@positioninguniversal.com), submit your request using our [Contact Us](#) form, or write to us at Positioning Universal Inc., 6974 Convoy Ct, San Diego, CA 92111.

**Verification.** Requests for access to or deletion of Personal Information are subject to our ability to reasonably verify your identity in light of the information requested and pursuant to relevant CCPA requirements, limitations, and regulations. To verify your access or deletion request, please authenticate your account by following instructions in the account verification email and providing data points that will allow us to process your request.

**Authorizing an Agent.** You are permitted to designate an authorized agent to submit requests on your behalf. In order to be able to act, authorized agents have to submit proof that they are authorized to act on your behalf, or have a power of attorney. We may also require that you directly verify your own identity with us and directly confirm with us that you provided the authorized agent permission to submit the request.