

## FLYERALL PRIVACY NOTICE

**Last Updated March 22, 2022**

This **Privacy Notice** applies to all information (including personal information) collected by FLYERALL (“FYA,” “we,” “our,” or “us”) through your use of our website, [www.flyerall.com](http://www.flyerall.com) (the “**Site**”). You may provide information to us offline, in person, through any other sites, applications, software, features, events, surveys or studies, or content offered by us from time to time that link or otherwise refer to this Privacy Notice (collectively, including the Site, the “**Services**”). For purposes of this Privacy Notice, “**personal information**” means information that relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular user, individual or household. We are committed to respecting and protecting the privacy of our users.

Please read this Privacy Notice carefully before you start to use the Services. **BY ACCESSING AND/OR USING THE SERVICES, YOU EXPRESSLY CONSENT AND AGREE TO BE BOUND AND ABIDE BY THIS PRIVACY NOTICE AND OUR TERMS OF USE INCORPORATED HEREIN BY REFERENCE, AND TO COMPLY WITH ALL APPLICABLE LAWS, RULES, AND REGULATIONS (COLLECTIVELY, “APPLICABLE LAWS”).** If you do not want to agree to this Privacy Notice and the Terms of Use, you must not access or use the Services.

This Privacy Notice applies to our collection, use, and retention (“processing”) of Personal Information, which identifies, or can be used by us or our behalf to identify an individual, household or device (“Personal Information”).

This Privacy Notice describes the types of information we collect on the Site, how we may use the information, with whom we may share it and the choices available to you regarding our use of the information.

### **DEFINITIONS**

The word “**User(s)**” means any Person (also referred to as “**you**” or “**your**”) visiting, accessing, or using the Services. The word “**Person(s)**” means any natural person, sole proprietorship, corporation, partnership, or other entity whatsoever. The word “**or**” includes the word “**and**.” The words “**includes**” or “**including**” means “includes, but is not limited to” or “including, but not limited to.”

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1. WHAT TYPES OF INFORMATION DOES FLYERALL COLLECT AND HOW DO WE COLLECT IT?

### From Guests/Clients/Users

*Identifiers:* Examples might include your name, email address, phone number, credit card information, bank account information, or mailing address.

*Classification Characteristics:* Examples might include your sex;

*Professional or Employment-Related Information:* Examples might include your employer, job position, etc.

### INFORMATION ABOUT YOUR USE OF THE SERVICES

The Services use cookies, web beacons, pixels, and other tracking technologies to collect information about your use of the Services, including without limitation, your browser type and version, IP address, operating system and platform, when you open email that we send you, and other similar information. This information helps us to provide the Services, including, without limitation, to improve and enhance the user experience and help us understand the behavior of our users. Cookies are messages placed on your computer or mobile device when you visit a website or page. For example, the messages store information so that our Services may immediately recognize you each time you visit. This permits us to personalize our Services for each user, allow access to the secure parts of our Services that individual users have registered for, and provide users with up-to-date information about their own account.

We may also use cookies to deliver ads, store visitor preferences, record session information (e.g., when a purchase is made), record user-specific information on what pages users access or

visit, track and record past activity at the Site (or on other Services) in order to provide better service when visitors return to our Site (or other Services), customize web page content based on visitors' browser type, or other information that the visitor sends. If you choose to disable cookies, you may find that certain sections and functionalities of the Services will not work properly or at all.

Web beacons (also called web bugs and clear GIFs) are used in combination with cookies to help us understand the behavior of our users. A web beacon is typically a transparent graphic image that is placed on our site or in an email. The use of a web beacon allows FYA to record the simple actions of a user opening a page that contains a beacon. When a user's browser requests information from a website in this way, certain simple information can also be gathered, such as: the IP address of your computer, the time the material was viewed, the type of browser that retrieved the image, and the existence of cookies previously set by that server. Web beacons provide a convenient way of gathering statistics and managing cookies.

FYA and other third parties may collect and store information (including personal information) locally on your device using mechanisms such as browser web storage (including HTML 5) and application data caches. If you want to adjust your settings or delete all local storage mechanisms, go to your browser's settings to do so. If information is stored in local storage in addition to a cookie, you will need to remove both the local storage and the cookie in order to fully delete the information.

FYA may also use local shared objects, sometimes known as Flash cookies, to store your preferences or display content based upon what you view on our Services to personalize your visit. Advertisers and other third-party services also may use Flash cookies to collect and/or store information. Flash cookies are different from browser cookies because of the amount of, type of, and how data is stored. Cookie management tools provided by your browser will not remove Flash cookies. To learn how to manage flash cookies please visit the following website for more

details: [http://www.macromedia.com/support/documentation/en/flashplayer/help/settings\\_manager.html](http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html).

FYA and other third parties may collect certain device information from you when you use the Services from a mobile device such as the type of device you use, unique device ID, geo-location (including your precise location), wireless mobile subscriber ISDN number, IP address, operating system, browser type, and information about your use of the Services. You may also manage the information transmitted from your device from your device's settings, including opting-out of cross-device tracking. However, if you prevent tracking on your device, it will be more difficult, and may be impossible, for you to use the Services or portions of the Services.

We may merge the data we collect from your activity on the Services with data available from third parties, including, without limitation, advertisers. We have implemented Google Analytics. You can use the Google Analytics Opt-Out Browser Add-on available at: <https://tools.google.com/dlpage/gaoptout/> to disable tracking by Google Analytics.

## *Inferences*

FYA may make inferences drawn from other personal information listed above, to create a profile reflecting your preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and/or aptitudes.

## **2. HOW DOES FLYERALL USE YOUR INFORMATION?**

We may use your Personal Information, Demographic Information, or other information that we collect about you: (1) to operate the Service, provide you with information, including sending you promotional materials, or services or process transactions with you; (2) to improve the Services or create new service offerings, to customize your experience on any of the Services, or to serve you specific content that is most relevant to you; (3) to contact you with regard to your use of any of the Services and, in our discretion, changes to any of the Services and/or any of the Services' terms or policies; (4) for internal business purposes; and (5) for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Notice or as otherwise required or permitted by applicable law. Without limiting the generality of the foregoing, we may use your information to:

Customize your visits to the Service, including (i) specifically targeting relevant advertisements, offers or content to you; (ii) understanding the usefulness of the advertisements or content that have been delivered to you; (iii) using your location information to display offers or verify certain actions; Communicate about, and administer your participation in, special events, programs, surveys, and other offers or promotions; Respond to and communicate with you about your requests, questions and comments; Operate, evaluate and improve our operations (including developing new services; managing our communications; identifying users of our Service; determining the effectiveness of our marketing and advertising; analyzing and enhancing our services and Service); Administer the Service, and diagnose technical and service problems; Perform data analyses and other processing (including market and consumer research, trend analysis, financial analysis, de-identification, encryption and tokenization of Personal Information); Protect against, identify and prevent fraud and other criminal activity, claims and other liabilities and harms; and Comply with and enforce applicable legal requirements, relevant industry standards and our policies.

### To Aggregate and Anonymize Data

FYA may aggregate and/or anonymize any information collected through the Services for various purposes. Once aggregated or anonymized, the information will no longer be considered "personal information" because it will no longer be able to identify you and/or any of your specific devices used to access the Services. FYA may use such information for any purpose (e.g., research and development purposes), including sharing such information with third parties.

### To Display and Target Advertisements

Your information is used to target ads and content on the Services and on third-party services. Some advertisements and other content may be delivered by third party advertising networks and

advertisers that may use cookies and similar technologies and identifiers to collect and track information such as demographic information, inferred interests, aggregated information, and activity to assist them in delivering advertising that is more relevant to your interests. We may also provide certain personal information to service providers who will match your information to information provided by other third parties (e.g., cookies) in order to allow us to provide more tailored advertisements.

### **3. FOR WHAT PURPOSES DOES FLYERALL USE OR SHARE YOUR PERSONAL INFORMATION?**

#### Operational Purposes

Processing your personal information will likely be necessary to facilitate the day-to-day operation of FYA. This may include: managing our relationship with you, our employees, other users/members, vendors, Business Partners, and/or others; sharing intelligence with internal stakeholders; implementing training procedures; planning and allocating resources and budgets; performing data modelling; facilitating internal reporting; analyzing growth strategies; aggregating analytics; and/or processing personal information to create anonymized data.

#### Logistical Purposes

Processing your personal information will likely be necessary to enable FYA's business operations to run more efficiently, e.g., establishing how to allocate resources or to predict future demand.

#### Research and Development Purposes

Processing your personal information will likely be necessary for us to deliver and/or improve our services.

#### Market Intelligence and Analytical Purposes

FYA regularly needs to conduct market intelligence so that we can better promote our services by creating a better understanding of our users' preferences.

Common metrics for evaluation could include monitoring pages and links accessed, ad performance and conversion tracking, number of posts, number of page views, patterns of navigation, time on a page, devices used, user reviews, where users are coming from, hardware used, operating system version, advertising identifiers, unique application identifiers, unique device identifiers, browser types, languages, wireless or mobile network information, etc. These metrics could be used to: personalize services and communications; determine which users should receive specialized communications based on how they use our service; create aggregate trend reports; determine the most effective advertising channels and messaging; and/or measure the audience for a certain communication.

## Personalization Purposes

We may process personal information in order to enhance and personalize the experience we offer our current and/or prospective users of our services.

## Monitoring Purposes

FYA may need to process your personal information in order to identify recurring problems and/or analyze the patterns of behavior of users in order to monitor the performance of, and users' behavior on, our Services.

## Direct Communication Purposes

Processing your personal information may be necessary for direct communication purposes to occasionally update users on the Services, including occasional communications regarding updates to our activities, services, and/or events.

## Marketing Services

FYA may need to process personal information in the context of marketing our services.

## Fraud Detection and Prevention Purposes

Processing your personal information may be necessary for FYA to help detect and prevent fraud, e.g., verifying that the registered address of the cardholder for a particular credit or debit card is the same as the cardholder's normal place of residence or work.

## Updating User Details and Preferences Purposes

Processing your personal information is necessary to verify the accuracy of your user data and to create a better understanding of our past, present, and/or prospective users.

## Network and Information Security Purposes

Processing your personal information may be necessary for the purposes of ensuring our network and information security, e.g., monitoring users' access to our network for the purpose of preventing cyber-attacks, inappropriate use of data, corporate espionage, hacking, system breaches, etc. This could include preventing unauthorized access to electronic communications networks and malicious code distribution and stopping "denial of service" attacks and damage to computer and electronic communication systems.

## Business Continuity and Disaster Planning Purposes

FYA may process your personal information because it is necessary to allow for the backup and protection of your information (e.g., utilizing cloud-based services to archive/protect data) in order to ensure that such information is not improperly lost or modified. Such processing is also

necessary to archive/protect data in accordance with legal, regulatory, organizational, and/or contractual obligations.

#### Compliance with Laws and Regulations Purposes

FYA is subject to binding legal or regulatory obligations and may need to process your personal information in order to comply with such laws or regulations. Examples could include: complying with reporting obligations; complying with screening obligations; responding to law enforcement requests; and/or responding to judicial/regulatory agency requests.

#### Reporting Potential Threats to Public Security and Safety Purposes

FYA may need to use personal information to report possible criminal acts or threats to public security/safety that we identify as part of our processing activities to a competent authority.

#### To Fulfill other Purposes that you have consented to

Your information will also be used to fulfill any other purpose for which you provide the information or otherwise provide your consent for FYA and/or other third parties to use such information – assuming such use is consistent with applicable laws and regulations.

### **4. WHO DOES FLYERALL SHARE YOUR INFORMATION WITH?**

FYA shares personal information as stated in this Privacy Notice and in accordance with Applicable Laws. FYA does not rent or sell any user's information. We do not share your personal information with others except as indicated in this Privacy Notice or when we inform you and give you an opportunity to "opt-out" of having your personal information shared. Below are categories of third-parties that we may share your information with:

#### SERVICE PROVIDERS

We may share your personal information with service providers who perform services on FYA's behalf. Your information is generally shared with service providers so that FYA can streamline and enhance users' experiences with the Services. Service providers could include parties that perform research services, provide operational support, provide marketing platforms, handle donations, create content for the Services, etc.

#### GOVERNMENTAL ENTITIES

We may share your personal information with competent governmental authorities when required by law and/or as necessary to protect FYA, its personnel, other users, and/or the Services.

## 5. HOW CAN I CORRECT OR UPDATE MY PERSONAL INFORMATION?

If your personal information changes (such as your mailing address), or if you no longer desire to use our Services, you may correct, update, or remove your personal information provided to us. This can be done by sending us an email to [support@flyerall.com](mailto:support@flyerall.com).

With the exception of the mandatory administrative emails mentioned above (transactional and business relationship messages), recipients have an opportunity to update their email communication preferences. Users may choose to "opt-in" or "opt-out" from any or all of these email communications at will.

**To Unsubscribe:** Users may unsubscribe from specific email categories by notifying us at [support@flyerall.com](mailto:support@flyerall.com).

## 6. HOW DOES FLYERALL PROTECT MY PERSONAL INFORMATION?

### SECURITY MEASURES & SAFEGUARDS

The security of our users' information is very important to us. When users submit personal information via the Services, that information is protected by generally accepted industry standards, and in accordance with applicable data privacy laws, including both online and offline security measures and safeguards. FLYERALL uses a combination of administrative, technical, personnel, and physical measures to safeguard personal information in its possession against loss, theft, and unauthorized use, disclosure, or modification. However, no one can guarantee the complete safety of your information.

**IF YOU HAVE REASON TO BELIEVE THAT YOUR INTERACTION WITH US IS NO LONGER SECURE, PLEASE IMMEDIATELY NOTIFY US OF THE PROBLEM.** However, please remember that no method of electronic storage or transmission over the internet is one hundred percent (100%) secure and, therefore, while we strive to use commercially reasonable means to protect your personal information, and will comply with applicable data privacy laws, we cannot guarantee the absolute security of such information.

### PHISHING

Phishing is a term used to describe a type of Internet scam in which inauthentic communications that appear to be coming from a legitimate source are sent in an attempt to trick you into providing confidential information. These communications usually invoke a sense of urgency and often imply that your account is about to be closed unless immediate action is taken. As an example, phishing emails will often ask you to click on a link that leads you to a webpage that simulates that of the legitimate source, but it is really a page specially designed to get you to input your confidential information such as your account number, password, social security number, or credit card number. The thieves then use that information to commit fraud and identity theft.



If you ever question the legitimacy of an email or other communication from FYA, please contact us at [support@flyerall.com](mailto:support@flyerall.com).

If you believe you have been the victim of a scam, you can file a complaint with the Federal Trade Commission at: [www.consumer.gov/idtheft/](http://www.consumer.gov/idtheft/).

## **7. HOW LONG DOES FLYERALL RETAIN YOUR INFORMATION?**

We will retain your information for the period necessary to fulfill the purposes for their collection as outlined in this Privacy Notice, unless a longer retention period is either mandated by the FYA's contractual requirements, internal policies, or otherwise required or allowed by law. It is not always possible to completely remove or delete all of your information due to technical constraints, contractual, financial, or legal requirements. Where it is not possible to remove or delete all information, FYA shall continue to safeguard your information as detailed herein.

## **8. CHILDREN'S PRIVACY**

We understand the importance of protecting children's privacy. We are a general audience service and do not use the Service to knowingly collect personal information from children under the age of thirteen (13) without verified parental or guardian consent.

If you are a child under thirteen (13) years of age, you are not permitted to use the Service, without parental or guardian consent, and should not send any information about yourself to us through this Service.

## **9. CHANGES TO OUR PRIVACY NOTICE AND COMMUNICATING CHANGES**

This Privacy Notice is subject to change at any time. All changes will be posted on the Site. If the changes are significant, we will notify you by prominently posting a notice on our Services (e.g., through a pop-up on our homepage). Changes will become effective as of the earlier of the date we post the revised privacy notice, send an email detailing any changes, or post such a notice. While we will do our best to inform you of any changes, we encourage you to review our Privacy Notice periodically to ensure that you remain informed of changes that may have occurred, including changes that relate to what information we collect, how we use it, and how we share it. **BY CONTINUING TO USE THE SERVICES AFTER A CHANGE HAS TAKEN PLACE, YOU ARE AGREEING THAT YOU HAVE READ AND HAVE AGREED TO THE MOST CURRENT VERSION OF THIS PRIVACY NOTICE AND EXPRESSLY CONSENT TO THE USE OF YOUR PERSONAL INFORMATION AS DETAILED HEREIN/THEREIN.**

## **10. LEGAL DISCLAIMER**

Though we make every effort to preserve user privacy, we may need to disclose your personal information to others. We may share your information to provide information to our representatives, service providers, advisors, corporate affiliates, volunteers, and business

partners, and in the event of a change in control of FYA and/or its affiliates, your information may be shared with the organization obtaining ownership and control. Your information may be used to protect the rights, including legal rights, and safety of ourselves and others. Furthermore, disclosure of personal information may be required by law where we have a good-faith belief that such action is necessary to comply with a current judicial proceeding, a court order, or legal process. In such cases, we may raise or waive any legal objection or right available to us.

## **11. THIRD-PARTY SERVICES**

Other websites and services to which we link, through which you access the Services, or share information from the Services and which are not owned or controlled by us are not subject to the terms of this Privacy Notice. **WE ARE NOT RESPONSIBLE FOR THE PRIVACY PRACTICES OR THE CONTENT OF ANY OTHER WEB SITES OR SERVICES AND ANY VISIT YOU MAKE TO THOSE OTHER SERVICES IS AT YOUR OWN RISK.** Third parties that support the Services, including by providing advertising or other services, such as analytics, may use tracking technologies to collect information about your use of the Services or other third-party services. We do not control these third-party technologies or services and their use is governed by the privacy policies of third parties using such technologies. Such third party's use of any information you share is governed by the third party's privacy notice.

## **12. SEVERABILITY**

If any provision of this Privacy Notice (including any attachment) is held to be invalid, illegal, or unenforceable by a court or regulatory authority of competent jurisdiction, the rest of this Privacy Notice shall remain valid and enforceable to the fullest extent permitted under Applicable Laws. To the extent that the main body of this Privacy Notice conflicts with the terms of addenda referenced herein, the addenda will control.

## **13. CONTACT INFORMATION**

If you have any questions about this Privacy Notice or our privacy practices, please send us an email to [support@flyerall.com](mailto:support@flyerall.com) or by phone at (559) 408-2282. You may also write us at 791 Oller Street Mendota, CA 93640.

## **14. TRACKING TECHNOLOGY**

There is currently no industry or legal standard for what a company should do when a Do Not Track signal is detected. Because of this, we currently do not respond to Do Not Track signals.

Regular cookies may generally be disabled or removed by tools available as part of most commercial browsers, and in some instances blocked in the future by selecting certain settings. Browsers offer different functionalities and options so you may need to set them separately. Also, tools from commercial browsers may not be effective with regard to Flash cookies (also known as locally shared objects), HTML5 cookies, or other Tracking Technologies. For information on disabling Flash cookies, go to Adobe's

website [HTTP://HELPX.ADOBE.COM/FLASH-PLAYER/KB/DISABLE-THIRD-PARTY-LOCAL-SHARED.HTML](http://helpx.adobe.com/flash-player/kb/disable-third-party-local-shared.html)

Please be aware that if you disable or remove these technologies, some parts of the Service may not work and that when you revisit the Service your ability to limit browser-based Tracking Technologies is subject to your browser settings and limitations.

One way to potentially identify cookies on our web site is to add the free Ghostery plug-in to your browser ([WWW.GHOSTERY.COM](http://www.ghostery.com)**OPENS IN A NEW WINDOW**), which according to Ghostery will display for you traditional, browser-based cookies associated with the web sites (but not mobile apps) you visit and privacy and opt-out policies and options of the parties operating those cookies. FYA is not responsible for the completeness or accuracy of this tool or third-party choice notices or mechanisms.