

# Forage Privacy Policy

Last Updated April 1, 2020

This Privacy Policy ("Privacy Policy") explains how Forage Technology Corporation ("Forage," "us," "our," and "we"), collects, uses, and shares information when you interact with us. This Privacy Policy applies to all users of Forage's website as published at [www.joinforage.co](http://www.joinforage.co) (and any other websites with "Forage" branding that link to this Privacy Policy), and any mobile-device applications we offer, such as our iOS and Android applications, that are branded "Forage" and link or reference this Privacy Policy (collectively, the "**Services**").

Please read this Privacy Policy carefully. If you do not agree to our practices, please do not register, subscribe, create an account, or otherwise interact with the Services. By signing up for, using, or continuing to use the Services, you consent to the privacy practices described in this policy.

This Privacy Policy is incorporated into and is subject to the Forage [Terms of Service](#). Capitalized terms that are not defined in the Privacy Policy have the meaning given to them in the [Terms of Service](#).

## Our Privacy Policy is organized as follows:

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## 1. Types of Information We Collect

We may ask you to provide information when you register, subscribe, or create an account for our Services, link your Forage account to a retail loyalty card or loyalty program, contact Forage for customer service purposes, or otherwise interact with or use the Services. We may collect certain types of information, including information that can be used to reasonably identify you, such as your name, email address, mailing address, phone number, date of birth, geographic location, and mobile device data (as described below) ("Personal Information"), and information that does not identify you personally. We may collect the following types of information, including Personal Information:

- **Registration and Contact Information** that allows you to register for the Services and allows us to communicate with you, such as your name, email address,

password, social media user account names, telephone number, or other address at which you receive communications from or on behalf of Forage. If you sign up using a social media account, we will also receive information from that service, such as your friend list, email, name, and birth date.

- **Relationship Information** that helps us to understand who you are and what types of offers you might like, such as lifestyle, preference, and interest information; the types of offers that interest you; information collected from social media interactions (such as via Facebook Connect); and demographic information (e.g., birth date, gender, ethnicity, education, household income, and marital status).
- **Search Information**, meaning the terms or keywords you search for when using the Services, both online and on the Forage mobile application.
- **Shopping List Information** about the items and terms you search for and place on your Shopping List when using the Services, as well as what items you check off of your Shopping List when using the Services.
- **Purchase Information** about the items you purchase, such as item descriptions and quantities, time of purchase, total purchase cost, and the store you purchased the items from. Purchase information also includes any information (including Personal Information) that may be found on a receipt copy that you submit to us when completing the redemption of an offer.
- **Transaction Information** about how you interact with the Services, such as the offers you view and redeem, other products you purchase, and the stores you prefer; other information about how you use our Services, email, other communications, and applications; and how you interact with Forage's merchants, business partners, and service providers.
- **Loyalty and Retailer Account Information**, meaning the usernames (which could be your telephone number or email address, if you use them as your username), passwords, and loyalty and retailer account numbers for the accounts you choose to link to the Services, and the historical and future transaction information associated with those accounts that you agree to send us, such as the items you purchase, the prices charged, the stores you purchase them from, and when. We collect this information only if you choose to connect your Forage account to your loyalty or retailer program account. We do not collect payment card account number/expiration/security code information, bank account information, pharmacy account information, prescription histories, medical information or other information that is generally not found on a purchase checkout receipt issued at a retailer register.
- **Location Information** including state/province, city, or zip code, as well as precise location data and associated time of day, if you have activated our Services on a mobile device and permitted your mobile device to transmit location data. Please see the Your Choices section under the heading "mobile" for more information on how to opt-out of our Location Information-based features.
- **Mobile Device Information**. We collect certain information about your mobile device when you use our Services, including device identifier (such as the Android Advertising ID and the Apple iOS IDFA), user settings, the make, model, and operating system of your device, information about other applications installed on your device (and, if you use an Android-based mobile device, how you use them – e.g., frequency and duration of use), and information about your use of our Services

while using the device, such as your use of features, functions, or clicks on notifications or content.

- **Communications and other Interactions.** We collect any information you provide with your interactions with other users on the Service. For example, we collect the messages that you send and receive using the direct messaging feature. Please be aware that these messages will be accessible to other users and we are not responsible for the manner in which other users use or disclose that information.
- **Invisible CAPTCHA.** Our Services may use Invisible CAPTCHA. Invisible CAPTCHA is a third-party software that operates in the background of our Services and collects information about users for security purposes. Information collected through the use of Invisible CAPTCHA is held in accordance with the Google Privacy Policy, located at <https://www.google.com/policies/privacy/>.
- **Information from Cookies and Similar Technologies.** When you use our Services, we and our partners may collect certain information using cookies and similar technologies, such as pixel tags, web beacons, browser analysis tools, and web server logs. Cookies are small text files containing a string of alphanumeric characters. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser/app. A persistent cookie remains after you close your browser/app and may be used by your browser/app on subsequent visits to the Service. Pixel tags and web beacons are tiny graphic images placed on website pages or in our emails that allow us to determine whether you have performed specific actions. When you access these pages or open email messages, the pixel tags and web beacons generate a notice of that action to us, or our service providers. These tools allow us to measure the response to our communications and improve our web pages and promotions.

We collect many different types of information from cookies and other technologies. For example, we may collect and record information from the devices you use to access our Services, such as your IP address, operating system type or mobile device model, mobile device identifiers, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone of your device. We may also collect information about the website you were visiting before you came to our Services and the website you visit after you leave our Services.

In many cases, the information we collect using cookies and other tools is used in non-identifiable ways, without any reference to Personal Information. For example, we use information we collect about users to optimize our Services and understand its traffic and usage patterns. In other cases, we associate the information we collect using cookies and related technologies with Personal Information. In that case, this Privacy Policy governs how we use that information. Additionally, if you have visited our mobile website or activated one of our mobile-device applications, and if the settings on your location-aware device allow us to receive Location Information, we will collect that automatically. If we associate Location Information with other Personal Information, this Privacy Policy governs how we would use that information too.

Please review your web browser's "Help" file to learn the proper way to modify your cookie settings. However, please be aware that if you delete, or choose not to accept, cookies from our Services, you may not be able to utilize the features of our Services to their fullest potential. Finally, please scroll down to the Your Choices

section below, under the heading “cookies,” for more information about your cookie-related privacy options.

- **Information from Third Parties.** We may receive information about you from third parties and combine it with information we have about you. If you use a social media platform, a mobile device or other third-party method of communication to interact with Forage or the Services, that platform may have a specific privacy statement that governs the use of information related to that platform. If you have questions about the security and privacy settings of your mobile device, please refer to instructions from your mobile service provider or the manufacturer of your device to learn how to adjust your settings.

## 2. How Forage Uses Information

You use Forage as your shopping companion, and we and our partners will use the information we collect from and about you in many ways to help you shop and learn about your shopping habits. This includes using the information in creative ways so that you may be provided with shopping-related services and for advertising and marketing to you.

Forage and our partners use information to:

- Operate and improve our Services, including web hosting;
- Sending emails on our behalf;
- Having third parties process payments;
- Analyze and understand how you use our Services;
- Evaluate the types of offers, products, or services that may be of interest to you and provide you with offers from participating brands and retail clients that are more relevant to you, including offers based on variables such as stated and anticipated user interests, personal characteristics, consumption of advertisements, past shopping list placements or searches, past offer redemptions, or user location; Evaluate eligibility of users for certain offers, products or services;
- Track redemption of offers and past purchases, including fraud prevention;
- Perform aggregated, pseudonymous (unless otherwise consented to by you) analytics that may be used for Forage and any third parties’ marketing, advertising, and data enrichment activities;
- Provide customer support to users;
- Fulfill requests for Forage services, including validation by invisible CAPTCHA;
- Communicate and provide additional information which may be of interest to you about Forage and our merchants and business partners, such as Forage news, special offers, announcements, and marketing materials;
- Infer the location of the places you visit most often, determine your frequency or the amount of time spent at these locations, and send notifications when you arrive at or leave those places;
- Send you reminders, technical notices, updates, security alerts and support and administrative messages service bulletins, or marketing;
- Provide advertisements and marketing solicitations to you through the Services, email messages, text messages, push notifications, applications, or other methods of communication;
- Administer surveys, sweepstakes, contests, or other promotional activities or events sponsored by us or our partners;

- Manage our everyday business needs such as website administration, forum management, analytics, fraud prevention, [Terms of Service](#) or to comply with the law; and
- Carry out other purposes to which you consent.

In addition to the foregoing, we may aggregate information that is not personally identifiable and use it for any purpose.

### 3. When and Why Forage Discloses Information

**Service Providers.** Providers. We may share information with our service providers that provide services for us to assist us in carrying out the purposes described in Section 2 above.

**Merchants and Business Partners.** We work with various partners so they can provide shopping-related services, advertising, and marketing to you when you use our Services. To facilitate these activities, we may share information about you with our partners. You may be able to adjust how we share information by changing options within the Services. We encourage Forage's merchants and business partners to adopt and post their privacy policies. The use of your information by such parties is governed by their privacy policies and is not subject to our control. When you choose to interact with an Forage merchant or business partner, we encourage you to read any privacy policy they may have posted on their website.

**Third Parties.** Forage shares information with third parties and service providers, but other than (i) hashed information, device identifiers, or location information (in each case pseudonymized), and (ii) information shared with third party service providers who only use the information to assist us with internal management of the our Services (for example, to detect and prevent fraud), we do not disclose your contact information or other personally identifiable information (PII). We share information with third parties to assist us in carrying out the purposes described in Section 2 above.

**Merger, Sale, or Other Asset Transfers.** We may share your information to effect a merger, acquisition, or otherwise, and to support the sale or transfer of business assets. If Forage is involved in a merger, acquisition, or sale of all or a portion of its assets, you will be notified via email and/or prominent notice on one or more of our Services of any change in ownership or uses of your Personal Information, as well as any choices you may have regarding your Personal Information.

**As Required by Law, to Enforce Laws and Similar Disclosures.** We may also disclose Personal Information to defend ourselves in litigation or a regulatory action; when required or advised to do so by law, such as in response to a subpoena, or similar legal process, including to law enforcement agencies, regulators, and courts in the United States and other countries where we operate; to enforce our rights or protect our property; to protect the

rights, property or safety of others, investigate fraud, respond to a government request; or as needed to support auditing, compliance, and corporate governance functions.

**Analytics.** We also use third party services, such as Google Analytics, to help us understand how visitors interact with our website and to help improve our user experience. Google provides additional privacy options regarding cookie use described at [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/).

**Aggregate Data.** Forage may also disclose information about you that is not personally identifiable. For example, we may provide our merchants, business partners, or other third parties with reports that contain aggregated data, statistical data, and/or anonymized data.

**Consent.** We may also share your information with your consent.

## 4. Your Choices

We think that you benefit from a more personalized experience when we know more about you and the kinds of offers you like. However, you can limit the information you provide to Forage, and you can limit the communications that Forage sends to you. For further information about your specific rights to any personal information that Forage collects about you, please refer to Section 9 - Privacy Notice.

**Email.** You can manage your email preferences by logging into Forage's mobile application and going to the Notifications section under Settings. You may also manage your email preferences by clicking "unsubscribe" on any email communication we send you. You may choose to subscribe to some types of messages, and may choose to unsubscribe from others.

**Cookies.** You may manage how your browser handles cookies and related technologies by adjusting its privacy and security settings. Please note that if you disable cookies, you may be unable to access some customized features of our Services. You can opt-out of being targeted by certain third party advertising companies online at [www.networkadvertising.org/consumer/opt\\_out.asp](http://www.networkadvertising.org/consumer/opt_out.asp) and <http://www.aboutads.info/choices/>. Forage honors these ad tracking opt-out requests.

**Mobile.** Some of the features of the Service may enable Forage to access and collect information about your current or past location in order to personalize the Service for you and provide other features of the Services ("Location-based Features"). In order to use Location-based Features, you must give Forage permission to use your geo-location through your device. Forage may access your geo-location using a variety of means, including GPS, IP address, or cell tower location. Alternatively, you may adjust the settings on your mobile device to prevent the sharing of precise Location Information. You may also manage how your mobile device or mobile browser handles cookies and related technologies by adjusting your mobile device privacy and security settings. If you choose

not to allow Forage to use your location information or disable Forage's Location-based Features on your device under settings, you will not be able to utilize certain features of the Service.

**Connecting through Social Networks.** You may be able to manage what social networks share with Forage when you register with us through a social media platform or application, such as through Facebook Connect. Please refer to the privacy settings of the applicable social media platform or application to determine how you may adjust our permissions and manage the interactivity between Forage and your social media account.

**Forage's SMS Programs.** By providing us with your mobile telephone number, you consent to receive SMS text messages at that number as requested for account verification and authentication and other purposes related to the Service. You may also receive an SMS from Forage if you are invited by another user to join Forage. You can stop receiving SMS messages at any time. Just text "STOP" to 1234. After you send the SMS message "STOP" to us, we will send you an SMS message to confirm that you have been unsubscribed. After this, you will no longer receive SMS messages from us.

## 5. Accessing and Correcting Information

Keeping your information helps ensure that we provide you with the best offers available through our merchants and business partners.

You may update or correct your profile information and preferences at any time by accessing your Settings through the Service.

If you want to close your account or have other questions or requests, or if you would like to access or request a correction to any other information we hold about you, please contact us at [contact@joinforage.co](mailto:contact@joinforage.co). If you wish to cancel your account, contact us at [contact@joinforage.co](mailto:contact@joinforage.co).

Please note that while your changes are reflected promptly in active user databases, we may retain all information you submit for as long as needed to fulfill a legitimate business need or as required by law, including for backups and archiving, prevention of fraud and abuse, compliance with legal obligations, dispute resolution, enforcing our agreements, and analytics.

## 6. Security of Personal Information

We use certain physical, managerial, and technical safeguards that are designed to improve the integrity and security of your Personal Information. We cannot, however, ensure or warrant the security of any information you transmit to us or store on the Service.

## 7. Our Commitment to Children's Privacy

We do not knowingly collect, maintain, or use personal information from children under 13 years of age, and no part of the Service is directed to children. If you learn that a child has provided us with personal information in violation of this Privacy Policy, then you may alert us at [contact@joinforage.co](mailto:contact@joinforage.co).

## 8. International Visitors

The Service is hosted in the United States and is intended for visitors located within the United States. If you choose to use the Service from the European Union or other regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you are transferring your personally identifiable information outside of those regions to the United States for storage and processing, and by providing your personally identifiable information on the Service you consent to that transfer, storage, and processing.

## 9. Privacy Notice

On January 1, 2020, California's new privacy law, the California Consumer Privacy Act of 2018 ("CCPA"), became effective. The CCPA provides broad rights to California residents regarding how their data is collected, held, processed, licensed and sold. Residents of California now have the right, among others, to know what of their personal information is sold or disclosed to third parties, the right to access their personal information that businesses have collected, the right to opt out of the sale of their personal information, and the right to delete of all their personal information (the "right to be forgotten").

### Information We Collect

Forage collects a variety of information that is considered Personal Information. "Personal Information" means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. Personal information includes, but is not limited to, the following if it identifies, relates to, describes, is reasonably capable of being associated with, or could be reasonably linked, directly or indirectly, with a particular consumer or household. In particular, Forage collects the following categories of personal information from its consumers:

### Categories of personal information that Forage collects on Foragers:

- Category: Identifiers
  - Name
  - Address
  - Phone Number
  - Birth Date
  - Email Address
  - IP Address
  - Loyalty Card Information
  - Social Media User Information: username, display name, profile picture URL
  - Credit & Debit Card Data
- Category: Commercial information
  - Shopping & Purchase History
- Category: Internet or other electronic network activity information
  - Browsing & Search History
  - Device ID
  - Mobile Advertising ID ("MAID")
  - Device Data (including the names of the apps installed on your device)
- Category: Geolocation data
  - Geo Location

- Category: Inferences drawn from any of the information collected to create a profile about the consumer
  - Demographics
  - A Forager's likelihood to purchase in the future

**Categories of personal information that Forage sells to third parties:**

- Category: Commercial information
  - Shopping & Purchase History
- Category: Internet or other electronic network activity information
  - Browsing & Search History
  - MAID
- Category: Geolocation Data
  - Geo Location
- Category: Inferences drawn from any of the information collected to create a profile about the consumer
  - Demographics

**Categories of third parties to whom Forage sells personal information:**

- Brands
- Retailers
- Advertising Agencies
- Financial Institutions
- Data Platforms

**Categories of personal information disclosed to third parties for a business purpose:**

- Category: Identifiers
  - Email Address
  - Phone Number
  - Loyalty Card Information
  - PayPal/Venmo Account
  - Credit & Debit Card Data
  - First/Last Name (shared solely with Forage's ACH service provider in the event that you elected to link your bank account)
  - Fraud detection indicators
- Category: Commercial information
  - Shopping & Purchase History
- Category: Internet or other electronic network activity information
  - Device ID
  - MAID
- Category: Geolocation data
  - Geo Location
- Category: Inferences drawn from any of the information collected to create a profile about the consumer
  - Demographics

Under the CCPA, "sell," "selling," "sale," or "sold," means selling, renting, releasing, disclosing, disseminating, making available, transferring, or otherwise communicating orally,

in writing, or by electronic or other means, a consumer's personal information by the business to another business or a third party for monetary or other valuable consideration.

### **Right to Opt Out**

You have the right to direct Forage to not sell your personal information to third parties at any time. This is referred to as your "right to opt out." Pursuant to this Privacy Policy, Forage has never sold your personally identifiable information and has no intention to do so in the future; Forage only shares information as outlined herein, and always in an anonymized and/or de-identified manner. If you choose to opt out of the sharing of your anonymized personal information, Forage will no longer send your anonymized and/or de-identified information to third parties. You can choose, at any time, to opt back in to the sale of your anonymized and/or de-identified personal information. To opt out of (or opt back in to) the sharing of your anonymized and/or de-identified personal information with third parties, please visit the Preference Center in the Forage app (under Account Settings). Once you exercise your right to opt out, we will wait at least twelve (12) months before asking you to reauthorize the sale of your anonymized and/or de-identified personal information.

### **Right to Know**

You have the right to receive information about the types of personal information that Forage sells or discloses to third parties. Specifically, this right allows you to ask Forage (a) what are the categories of personal information that Forage collects about me? (b) what are the categories of my personal information that Forage sells to third parties? (c) what are the categories of third parties that Forage sells this information to? and (d) what are the categories of personal information that are disclosed to third parties for a business purpose? Each of these four questions must be answered by Forage when you exercise your right to know. Forage will disclose this information to you within 45 days of you exercising your right to know. If you choose to exercise this right, you will receive both an email confirming Forage's receipt of your request, and a follow-up email with the information addressing these questions.

### **Right to Non-Discrimination**

You have the right to non-discrimination if you exercise any of your rights under the CCPA. If you exercise your rights under the CCPA, Forage will not do any of the following: (a) deny you any goods or services; (b) charge you a different price or rate for Forage's goods or services, including through the use of discounts or other benefits or imposing penalties; (c) provide to you a different level or quality of goods or services; or (d) suggest to you that you will receive a different price or rate for Forage's goods or services or a different level or quality of Forage's goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our Website that are California residents to request certain information regarding our disclosure

of personal information to third parties for their direct marketing purposes. To make such a request, please send us an electronic message through our website or write us at our address listed on our webpage.

### **Right to Access**

You have the right to request access to all the categories of personal information that Forage has collected about you, and all the specific pieces of personal information that Forage has collected about you through your use of the Forage app. When you exercise this right, the information that Forage provides to you must be in a portable and readily readable format. Forage will disclose this information to you within 45 days of you exercising your right to access. If you choose to exercise this right, you will receive both an email confirming Forage's receipt of your request, and a follow-up email with the information addressing these questions. Forage must also, whether you exercise your rights or not, disclose to you (a) the categories of personal information collected about you, (b) the purposes for which your personal information is used, and (c) refrain from collecting or using additional categories of personal information about you without proper notice.

### **Right to be Forgotten**

You have the right to request that Forage delete all the data it has collected about you, subject to certain exceptions for business purposes. You may exercise your right to deletion, also known as the right to be forgotten, twice in any twelve-month period. However, when you do exercise this right, please know that your user experience within the app will look different and any personalization will be lost. Forage will not be able to send you targeted offers for items that may be of interest to you and you may not receive personalized recommendations or emails. For all intents and purposes, when you exercise the right to be forgotten, you will thereafter be treated as a new Forage user; all personalization within the app up to that date may be irrevocably lost. To exercise your right to be forgotten, please contact us at [contact@joinforage.co](mailto:contact@joinforage.co)

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.

- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

## **10. Changes and Updates to this Privacy Policy**

We will post any adjustments to the Privacy Policy on this page, and the revised version will be effective as described in our Terms of Use. If we materially change the ways in which we use or share personal information previously collected from you through the Service, we will notify you through the Service, by email, or other communication.

## **11. Our Contact Information**

Please contact us with any questions or comments about this Privacy Policy, your information, our use and disclosure practices, or your consent choices by e-mail at [contact@joinforage.co](mailto:contact@joinforage.co)

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