

Privacy Policy

Our whole business is based on amazing gamification - but if there's one area we don't play games, it's with your privacy.

We take the collection, storage and sharing of your personal information very seriously. You can check out our full privacy policy below for all the details on how we do this.

Last Updated: July 17, 2023

Privacy Policy

This Privacy Policy ("Privacy Policy" or "Policy") applies to komo.tech or any other services, tech, apps, platforms, or websites, developed or created by Komo Technologies Pty Ltd or Komo Technologies Inc. ("Komo").

By using or accessing Komo, you agree and acknowledge that you have read and understood this Policy.

General

When you utilise the Komo platform and its associated applications, you will provide certain information to Komo. Komo will collect certain additional information about you for various purposes and from various sources set out in this Policy. Komo will not lease, sell, share or otherwise provide your Personal Information (as hereinafter defined) to any third party without your consent, except as provided in this Policy.

Personal Information is information or an opinion that identifies a particular individual or household, either alone or in combination with other information available to us (including without limitation your name, address, email address, telephone number, or other personally identifiable information) and any other information describing, about, or relating to, or capable of being associated with, directly or indirectly, an identified or identifiable individual.

This Personal Information is obtained in many ways such as when you interact with us via correspondence, telephone, email, on our website: <https://www.komo.tech/> ("Komo

website") or the ("Komo Platform"), including the Customer Portal (<https://portal.komo.tech/>) and all customer sites created on the Komo Platform.

Collecting your information – how and why we do it

We collect your Personal Information for the primary purpose of providing our customer engagement services (“Services”). For example:

Registration: In order for you to become a user of Komo, we will capture Personal Information, including, without limitation, your name, email address, and, for any subscription account on the Komo Platform (“Account”), billing and credit card information. At the time of registration or when you choose to use Komo services, Komo may collect certain other Personal Information from you including, without limitation, demographic information, such as location, age or gender. Komo may request or collect Personal Information from you during any registration process which Komo may use to provide or improve Komo or may use as is otherwise provided herein. Komo may store Personal Information, and it may be included in databases owned and maintained by Komo's affiliates, agents or service providers.

Optional Voluntary Information: In order to request information about Komo or our services, or otherwise contact us through our site, you may be required to submit certain Personal Information such as your name and email address. Contacting us through our site or requesting information about our Services is purely optional, and you are not required to submit any Personal Information through our site or Services.

Usage Data: Komo may track user traffic patterns and content accessed throughout our site or Services. This information allows us to better tailor our content or Services to meet the needs of our users and clients, and to help us and our clients better understand our or their audience.

Information Sent to Us by Your Web Browser: Based on how the internet operates, when you visit Komo we automatically receive the uniform resource locator of the prior webpage that you were on and of the webpage where you go after Komo. We may collect information that is sent to us automatically by your web browser, such as your IP address, information on your operating system and browser, and the date and time of your visit. We generally use this information to better understand how users interact with our site and Services, and to provide a more user-friendly experience. In addition, we may review our server logs for security purposes, such as detecting intrusions into our network.

Client Dashboards: If our clients choose to access the online dashboards by which they can control our services (which may be accessible through our site or otherwise), we will collect only the Information required to log in to the dashboard.

Cookies: When you visit the Komo website, our servers may send a cookie to your computer. Cookies are small pieces of data that a website asks your browser to store on your computer or mobile device. A cookie contains an identifier (a string of letters and numbers) that is sent by a web server to a web browser and is stored by the browser. The identifier is then sent back to the server each time the browser requests a page from the server. Cookies do not typically contain information that individually identifies you, but Personal Information that we store about you may be linked to the information stored in and obtained from cookies. Cookies are used by Komo to track your usage of Komo, trends on the usage of Komo, and to improve Komo and analyse and assess changes to, successes and failures of Komo and portions thereof. Please note that if you disable your web browser's ability to accept cookies, you will be able to navigate the Komo Platform, but you may not be able to successfully use all of the features of the Komo Platform.

Survey Data: If you participate in a survey or competition, or respond to a feedback request, we will collect the information that you provide in doing so, and associated information such as when and how you submitted the response.

Using Your Personal Information

Komo uses your Personal Information in connection with the provision of our services to you, the operation, development, and improvement of Komo, the operation and billing of your Account, and other uses consistent with this Policy. Komo may use your Personal Information to communicate with you regarding Komo, your Account, or other services or products offered by Komo. Please be aware that you are responsible for the payment of any fees or costs incurred by you in connection with the receipt of communications from Komo, including data, internet, cellular carrier or other similar fees.

We may also use your Personal Information:

- For secondary purposes closely related to the primary purpose, in circumstances where you would reasonably expect such use;

- For marketing purposes so we can send information we believe may be relevant to you based on your demographic information or stated preferences (you may unsubscribe from our mailing/marketing lists at any time by contacting us in writing);
- For the development of our products to better meet the needs of our customers;
- To address any issues or complaints regarding our relationship;
- To comply with our legal and regulatory obligations; and
- To contact you regarding the above, including via electronic messaging such as SMS and email, by mail, by phone or in any other lawful manner.

When we collect Personal Information we will, where appropriate and where possible, explain to you why we are collecting the information and how we plan to use it.

If you do not provide us with the Personal Information we request, we may not be able to provide our services, fulfill your orders and provide the full functionality of our Komo website.

Sensitive Information

“Special information” or “Sensitive information” are defined under the UK and EU General Data Protection Regulation (“GDPR”) and the California Privacy Rights Act of 2020 (“CPRA”), respectively, to include information or opinion about such things as an individual’s racial or ethnic origin, political opinions, membership of a political association, religious or philosophical beliefs, membership of a trade union or other professional body, precise geolocation, criminal record or health information.

We only collect sensitive information about you with your express consent, and we will only do so to further our “legitimate interests” or “business purposes” as such terms are defined under the GDPR and CPRA, respectively. For example, you may provide us with information about your health or medical conditions when making enquiries about our products.

Sensitive information will be used by us only with your express consent and only:

- For the primary purpose for which it was obtained;
- For a secondary purpose that is directly related to the primary purpose;
- Where required or authorised by law.

Third Parties

Where reasonable and practicable to do so, we will collect your Personal Information only from you. However, in some circumstances, we may be provided with information by third parties. In such a case we will take reasonable steps to ensure that you are made aware of the information provided to us by the third party and about your rights under this Privacy Policy.

Our website and app may contain links to other websites operated by third parties for your convenience. We cannot provide any guarantees regarding third-parties' information handling policies or the content of third-party websites you may visit.

Komo recognises the importance of the privacy of its users and does not ordinarily disclose, lease, sell, share, or otherwise provide Personal Information to third parties, except as provided herein.

However, your Personal Information may be disclosed in a number of circumstances including the following:

- as otherwise described in this Policy;
- Third parties where you consent to the use or disclosure;
- as otherwise required by law or to comply with legal process, including, but not limited to, civil and criminal subpoenas, court orders or other compulsory disclosures;
- as reasonably necessary to respond to claims of a violation of the rights of third parties, whether or not the third party is a user, individual, entity or government agency;
- for any internal purpose of Komo, including, without limitation, to manage your Komo subscription and other billing purposes, to respond to your inquiries, to allow outside vendors to perform services required by Komo, and to otherwise manage and operate Komo and develop new services and products;
- as reasonably necessary to enforce the Terms and Conditions of Service and Use of komo.tech (the "Terms and Conditions");
- as reasonably necessary to detect, prevent and address fraud and other illegal activity and to prevent death or imminent bodily harm; or as reasonably necessary to protect the rights and property of Komo or its officers, directors, shareholders, employees or agents.
- Komo may provide aggregated anonymous data about the usage of Komo services to third parties for purposes that we deem, in our sole discretion, to be appropriate, including, without limitation, to prospective advertisers or investors. If we disclose information to a third party, we

generally expect the third party to protect your Personal Information in accordance with this Privacy Policy.

Access to your Personal Information

As a citizen of the EU, UK, the State of California, and certain other states of the U.S., you may have a right to access, modify, correct and request that Komo internally delete any Personal Information provided to or obtained by Komo. You may also have the right to opt-out of the sale of your Personal Information.

To exercise these rights, please contact us at privacy@komo.tech. We will not discriminate against you for your exercise of the rights set forth above.

If you update, modify or correct any Personal Information, we may keep copies of your Personal Information prior to such update, modification or correction for uses provided for in this Policy. You may request the internal deletion of your Personal Information at any time by contacting Komo. Komo will endeavor to respond to your request in a timely manner. Please note, however, that Personal Information you have published on Social Media platforms may remain available even if you request that such information be internally deleted by Komo.

In order to protect your Personal Information we may require identification from you before releasing the requested information.

On the rare occasions when we refuse access, we will provide you with a written notice stating our reasons.

Security of your Personal Information

Komo uses reasonable security measures, based on the nature of Personal Information disclosed on our site and Services, in an effort to secure your Personal Information from unauthorised access, use or disclosure.

We follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and once we receive it. For example, we have implemented an information security program that contains administrative, technical and physical controls that are designed to reasonably safeguard Personal Information from unlawful use, unauthorized access,

or disclosure. However, please keep in mind that perfect security does not exist, and we cannot guarantee that the Information we collect about you will remain secure.

Your Personal Information is stored in a manner that reasonably protects it from misuse and loss and from unauthorised access, modification or disclosure. We use a range of security measures, including by encrypting data stored on remote (cloud-based) servers.

We securely store and process Personal Information in Australia. Although we may utilise remote (cloud-based) servers located overseas, such data will be encrypted to prevent access by third parties.

When your Personal Information is no longer needed for the purpose for which it was obtained, we will take reasonable steps to destroy or permanently de-identify your Personal Information.

However, most of the Personal Information is or will be stored for a minimum of 5 years so that:

- You can recover access to your Account even if you haven't used it for a while;
- We can respond to queries or concerns made by you or on your behalf that you may have about your past interactions with us, including any products you have purchased from us;
- To comply with applicable law.

Maintaining the Quality of your Personal Information

It is important to us that your Personal Information is up to date. We will take reasonable steps to make sure that your Personal Information is accurate, complete and up-to-date. If you find that the information we have is not up to date or is inaccurate, please advise us as soon as practicable so we can update our records and ensure we can continue to provide quality services to you. If you register an Account, you will be able to update the Personal Information stored in your Account via the Komo website.

We are not obliged to correct any Personal Information if we do not agree that it requires correction. If we refuse such a request, we will provide you with a written notice stating our reasons.

Employment and recruitment

This Privacy Policy does not apply to our handling of information about employees. The handling of employee records is exempt from the requirements of this Privacy Policy. For information about our practices relating to employee records, please contact us using the details set out at the end of this Privacy Policy.

If you send us an application to be considered for an advertised position (or unsolicited), this information will be used to assess your application or suitability for employment with us. This information may be disclosed to our related bodies corporate and service providers for purposes such as aptitude testing or other human resources management activities.

As part of the application process, you may be asked for your consent to the use and disclosure of certain Personal Information about pre-employment testing. We may also ask you to consent to the disclosure of your Personal Information to those people who you nominated to provide references. A refusal to provide any of this information, or to consent to any proposed disclosure, may affect the success of the application.

Data breaches

A "data breach" means unauthorised access to, or disclosure, alteration, loss, or destruction of, Personal Information—or an action that prevents us from accessing Personal Information on either a temporary or permanent basis. An "eligible data breach", in accordance with Applicable Data Privacy Law, occurs when there is a data breach that is likely to result in serious harm to any of the individuals to whom the information relates and we are unable to prevent the likely risk of serious harm with remedial action.

We, including all of our employees, take breaches of privacy very seriously. If we suspect a privacy breach has occurred, our priority is to contain and assess the suspected breach in accordance with our Data Breach Response Plan. In doing so, we will:

- take any necessary immediate action to contain the breach and reduce the risk of harm;
- determine the cause and extent of the breach;
- consider the types of information involved, including whether the Personal Information is sensitive in nature;
- analyse the nature of the harm that may be caused to affected individuals;
- consider the person or body that has obtained or may obtain Personal Information as a result of the breach (if known); and

- determine whether the Personal Information is protected by a security measure.

If we believe an eligible data breach has occurred we will, as soon as practicable, notify the applicable regulatory body and all affected individuals or, if it is not possible to notify affected individuals, provide public notice of the breach (in a manner that protects the identity of affected individuals).

Sending Personal Information Overseas

Komo may need to disclose your information, including information we receive to organisations located overseas. The most common reason for Komo disclosing information overseas is because we use service providers to perform some functions on our behalf, and some of these service providers are located overseas. We only disclose your information to these organisations when it is necessary for the services they provide Komo. When we disclose your information to an organisation located overseas, will take reasonable steps to ensure your information is treated in accordance with the standards that apply in the U.S., except in rare cases (for example, where we

are required by law to disclose your information overseas) or where we obtain your consent not to take these measures. protects the identity of affected individuals).

General Data Protection Regulation and U.S. Privacy Laws

Under the GDPR and various U.S. data privacy laws currently in effect, including, without limitation, the California Consumer Privacy Act (as amended by the CPRA) and those enacted by certain other states of the U.S. (collectively, "U.S. Privacy Laws", and together with GDPR, "Applicable Data Privacy Law"), we may have some additional obligations with respect to the "personal data" or Personal Information, as such terms are defined under Applicable Data Privacy Law, collected from residents of the UK, EU, or the U.S., as a data importer or such equivalent terms used under U.S. Privacy Laws.

We will endeavor to comply with all obligations imposed on data importers under Applicable Data Privacy Law with respect to the personal data or Personal Information of EU, UK, and U.S. residents, including, solely with respect to EU and UK residents, the GDPR Standard Contractual Clauses in respect of EU transfers or the international data transfer agreement (IDTA) or the international data transfer addendum to the European Commission's standard contractual clauses for international data transfers (Addendum) in respect of the UK transfers to the extent that they may apply to us and our relationships with third parties.

Children's Privacy

The Komo website is not intended for children under the age of 13. Accordingly, we do not knowingly collect, share, or sell Personal Information from or about any persons under 13 years of age. If you believe we might have any information from or about a person under 13, please contact us at privacy@komo.tech. NOTICE: Visit www.OnGuardOnline.gov for tips from the Federal Trade Commission on protecting children's privacy online.

Changes to this Privacy Policy

Komo will occasionally update this Privacy Policy to reflect changes in our practices or the law.

We reserve the right to update or modify this Privacy Policy at any time and without prior notice, by posting a link to the revised version of this Privacy Policy on our site. Use of our site or any Services following any such change constitutes your agreement that all Information collected from or about you after the revised Privacy Policy is posted will be subject to the terms of the revised Privacy Policy. You can see when this Privacy Policy was last updated by reviewing the "Last Updated" legend on the first page of this Privacy Policy. To the extent rules or guidelines affecting your use of the Site or Services are found on other pages of the site or in the Services, those rules and guidelines are hereby incorporated by reference into this Privacy Policy. Komo encourages you to periodically review this Privacy Policy to be informed of how Komo is protecting, collecting, sharing, or otherwise using your Personal Information.

Contact Information

Komo welcomes your comments regarding this Privacy Policy. If you have any questions about our practices, or if you believe that Komo has not adhered to this Privacy Policy, please contact us at privacy@komo.tech.