

AcuMax, Inc. Data Policy

Effective date: (revised) October 31, 2019

AcuMax, Inc. ("us", "we", or "our") operates the <https://app.acumaxindex.com> website (the "Service").

This document informs you of our policies regarding the collection, use, and disclosure of personal data when you use our Service and the choices and obligations you have associated with that data. This Policy is intended to complement and provide greater detail to the terms and conditions of your company's Client Service Agreement with AcuMax (if in place) and our practices respecting any data acquired. If, and to the extent that, this Policy contradicts or is inconsistent with the terms of the Client Service Agreement, the Client Service Agreement shall prevail and be controlling.

We use such data to provide and improve the Service. By using the Service, you agree to the collection and use of information in accordance with this Policy.

Definitions

Service

Service is the <https://app.acumaxindex.com> website operated by AcuMax Inc.

Personal Data

Personal Data means data about a living individual who can potentially be identified from the data.

Usage Data

Usage Data is data collected automatically either generated by the use of the Service or from the Service infrastructure itself (for example, the duration of a page visit).

Cookies

Cookies are small pieces of data stored on your device (computer or mobile device).

Data Controller

Data Controller means the natural or legal person who (either alone or jointly or in common with other persons) determines the purposes for which and the way any personal information are, or are to be, processed. For the purpose of this Data Policy, we are a Data Controller of the Personal Data.

Data Processors (or Service Providers)

Data Processor (or Service Provider) means any natural or legal person who processes the data on behalf of the Data Controller. We may use the services of various Service Providers in order to process the data more effectively.

Data Subject (or User)

Data Subject is any living individual who is using our Service and is the subject of Personal Data.

Information Collection and Use

We collect several different types of information for various purposes to provide and improve our Service to you and our client companies.

Types of Data Collected***Personal Data***

While using our Service, we may ask you to provide us with certain personally identifiable information that can be used to contact or identify you ("Personal Data") or others. Personally identifiable information may include, but is not limited to:

- Email address(es)
- First name, last name and middle name (or initial)
- Phone number
- Address, State, Province, ZIP/Postal code, City, Country
- Cookies and Usage Data
- Native language
- Resume
- Department Code/Job Code/Position
- Gender
- Birthdate
- Race/Ethnicity
- Education Level
- Assessment or survey results (AcuMax Index, Acumen, Echo, Wonderlic, etc.)
- Employer name or prospective employer identification

We may use your Personal Data to contact you with newsletters, marketing or promotional materials and other information that may be of interest to you or in furtherance of the Service we provide. You may opt out of receiving any, or all, communications from us by following the unsubscribe link or instructions provided in any email we send or by contacting us.

Usage Data

We may also collect information on how the Service is accessed and used ("Usage Data"). This Usage Data may include information such as your computer's Internet Protocol address (e.g. IP address), browser type, browser version, the pages of our Service that you visit, the time and date of your visit, the time spent on those pages, unique device identifiers and other diagnostic data.

Tracking Cookies Data

We use cookies and similar tracking technologies to track the activity on our Service and hold certain information.

Cookies are files with small amounts of data which may include an anonymous unique identifier. Cookies are sent to your browser from a website and stored on your device. Tracking technologies also used are beacons, tags, and scripts to collect and track information and to improve and analyze our Service.

You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent. However, if you do not accept cookies, you may not be able to use some portions of our Service.

Examples of Cookies we use:

- **Session Cookies.** We use Session Cookies to operate our Service.
- **Preference Cookies.** We use Preference Cookies to remember your preferences and various settings.
- **Security Cookies.** We use Security Cookies for security purposes.

Use of Data

AcuMax, Inc. uses the collected data for various purposes:

- To provide and maintain our Service
- To test, compare, validate and evaluate our Service for internal or external purposes
- To notify you about changes to our Service
- To allow you to participate in interactive features of our Service when you choose to do so
- To provide customer support
- To gather analysis or valuable information so that we can improve our Service or for purposes of compliance
- To monitor the usage of our Service
- To detect, prevent and address technical issues
- To provide you with news, special offers and general information about other goods, services and events which we offer that are like those that you have already purchased or inquired about unless you have opted not to receive such information

Legal Basis for Processing Personal Data Under General Data Protection Regulation (GDPR) (if applicable)

If you are from the European Economic Area (EEA), AcuMax, Inc.'s legal basis for collecting and using the personal information described in this Policy depends on the Personal Data we collect, consent obtained and the specific context in which we collect it.

AcuMax, Inc. may process the Personal Data because:

- We need to perform a contract with you, your company or for another company
- You have given us permission to do so
- The processing is in our legitimate interests and it's not overridden by your or the rights of others
- To comply with the law

Retention of Data

AcuMax, Inc. will retain the Personal Data for as long as is necessary for the purposes set out in this Policy. We will retain and use your Personal Data to the extent necessary to comply with our legal obligations (for example, if we are required to retain your data to comply with applicable laws), resolve disputes, and enforce our legal agreements and policies.

AcuMax, Inc. will also retain Usage Data for internal analysis purposes. Usage Data is generally retained for a shorter period, except when this data is used to strengthen the security or to improve the functionality of our Service, or we are legally obligated to retain this data for longer time periods.

Unless otherwise stated herein, the Personal and Usage Data will be indefinitely retained by AcuMax, Inc., for the uses and purposed identified herein. You may contact AcuMax, Inc., to request that your data be deleted or changed or that notes be attached or appended to such data, but the decision as to whether or not such request will be honored or acted upon is solely within the discretion of and is dependent upon AcuMax, Inc.

Transfer of Data

Information, including Personal Data, may be transferred to — and maintained on — computers located outside of your state, province, country or other governmental jurisdiction where the data protection laws may differ from your jurisdiction.

If you are located outside the United States and choose to provide information to us, please note that we transfer the data, including Personal Data, to the United States and process it there.

Survey results and any personal information provided will be made available to authorized users of the client company that furnished us with the information and potentially to other client companies of AcuMax which you have indicated an interest in employment if they seek to survey you.

Your consent to this Policy followed by your submission of such information represents your agreement to such transfers.

AcuMax, Inc. will take all steps reasonably necessary to ensure that all data is treated securely and in accordance with this Policy and no transfer of Personal Data will take place to an organization or a country unless there are adequate controls in place to

ensure the security of the data and other personal information or unless we have the consent to do so.

Disclosure of Data

Legal Requirements

AcuMax, Inc. may disclose Personal Data in the good faith belief that such action is necessary to:

- To comply with a legal obligation
- To protect and defend the rights or property of AcuMax, Inc.
- To prevent or investigate possible wrongdoing in connection with the Service
- To protect the personal safety of users of the Service or the public
- To protect against legal liability

Security of Data

The security of data is important to us but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to use commercially acceptable means to protect Personal Data, we cannot guarantee its absolute security.

"Do Not Track" Signals Under California Online Privacy Protection Act (CalOPPA)

We do not support Do Not Track ("DNT"). Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked.

You can enable or disable Do Not Track by visiting the Preferences or Settings page of your web browser.

Your Data Protection Rights Under General Data Protection Regulation (GDPR) (if applicable)

If you are a resident of the European Economic Area (EEA), you have certain data protection rights and have consented, if applicable, to AcuMax, Inc.'s use of your Personal Data. AcuMax, Inc. has taken reasonable steps to allow you to correct, amend, delete, or limit the use of your Personal Data.

If you wish to be informed what Personal Data we hold about you and if you want it to be removed from our systems, please send a request to us at: Admin@AcuMaxIndex.com. Please note that although you have the right to withdraw your consent to the use of your Personal Data at any time, this will not affect the lawful use of such information based on your consent before its withdrawal. If you have any questions or would like to learn how withdrawal of your consent to use your Personal Data affects your eligibility for employment, you should contact your employer for that information.

In certain circumstances, you have the following data protection rights:

The right to access, update or to delete the information we have on you.

Whenever made possible, and dependent upon your level of access, you can access, update or request deletion of your Personal Data directly within your account settings section. If you are unable to perform these actions yourself, please contact us to assist you.

The right of rectification. You have the right to have your information rectified if that information is inaccurate or incomplete.

The right to object. You have the right to object to our processing of your Personal Data.

The right of restriction. You have the right to request that we restrict the processing of your personal information.

The right to data portability. You have the right to be provided with a copy of the information we have on you in a structured, machine-readable and commonly used format.

The right to withdraw consent. You also have the right to withdraw your consent at any time where AcuMax, Inc. relied on your consent to process your personal information.

Please note that we may ask you to verify your identity before responding to such requests.

You have the right to complain to a Data Protection Authority about our collection and use of your Personal Data. For more information, please contact your local data protection authority in the European Economic Area (EEA).

Service Providers

We may employ third party companies and individuals to facilitate our Service ("Service Providers"), to provide the Service on our behalf, to perform Service-related services or to assist us in analyzing how our Service is used.

These third parties have access to your Personal Data only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

Analytics

We may use third-party Service Providers to monitor and analyze the use of our Service.

Google Analytics

Google Analytics is a web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Service. This data is shared with other Google services. Google may use the collected data to contextualize and personalize the ads of its own

advertising network. You can opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js, and dc.js) from sharing information with Google Analytics about visits activity. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <https://policies.google.com/privacy?hl=en>

Links to Other Sites

Our Service may contain links to other sites that are not operated by us. If you click on a third party link, you will be directed to that third party's site. We strongly advise you to review the Data Policy of every site you visit.

We have no control over and assume no responsibility for the content, privacy policies or practices of any third party sites or services.

Changes to This Data Policy

We may update our Data Policy from time to time. We will notify you of any changes by posting the new Data Policy on this page.

We will let you know via email and/or a prominent notice on our Service, prior to the change becoming effective and update the "effective date" at the top of this Data Policy.

You are advised to review this Data Policy periodically for any changes. Changes to this Data Policy are effective when they are posted on this page.

Contact Us

If you have any questions about this Data Policy, please contact us:

- By email: Admin@acumaxindex.com