

## **Privacy Policy**

*Effective Date: December 13, 2023*

This Privacy Policy (“Privacy Policy”) explains how SaferBoater, LLC and its affiliates, service providers, and partners (collectively, “Company,” “us,” “our,” and “we”) use your information and applies to all who use Saferboater.org and the supporting platform – including applications, products, platforms, services, and/or online activities we own, control, or make available through Saferboater.org (collectively, the “Application”). For terms that govern the use of the Application, please review the Application’s Terms of Use located on <http://www.saferboater.org>.

By using our website and/or the Application, you acknowledge you have read the terms of this Privacy Policy. If you do not want your information handled as described in this Privacy Policy, please do not provide us with your information or interact with the Application and/or our website.

We may modify this Privacy Policy at any time. If we make any material changes, we will notify you by email (sent to the email address specified in your account) or by means of notice on our website or through the Application prior to the change becoming effective. You can determine when this Privacy Policy was last revised by referring to the "Effective Date" above.

# **1. Types of Information We Collect**

Depending on the nature of our relationship, we may collect different types of information, as described below. In general, Company collects information when you interact with us, when you use our products or services, or when you visit our website. The collection of your personal information shall be made in accordance with this Privacy Policy where processed in connection with our website and/or the Application and as permitted by applicable data protection laws of relevant jurisdictions. Here are some sources from which we gather your information:

- **Information Given to Us:** You may provide us with certain personal and geographic information about you in relation to the Application, including, but not limited to, your name, postal addresses, email addresses, telephone numbers, other addresses at which you are able to receive communications, information collected from you as needed to process Company vouchers or other products or services that you buy, or as provided by you to administer your participation in certain services and programs.
- **Automatic Information:** Certain types of information are automatically obtained by us when you interact with our website or the Application, such as information about your browsing behavior, search history, and interactions with websites, including data from cookies.
- **Other Sources of Information:** We may receive information about you from other sources such as boat manufacturers and/or dealers, boat captains, motor vehicle agencies, financial institutions, social media platforms, and other public sources.

# **2. How Company Collects Information**

We may collect personal information about you from a variety of sources, including:

- **From you:** We collect information that you submit to us. For example, when you use the Application or our website; register to redeem a voucher through the Application; or interact with us in other ways. We will collect any information you voluntarily provide, and we may also request optional information to support your use of the Application. If you send an e-mail to us, we will collect your e-mail address and the full content of your e-mail, including attached files and other information you choose to provide to us.
- **From your device:** When you use our website or the Application, we may collect information about the devices you use to access the Application, including hardware model, operating system and version, Internet Protocol (“IP”) address, and other unique device identifiers, mobile network information, and information about the device’s interaction with our website or the Application. We also collect information about how you use our website or the Application, including your access times, browser types, and language. This type of data enables us to understand how often individuals use parts of the Application so we can analyze and improve it. To collect this information, we use cookies and web beacons, and other similar technologies. Note that this Privacy Policy covers only how we use information collected via cookies; it does not cover the use of such information by third parties.
- **Location information:** We may collect different types of information about your location, including general information, such as the city, state, and/or zip code associated with your IP Address. You may be able to disallow our collection of certain location data through your device or browser settings.
- **Cookies:** Like most websites today, we use cookies on our website. Cookies are small files that a web server transfers to an individual's computer for functionality and recordkeeping purposes while visiting that site. We use cookies and other technologies to improve your user experience and the overall quality of our services, and to facilitate your ongoing access to and use of our site, among other things. Cookies may also convey information to us about how frequently you access the services and allow us to evaluate usage of the services over time. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to automatically decline cookies, or to be given the choice of declining or accepting the transfer of a particular cookie, or cookies from a particular web site. However, please note that the use of cookies is required for our site to function properly.

### 3. How Company Uses Information

We may use information collected as described in this Privacy Policy to:

- Operate, maintain, and improve our website or the Application and other programs, features, and functionality related to our website or the Application, and to continue to develop and expand the products and services we offer;
- Provide you with communications and offers for products and services from us and our business partners;
- Facilitate and fulfill voucher redemption, including tracking course completion;
- Process and confirm bookings with our partners;

- Answer your questions and respond to your requests, including resolving any customer issues, informing customers of improvements or updates to our services, and providing general customer support;
- Perform analytics and conduct customer research;
- Communicate and provide additional information that may be of interest to you about Company and our business partners, sometimes by combining your information with information we obtain from other sources;
- Send you reminders, technical notices, updates, security alerts, support and administrative messages, service bulletins, marketing messages, and requested information, including on behalf of our business partners;
- Manage our everyday business needs, such as administration of our website or the Application, fulfillment, analytics, fraud prevention, and enforcement of our corporate reporting obligations and Terms of Use located on <http://www.saferboater.org> or to comply with the law;
- Promote to you and allow you to sign up for offers from our affiliated companies, our business partners, or other companies;
- Verify your requests made pursuant to this Privacy Policy; and
- Enhance other information we have about you to help us better understand you and determine your interests.

In certain cases, we have a legal obligation to collect, use, or retain your personal information. We may also use and disclose information about you if we believe in good faith that that the law requires it for purposes of security, fulfilling our legal obligations (such as subpoenas or court orders), law enforcement, or other issues of public importance. We may also share information about you, where there are legal grounds to do so, if we determine that disclosure is reasonably necessary to enforce our Terms of Use or protect our operations or customers. This could include providing information to public or governmental authorities.

We also may use information collected as described in this Privacy Policy with your consent or as otherwise required or permitted by law. If you use any features on our website or in the Application to send information about a product or service to another person, we will also collect the personal information of that other person to the extent disclosed by you and may contact them using the information you provided us.

## **4. When and Why Company Discloses Information**

We may share your personal information as follows:

- as required to comply with the law or legal obligations, such as to comply with legal orders and government requests, or as needed to support auditing, compliance, and corporate governance functions;

- 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, or to enforce an agreement that we have, or to defend ourselves in litigation;
- as may be necessary to protect our rights, property or safety, or the rights, property or safety of our employees, or others;
- with our vendors who perform a variety of services and functions for us, such as data storage, data analytics, order fulfillment, transmitting emails, payment processing, marketing and sales support, training, and managing customer relationships and digital content. We may share your information with such vendors subject to confidentiality obligations consistent with this Privacy Policy and on the condition that the service providers use your information only on our behalf and pursuant to our instructions;
- with our third-party partners to provide you with the services you request, including to process and confirm bookings or to schedule a course with a third-party instructor;
- in the event we go through a business transition such as a merger, acquisition by another company, bankruptcy, reorganization, or sale of all or a portion of our assets (as described below);
- to combat fraud or criminal activity, and to protect our rights, users, and business partners, or as part of legal proceedings affecting Company;
- with our affiliates and subsidiaries who may only use the personal information for the purposes described in this Privacy Policy;
- if the information has been aggregated, de-identified, or otherwise does not identify you personally; and
- otherwise with your consent.

We may disclose your personal information to the following categories of third parties:

- Company Partners, including affiliates, certain boat manufacturers, dealers, and/or captains
- Vendors
- Co-marketers
- Distributors
- Resellers
- Payment Applications Providers
- Internet Application Providers
- Data Analytics Providers
- Operating Systems and Platforms
- Government or Law Enforcement Entities
- Fraud Protection and Prevention Providers
- Application Providers

We may disclose the following categories of personal information for our own business and operational purposes:

- Identifiers;
- Demographics;
- Commercial information;

- Location information;
- Financial information; and
- Internet and network activity information.

We may disclose certain personal information in exchange for services, insights, or other valuable consideration. These disclosures may involve:

- Identifiers;
- Demographics;
- Commercial information;
- Location information;
- Financial information; and
- Internet and network activity information.

## **5. Security of Personal Information**

Company has implemented an information security program that contains administrative, technical, and physical controls that are designed to reasonably safeguard personal information. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. If you have any questions about security on our website, you can contact us at [privacy@saferboater.org](mailto:privacy@saferboater.org).

## **6. Retention of Personal Data**

We will retain your personal data for as long as your account is active or as needed to provide you services. If you close your account, we will retain your personal data for a period where it is necessary to continue operating our business effectively, to maintain a record of your transactions for financial reporting purposes or fraud prevention purposes until these purposes no longer exist, and to retain as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

## **7. Your Rights Regarding Personal Information**

You have certain rights with regard to your personal information:

- You have the right to know and request information about the categories and specific pieces of personal information we have collected about you within the prior 12 months, as well as the categories of sources from which such information is collected, the purpose for collecting such information, and the categories of third parties with whom we share such information. You also have the right to know if we have sold or disclosed your personal information for business purposes.

- You have the right to update your personal information.
- You have the right to request a portable copy of your personal information.
- You have the right to request that Company delete your personal information, subject to certain exceptions allowed under applicable law.
- You have the right to opt-out of certain disclosures of your personal information for valuable consideration. You can exercise this right by emailing us at [privacy@saferboater.org](mailto:privacy@saferboater.org).
- You have the right to not be discriminated against for exercising any of the above-listed rights.

You may exercise these rights by sending an email to [privacy@saferboater.org](mailto:privacy@saferboater.org). If you are a consumer under the California Consumer Privacy Act (“CCPA”) and wish to contact us through an authorized agent, the authorized agent can submit a request on your behalf at [privacy@saferboater.org](mailto:privacy@saferboater.org) along with a notice signed by you certifying that the agent is authorized to act on your behalf. We may take reasonable steps to verify your identity, including but not limited to verification of your email, prior to responding to your requests. In addition to the above rights, you can update or remove financial account information. You can also deactivate any account you have through our website.

## 8. Your Choices

We think that you benefit from a more personalized experience when we know more about you. However, you can limit the information you provide to Company, and you can limit the communications that Company sends to you. In particular:

- **Commercial Emails:** You may choose not to receive commercial e-mails from us by following the instructions contained in any of the commercial e-mails we send or by logging into your account and adjusting your email preferences. Please note that even if you unsubscribe from commercial email messages, we may still email you non-commercial emails related to your account and your transactions on our website or in an Application. You may update your subscription preferences at any time.
- **Cookies and Other Technologies:** You may manage how your browser handles cookies by adjusting its privacy and security settings. Browsers are different, so refer to instructions related to your browser to learn about cookie-related and other privacy and security settings that may be available.
- **Emails from Business Partners:** If you wish to opt-out of receiving offers directly from our business partners, you can follow the opt-out instructions in the emails they send you.

## 9. Privacy Practices of Third Parties

This Privacy Policy only addresses the use and disclosure of information by Company through your interaction with our website or an Application. Other websites that may be accessible through links from our website or an Application and our co-branded websites may have their own privacy notices and personal information collection, use, and disclosure practices. Our

business partners may also have their own privacy notices. We encourage you to familiarize yourself with the privacy notices provided by these other parties prior to providing them with information or taking advantage of a sponsored offer or promotion.

## **10. Business Transfers and Corporate Changes**

Company reserves the right to disclose, transfer, or license any and all information related to our website or an Application, including personal information:

- to a subsequent owner, co-owner, or operator of our website or an Application or any portion or operation related to part of an Application; or
- in connection with a corporate merger, consolidation, or restructuring, the sale of all or a portion of our stock and/or assets, or other corporate change, including, without limitation, during the course of any due diligence process.

## **11. Notice to Residents of Countries outside the United States of America**

This website and/or Application is intended only for users in the United States. By using the website and/or Application or giving us your personal information, you are directly transferring your personal information to us in the United States. You agree and consent to our collection, transfer, and processing of your personal information in accordance with this Privacy Policy. You are solely responsible for compliance with any data protection or privacy obligations in your jurisdiction when you use the website and/or Application or provide us with personal information. Regardless of where we transfer your information, we still protect your information in the manner described in this Privacy Policy.

## **12. Children's Privacy**

The website and/or Application is a general audience site not directed at children under the age of 16 and Company has no actual knowledge of the sale of information of minors under 16 years of age. By using the website and/or Application, you represent that you are at least eighteen years old and understand that you must be at least eighteen years old in order to create an account through any Application.

## **13. Contact Us**

Please contact us if you have any questions or comments about our privacy practices or this Privacy Policy. You can reach us online at [privacy@saferboater.org](mailto:privacy@saferboater.org). You can reach us via postal mail at the following address:

SaferBoater LLC  
8421 Dorchester Road, Suite 109  
North Charleston, SC 29420

## **14. California Privacy Rights**

Pursuant to Section 1798.83 of the California Civil Code, residents of California have the right to request, once a year, if we have shared their personal information with other companies for those companies' direct marketing purposes during the preceding calendar year. To request a copy of the information disclosure provided by Company, please contact us at [privacy@saferboater.org](mailto:privacy@saferboater.org) or the address stated above. Please allow 30 days for a response.

Company may offer discounts and other offers and benefits to you if you sign up to email and text promotional campaigns or other programs. When you sign up for one of these programs, we typically ask you to provide your name and contact information (such as email address and/or telephone number). Because our programs involve the collection of personal information as well as the offering of various benefits, they might be interpreted as providing a "financial incentive" under California law. To the extent that we derive value from the collection of your personal information, that value is directly related to the value to us of the opportunity to promote products and services to you as well as the value of the benefits that you obtain. You may withdraw from participating in a program at any time by contacting us using the designated method described in the terms and conditions that apply to the program, or by contacting us at [privacy@saferboater.org](mailto:privacy@saferboater.org).