

FUNDERMAX NORTH AMERICA, INC.
PRIVACY POLICY

EFFECTIVE DATE: March 1, 2021

1. INTRODUCTION

Welcome to www.fundermax.us, the web site of FUNDERMAX NORTH AMERICA, INC., a North Carolina corporation (the “*Company*” “*we*,” “*us*” or “*our*”) and the wholly owned subsidiary of FUNDERMAX GMBH, an Austrian corporation.

This web site provides information about our company, our personnel, our business, our alliances & third party relationships and our products and services. Given the importance of the protection of personal information, this privacy policy (“*Privacy Policy*” or “*Policy*”) explains our data protection practices, not just for our web site users, but for our clients, distributors, strategic partners and vendors.

This Privacy Policy also explains the nature of the personal information we collect, the means and purposes by which we collect it and how we use, process, protect and store it. It describes the limited circumstances in which we share personal information with others for specifically identified purposes. This Policy also explains your right to exercise certain data privacy rights granted under Applicable Laws, the process for exercising them and when those rights may not apply.

2. DEFINITIONS. As used in this Privacy Policy, the terms listed below will have the following meanings:

2.1 “*Applicable Laws*” means U.S. domestic laws, regulations and ordinances applicable to the activities described in this Policy, including data protection laws and regulations. We do not target our Products to non-U.S. residents and therefore this Privacy Policy is not intended to and shall not be deemed to be governed or affected by any non-U.S. laws and regulations.

2.2 “*Company*,” “*we*,” “*us*” or “*our*” means FUNDERMAX NORTH AMERICA, INC. and any subsidiaries thereof that may exist at any time and any acquirer of all or substantially all of the assets or majority voting control of FUNDERMAX NORTH AMERICA, INC.

2.3 “*Company Data*” means all data and information, other than User Data, that is created, developed, licensed, stored or used in the Company or in any of its Products or activities, all right, title and interest to which is held by the Company subject to any limited license rights granted to our clients or others.

2.4 “**Cookies**” are small pieces of information that a website may send to your browser while you are viewing a website.

2.5 “**Personal Information**” means, as defined in any Applicable Laws, any information relating to an identified or identifiable natural person (a “**data subject**”) who can be identified, directly or indirectly, by reference to a personal or company identifier such as a name, identification number, email address, phone number, location data, online identifier or one or more other factors specific to a person’s physical, physiological, business, cultural or social identity.

2.6 “**Products**” mean our architectural, digitally printed, laminate and natural panels for interior and exterior commercial use, and any and all other products developed, distributed or sold by us at any time.

2.7 “**User Data**” means a user’s Personal Information, exclusive of any Company Data, that a user submits, emails, transmits or otherwise makes available to us through the use of this web site or otherwise from transactions with us, but only so long as such data retains its character as Personal Information and is not converted to a form that eliminates its character as Personal Information through anonymization, aggregation, de-identification or encryption.

2.8 “**You,**” “**your**” or “**user**” means any and all of our web site visitors and other online or offline customers, clients, suppliers, distributors, vendors and/or users.

3. OUR WEB SITE IS FOR BUSINESS PURPOSES ONLY

Our web site describes the wide range of Products that we sell and distribute to a broad range of commercial clients. Our web site is for general commercial purposes only and is not intended for or directed to consumer transactions or for use with or by children. If we should learn that a user is underage, we will promptly remove that user’s Personal Information from our databases and prevent them from using our web site or communications services.

4. HOW WE COLLECT PERSONAL INFORMATION

4.1 Overview. This section explains the sources, means and methods by which we may collect and process Personal Information and the purposes for which we do so.

4.2 User Account Set-Up. A user who subscribes to or accesses any Products, newsletters, AIA-certified courses or other services available on our web site will need to create an account, complete our online registration form and select or otherwise indicate the nature of the matters of interest to them. Your account data may include your name, physical address, phone numbers, email address and professional qualifications or experience. The source of your account data may be you or your employer. If you desire more information about our Products or desire to schedule a call with any of our representatives, you may do so online as well.

4.3 Other Means of Collection. Other means and methods by which we collect Personal Information include, without limitation, the following:

- When you submit Personal Information to us voluntarily, including when you register an account, subscribe for newsletters, seek to locate a representative, communicate with our personnel or order, distribute, purchase and/or receive our Products or courses;
- When you communicate with us in any manner, we may collect and store any information that is contained in or otherwise associated with your communications, including internet protocol (IP) address, browser type and version, time zone setting and location, device operating system and other technologies you use to access our site or transact with us regarding our Products;
- Through Cookies and navigational data like Uniform Resource Locators (URLs) that we use to gather information about the date and time of any online visit or use and the solutions and information which you searched and viewed on our web site;
- Through third party services we use to track and analyze certain information from users of our web site such as statistical or demographic data and those third parties may use Cookies to help track user behavior that is provided to and retained by us;
- From third parties and public sources, including from data analytics providers or our own social media pages on Facebook, Instagram, LinkedIn, YouTube or Pinterest;
- From trade shows or marketing presentations we may make to you or to any group or gathering at which you are present;
- From your request for information about our Products whether online, in person or by telephone or from your contracting with us or preparing to contract with us for any of our Products or those of any of our third party licensors or business partners; and/or
- From receiving or responding to any warranty, service or support requests and/or any data subject requests.

5. CATEGORIES OF PERSONAL INFORMATION WE COLLECT

Applicable Laws generally require a listing of categories of Personal Information that a business collects and uses. These definitions tend to vary among applicable jurisdictions. All Personal Information that we collect is used in our business for the same general commercial purposes. Listed below are the general categories of Personal Information that we may collect, process and use, even though all of these categories of data do not all apply all of the time or as to all users:

<i>Category</i>	<i>Examples</i>
A. Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, device data or other similar identifiers.
B. Commercial information	Records of Products purchased, obtained or considered, contractual relationships entered into with clients or distributors or other purchasing or consumption histories, preferences or tendencies.
C. Internet or other network activity	Web site browsing history, search history or information on a user's interaction with a website or mobile application.
D. Geolocation data	Physical location or movements.
E. Inferences drawn from other Personal Information	Profile reflecting a person's preferences, characteristics, predispositions, behavior, attitudes and aptitudes.

6. HOW WE USE YOUR PERSONAL INFORMATION

6.1 Purposes. We use the Personal Information that is collected or received by us from our users for the purposes defined in this Policy and for the development, delivery and performance of our Products, including without limitation:

- To process your requests and provide you with access to our Products and services and to provide customer support to you, including through administering your account;
- To market our Products to you, including through your subscriptions to any of our email notifications, newsletters or courses;
- To respond to your requests and questions, resolve disputes and/or troubleshoot problems with our Products and to process information and payments relating to you interest in transactions with us or with any of our independent representatives;
- To improve the quality of and communicate with you about our online or offline business processes, including with regard to our web site or other aspects of our business;
- For testing, research, analysis and Product development, including to develop and improve our Products and to transact with our third party affiliates and business partners;

- To respond to law enforcement requests or as required by Applicable Laws, court order or governmental regulations and to prevent transactional fraud or diversion of the proceeds of our transactions with you;
- To process information so as to create anonymized, de-identified or encrypted information by removing information that can identify or lead to the identification of a data subject; and/or
- To evaluate or consummate a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of some or all of our assets in which Personal Information collected and held by us is among the assets so sold or transferred.

6.2 We may also process your Personal Information where necessary for the establishment, exercise or defense of tax, audit or other legal rights or to exercise our rights, duties or obligations under Applicable Laws.

7. PROVIDING YOUR PERSONAL DATA TO OTHERS

7.1 WE DO NOT SELL YOUR PERSONAL DATA TO ANY THIRD PARTIES FOR MONETARY CONSIDERATION. We strive at all times to require that any third parties with which we share User Data in order to fulfill our transactions with you, to operate our business or to implement a request by you must have agreed in writing not to use such data for any other purpose than to support our business or after such data has been anonymized so that it is no longer traceable to our users.

7.2 We retain a U.S.-restricted customer relationship management (“*CRM*”) database that is currently operating through HubSpot (referenced below). If a lead results in a new customer, that user’s Personal Information is retained in our HubSpot database and added to our global CRM housed with FunderMax GmbH in Austria.

7.3 We may disclose your Personal Information to our authorized Company personnel or to our authorized independent sales representatives as necessary to process transactions for our Products in accordance with this Policy and as permitted by Applicable Laws. We ensure that all such authorized personnel are instructed as to the confidential nature of such Personal Information and have either executed confidentiality agreements or are otherwise subject to equivalent duties of confidentiality with regard thereto.

7.4 We may disclose your Personal Information to our authorized sub-processors and vendors who have executed confidentiality agreements or are otherwise subject to confidentiality obligations with regard to the processing of Personal Information including, when appropriate, the execution of data processing agreements.

7.5 While our invoices are generally paid by check or wire transfer, financial transactions relating to our Products or courses may be handled by our payment services providers (e.g., banks, credit card company, etc.). We will share transaction data with our payment services providers only if and to the extent necessary for purposes of processing payments or refunds or resolving issues relating to our user transactions.

7.6 We may also disclose your Personal Information when necessary for compliance with a legal obligation to which we are subject, in order to protect your vital interests or the vital interests of another natural person or where disclosure is necessary for the establishment or defense of legal claims or compliance with Applicable Laws.

7.7 Our current sub-processors and data analytics vendors are set forth below. This list is revised from time to time and you should refer back to this Privacy Policy or write to us at the address on the last page of this Policy to confirm our current sub-processors and vendors:

- Google Analytics <https://www.google.com/policies/privacy/>
- HubSpot <https://legal.hubspot.com/>

8. COOKIES THAT WE USE

8.1 A Cookie is a file containing 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.

8.2 Cookies may be either “persistent” Cookies or “session” Cookies. A persistent Cookie will be stored by a web browser and will remain valid until its set expiry date, unless deleted by the user before the expiry date. A session Cookie, on the other hand, will expire at the end of the user session when the web browser is closed.

8.3 Cookies do not typically contain any information that personally identifies a user, but personal information that we store about you may be linked to the information stored in and obtained from Cookies

8.4 We use Cookies for the following primary purposes:

- Authentication: we use Cookies to identify you when you visit our web site and as you navigate our web site;
- Status: we use Cookies to help us to determine if you are logged into our web site;

- Personalization: we use Cookies to store information about your preferences and to personalize the web site for you;
- Security: we use Cookies as an element of the security measures used to protect user accounts, including preventing fraudulent use of login credentials and to protect our web site and online transactions generally;
- Analytics: we use Cookies to help us to analyze the use and performance of our web site and to process transactions; and
- Cookie Consent: we use Cookies to store your preferences in relation to the use of Cookies more generally.

8.5 Our vendors use Cookies and those Cookies may be stored on your computer when you visit our web site. Most browsers allow you to refuse to accept Cookies and to delete Cookies. The methods for doing so vary from browser to browser, and from version to version. Blocking all Cookies will have a negative impact upon the usability of many web sites and if you block Cookies associated with our web site, you will not be able to use all the features on our web site.

8.6 We use Google Analytics to analyze the use of our web site. Google Analytics currently gathers information about web site use by means of Cookies but has announced the phasing out of its use of Cookies in favor of other online identifiers. The information gathered relating to our web site is used to create reports about the use of our web site. Google's privacy policy is located at the address identified in Section 7.7 above.

9. YOUR DATA SUBJECT RIGHTS

9.1 Overview. You have certain rights with regard to your Personal Information under Applicable Laws (collectively, “**Data Subject Rights**”). These rights are complicated and specific as to their scope and proper exercise. If you have any questions about the scope or effect of any of the following Data Subject Rights, you should contact us by the means and at the address set forth on the final page of this Policy.

9.2 When Data Subject Rights Do Not Apply. These Data Subject Rights only apply to the extent that the Personal Information at issue retains its character as Personal Information. Even then, certain Data Subject Rights are overridden by other legal authorities based on the specific data processing activities that are being conducted by us. We will explain if, when and why we cannot honor a specific Data Subject Right

9.3 Data Subject Rights Described. Your principal rights to Personal Information include one or more of the following privileges, which does not mean that all such rights exist in all cases or as to all users. IF YOU WISH TO EXERCISE ANY OF THESE RIGHTS, PLEASE CONTACT US

USING THE DATA SUBJECT RIGHTS REQUEST FORM LOCATED ON THE “CONTACT US” PAGE OF OUR WEB SITE.

(a) The Right of Access. You have a right to have access to the Personal Information we have collected from you and to verify that we are using your Personal Information in accordance with this Policy. Upon your request, after verification of your identity, we will confirm what Personal Information we have collected from you, the purposes of our processing of such data and any third party recipients of such Personal Information. Provided that our rights and interests or the rights and interests of others are not affected, we will supply you with a copy of your Personal Information or inform you of the rights you may have with regard thereto.

(b) The Right of Rectification. You have the right to have any Personal Information that we hold which is inaccurate be corrected and, taking into account the purposes of our processing thereof, to have any incomplete Personal Information about you completed.

(c) The Right of Deletion. In some circumstances you have the right to the deletion of your Personal Information. Those circumstances include when (i) the Personal Information is no longer necessary in relation to the purposes for which it was collected or processed; (ii) you withdraw consent to any consent-based processing such as marketing; and/or (iii) our continued processing thereof violates this Policy or is unlawful. However, there are exceptions to the right of deletion, including when our retention and processing is necessary for compliance with this Policy or Applicable Laws.

(d) The Right to Data Portability. To the extent that the legal authority for our processing of your Personal Information is your consent or the processing is necessary for the performance of a contract with you, when such grounds no longer exist and we have no other need for your Personal Information for legal compliance purposes, you have the right to receive your Personal Information from us in a structured, commonly used and machine-readable format. However, this right does not apply where it is outweighed by our other lawful needs or when the return of it would adversely affect the rights or interests of others.

(g) The Right to Withdraw Consent. To the extent that our processing of your Personal Information is based solely upon your consent, such as when you subscribe to our newsletters and do not otherwise do business with us, you have the right to withdraw such consent at any time, and we will promptly terminate such processing of your Personal Information. A withdrawal of your consent does not affect the lawfulness of any processing based on consent before our receipt of your withdrawal of consent.

(g) Personal Information Sharing Opt-Out. Our users have the right to direct us to not share their personal information at any time with a third party sub-processor or vendor, which generally means our CRM vendors (the “*right to opt-out*”). To exercise the right to opt-out, a user may submit a request to us by submitting the Data Subject Access request form

referenced in Section 9.3 above. Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize the sharing of your personal information. However, you may change your mind and opt back in to personal information sharing at any time in order to stay current with our sales and marketing offerings. You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request.

10. SECURITY OF PERSONAL INFORMATION

Taking into account the state of the art, the costs of implementation and the nature, scope, context and purposes of our processing of Personal Information, we have implemented and maintain appropriate technical and organizational measures to ensure a level of security appropriate to the risk of collecting, holding, using and processing your Personal Information.

11. DATA RETENTION POLICIES

11.1 Our data retention policies are designed to comply with our legal obligations in relation to the retention and deletion of Personal Information, whether held by us or by any sub-processor or vendor. We will take such reasonable steps as necessary to ensure that any duty or obligation that we have under this Policy with regard to your Personal Information, including the return or erasure thereof, applies with equal effect to any sub-processor or vendor with which we share such data.

11.2 Personal Information that we process for any purpose will not be kept for longer than is necessary for the performance or completion of that purpose; *provided that* our legal rights, obligations and interests justify a substantial retention period for specific Personal Information beyond the period of active transactions with any such Data Subjects.

11.3 We will retain your Personal Information as follows:

(a) User Data that has retained its character as Personal Information will be held and retained by us for the longer of (i) your withdrawal of any consent for such data collected on the basis of your consent; (ii) your exercise of any right to erasure or portability of any User Data subject to such Data Rights; (iii) the minimum period necessary for us to fulfill the purposes of our tax, audit or other legal rights, duties and interests with regard to such User Data; and (iv) such longer period as permitted under Applicable Laws; and

(b) User Data for which its character as Personal Information has been eliminated will be retained by us in its anonymized, aggregated, de-identified or encrypted form as Company Data and will not be recoverable, erasable or returnable as Personal Information.

11.4 Notwithstanding the foregoing, we may retain your Personal Information beyond the period set forth above where such retention is necessary for compliance with a legal obligation to which we are subject, in order to protect your vital interests or the vital interests of another natural person or for us to meet our tax, audit or other legal rights, duties and interests.

12. NON-DISCRIMINATION

We do not discriminate against any of our users for their exercise of any of their Data Subject Rights. Therefore, as a result of the exercise of any Data Subject Rights, we will not:

- Deny a user any of our Products;
- Charge a user a different price or rate for Products, including through granting discounts or other benefits or imposing penalties;
- Provide a user with a different level or quality of Products; or
- Suggest that a user may receive a different price or rate for Products or a different level or quality of Products.

13. AMENDMENTS

We may update this Privacy Policy from time to time by publishing a new version on our web site with updated Effective Date. You should check this web site periodically to ensure that you agree with and consent to any changes to this Policy. YOUR CONTINUED USE OF OUR WEB SITE AND/OR YOUR CONTINUED CONDUCT OF BUSINESS WITH US SHALL CONSTITUTE YOUR CONSENT TO THE THEN CURRENT VERSION OF THIS PRIVACY POLICY.

14. OUR CONTACT INFORMATION

14.1 This website is owned and operated by FUNDERMAX NORTH AMERICA, INC.

14.2 Our principal place of business is located at 9401-P Southern Pine Boulevard, Charlotte, North Carolina 28273 (USA), phone: (980) 299-0035.

14.3 You can contact us:

- (a) by mail to the address set forth in Section 14.2;
- (b) by using our website contact form posted at <https://fundermax.us/contact/>;
- (c) by telephone at the number set forth in Section 14.2 or at any other contact number published on our web site from time to time; or

(d) by email to contactfna@fundermax.biz.