

PRIVACY POLICY

LAST UPDATED: July 29, 2022

1. INTRODUCTION.

Thank you for using Inno-Pak websites and services. These Terms of Use (“**Terms**”) form a legally binding contract between you and Inno-Pak, LLC, a North Carolina limited liability company (“**Inno-Pak**”) that governs your access and use of (i) any website(s) we own, control or otherwise operate including, without limitation, www.innopak.com (collectively, “**Sites**”) and hosted software, services, resources, content and material provided by Inno-Pak made generally available to the public (“**Services**”). As used in these Terms, the term “**Software**” means all software provided by Inno-Pak in connection with the Services, including hosted software and any tool, plug-ins or utilities made available by Inno-Pak.

Your privacy is important to you...and to us. So we'll protect the information you share with us.

Welcome to the family of websites and services provided by Inno-Pak, Inc. (“**Company**” or “**us**”). This Privacy Policy relates to the personal information that Company receives and collects through its web site at www.innopak.com, and other sites owned and operated by Company that refer to this Privacy Policy, and through all related technologies, software, and services provided by Company, including its apps and its hosted products and services (collectively, the “**Services**”).

We are a private company, established in the U.S.A., registered at 1932 Pittsburgh Drive, Delaware, OH 43015, United States (“**Physical Notice Address**”) with the contact email address usersupport@innopak.com (“**Email Notice Address**”) and for the purposes of the General Data Protection Regulation (“**GDPR**”) we are the data processor.

This Policy covers both any public-facing web site operated by Company (collectively, the “**Public Site**”) as well as Services provided only to registered users. As noted below, certain parts of the Privacy Policy apply only to the Public Site, and certain parts apply only to the Services.

In addition, please review our Terms of Use (our “**Terms**”) which governs your use of the Services. By using the Services, you acknowledge that you have read and understood our Privacy Policy and our Terms and accept our collection, use and disclosure of your information and data, and other activities, as described below. If you do not agree to the terms of this Privacy Policy, please do not use the Services.

In addition to the Services that may be accessed without registering for an account, Company provides Services to individuals and businesses (e.g. brokers). This Privacy Policy does not impact or change any of the privacy policies, terms, and/or agreements between you and your customers.

We encourage you to review any applicable institutional privacy policies, terms and agreements to see how your personal information may be used or disclosed by that institution.

2. NOTICE OF INFORMATION COLLECTED AND USE.

(a) Information Collected and Stored.

We will inform you when we need information that personally identifies you (personal information) or allows us to contact you or provide you with the Services. Generally, this information is requested when you register for our Services or when you fill out our contact form on our Public Site, or sign up for our newsletter. To assist in these communications we often use a third party service (e.g. MailChimp) which collects information such as your name, email address, phone number, and company name and company's full mailing address.

Company may request or otherwise receive certain information about you during your time on our Public Site, through account registration and/or the provision of Services.

You may be able to log into our Services using single sign-on providers or single sign-on features of other products. These products will authenticate your identity and may share certain personal information with us such as your name and email address.

Company uses cookies and other technologies on our Public Site and as part of the Services for user session management and to provide a better user experience, including customization of content display. A cookie is text data that a website transfers to the individual's browser from a web server that is stored on the individual's computer hard drive. Cookies cannot be used by themselves to identify individuals.

We use various methods and technologies to store or collect Usage Information ("**Tracking Technologies**"). A few of the Tracking Technologies used with the Services, include, without limitation, cookies, web beacons, embedded scripts, browser fingerprinting, entity tags, UTM codes (i.e. a code that you can attach to a custom URL in order to track a source, medium, and campaign name), and recognition technologies that make assumptions about users and devices. We use Tracking Technologies for a variety of purposes, including:

- **Strictly Necessary.** We use Tracking Technologies that we consider are strictly necessary to allow you to use and access our Services, including cookies required to prevent fraudulent activity, improve security or allow you to make use of Services functionality.
- **Performance Related.** We use Tracking Technologies that are useful in order to assess the performance of the Services, including as part of our analytic practices or otherwise to improve the content, ads, products or services offered through the Services.
- **Functionality Related.** We use Tracking Technologies that are required to offer you enhanced functionality when accessing the Service, including identifying you when you use our Service or keeping track of your specified preferences.
- **Targeting Related.** We use Tracking Technologies to deliver content, which may include ads, including those promoted by our third party partners, that we deem relevant to your interests on our Service and third-party services based on how you interact with our advertisements and/or content. This includes using Tracking Technologies to understand the usefulness to you of the content and ads that have been delivered to you.
- **Analytics.** We use third party analytics tools, including but not limited to Google Analytics that help us understand how users engage with our Services. Like many services, these analytic tools use first-party cookies to track user interactions, as in our case, where they are used to collect information about how users use our Service. This information is, among other reasons, used to compile reports and to help us improve our Service. Other information we collect when using analytics related services include:
 - Time of visit, pages visited, and time spent on each page of the webpages
 - Referring site details (such as the URI a user came through to arrive at this site)

- Type of web browser
- Type of operating system (OS)
- Flash version, JavaScript support, screen resolution, and screen color processing ability
- Network location and IP address.

In most instances the reports disclose website trends without identifying individual visitors. You can opt out of being subjected to any of our analytic tools without affecting how you visit our Service – for more information on opting out of being tracked by Google Analytics across all websites you use, visit this Google page: <https://tools.google.com/dlpage/gaoptout>. Further, third-parties may use Tracking Technologies in connection with our Services, which may include the collection of information about your online activities over time and across third-party websites or online services as well as across your Devices. We do not control those Tracking Technologies and we are not responsible for them. However, you accept that you will encounter third-party Tracking Technologies in connection with use of our Services and accept that our statements under this Privacy Policy do not apply to the Tracking Technologies or practices of such third-parties.

(b) Location-Based Information. In connection with use of our Services we may use location-based services in order to verify your location and, if we deem appropriate, deliver relevant content and ads based on your location. We also share your location with third-parties (as set out below) as part of the location-based services we offer and for other commercial purposes. You can change the settings on your Device to prevent it from providing us with such information. This location data is collected in a form that personally identifies you and will be used by us and our partners and licensees to provide and improve the Services or for other commercial purposes. You should consider the risks involved in disclosing your location information and adjust your mobile and browser settings accordingly.

(c) Information Collected and Stored – Text Messages. After you sign up for our Services (subject to your consent where required by applicable law), we may send you text messages as part of a two-part authentication process. In addition, we may send you text messages that provide marketing, promotional, and/or other information. The Company and its third-party service providers use a variety of technologies that automatically (or passively) store or collect certain information whenever you we send you a text message. This information will be stored or accessed using a variety of technologies that will be downloaded to your mobile device whenever you receive a text message.

(d) California Do Not Track Disclosures. Various third-parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party websites or online services (e.g., browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

3. CHOICE.

We will inform you when we need information that personally identifies you (personal information) or allows us to contact you or provide you with the Services. Generally, this information is requested when you register for our Services or when you fill out our contact form on our Public Site, or sign up for our newsletter.

Company may also record information about how individuals access our Services. This information is typically not personally identifiable and may include internet protocol (IP) addresses (or the DNS name associated with it) of the individual's computer, the web site from which the individual linked to our Services, and the browser software the individual is using to access our Services. This information is used in the aggregate to administer computer systems and to make improvements to our Services.

4. WHAT WE DO WITH THE INFORMATION YOU SHARE.

Company will share your personal information with third parties only in the ways that are described in this Privacy Policy.

(a) Company shares information under the following circumstances:

- Information held in the Services may be accessed by and shared with third parties in order for to manage our offerings and programs. The Company and its third party partners may use your Information to deliver product information from third parties to you through our Services.
- We will use your information to provide the Services, and we may provide information to companies that assist us in providing Services, such as a hosting provider or a customer service provider. These companies are authorized to use your information only as necessary to provide these Services and to assist with supporting our users.
- We may share your information in response to subpoenas, court orders, and other legal processes or governmental requests, or to establish or exercise our legal rights or defend against legal claims.
- Company may share information in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, protecting and defending the rights or property of Company, its Services and its users, violations of our Terms, or as otherwise required by law.
- In the event that Company is acquired by or merged with another company, Company may share information regarding our users with that company. Company will notify you before information about you is transferred that becomes subject to a different privacy policy.

(b) Legitimate Interests. As it is in our legitimate interests to be responsive to you and to ensure the proper functioning of our Services and provide you with a user-friendly service, we will use your personal information, and/or Usage Information:

- to provide you with information such as to send you electronic correspondence or to provide you with promotional and marketing materials on behalf of us or third-parties, including to let you know about new products or services;
- manage risk, or to detect, prevent, and/or remediate fraud or other potentially prohibited or illegal activities;
- manage and protect our information technology infrastructure;
- to improve the Services, marketing endeavors or our Services offerings;
- to customize your experience on the Services or to serve you specific content or ads that we deem are relevant to you;
- to identify your Services related preferences so that you can be informed of new or additional opportunities, products, services and promotions;
- to improve the overall experience at the Services;
- to comply with our legal and regulatory obligations;

- for internal business purposes; and
- for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

(c) California Specific Privacy Rights.

This section applies with respect to any users located in the State of California. For California residents, pursuant to the California Consumer Privacy Act of 2018, as amended (“**Consumer Privacy Act**”), you may (i) elect to opt out of the sale of your “personal information” (as defined by the Consumer Privacy Act) by the Company, (ii) request that the Company and its service providers delete any of your personal information collected, (iii) request that the Company deliver to you, free of charge, any of your personal information collected over the past 12 months preceding the request, and (iv) request certain information regarding any collection, sale, and disclosure of your personal information over the past 12 months preceding the request (including the categories of personal information collected, sold, and/or disclosed for a business purpose, the categories of sources from which the information was collected, the business or commercial purpose for collecting or selling the information, the categories of third parties with whom the information was shared, and the specific pieces of the information collected).

You may opt out of the sale of your personal information by using the following links: DO NOT SELL MY PERSONAL INFORMATION. Requests may be submitted and the foregoing rights may be exercised upon notice to us at, and questions or concerns about this Privacy Policy may be directed to, at our Email Notice Address with “California Privacy Rights” as the subject line or mail us a letter to us at our Physical Notice Address. You must include your full name, email address, and postal address in your request.

The Company will honor these rights to the extent required by the Consumer Privacy Act. Any requests submitted must be verified by us before we will respond, and to enable this verification we may require you to provide us information confirming your identity, which may include any user name or password information, and the personal information matching that which we have in our records. You may submit requests through an authorized agent given authority through a power of attorney form or other authorization acceptable to and verified by us. The Company will not discriminate against users based on their exercise of any of the rights under the Consumer Privacy Act, provided that the Company may charge different prices to users based on the value of the data they provide.

The types of personal information collected in the last 12 months and how this information has been shared are as described in this Privacy Policy.

In addition, California Civil Code Section 1798.83, known as the “Shine The Light” law, permits customers who are California residents to request and obtain from us a list of what personal information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. Requests may be made only once a year and are free of charge. Under Section 1798.83, we currently do not share any personal information with third parties for their direct marketing purposes.

(d) Nevada Privacy Rights – “Do Not Sell My Personal Information”. We may elect to share information about you with third-parties for those third-parties’ direct marketing purposes. Nevada Revised Statutes §§ 603A.300-.360 permits Nevada residents who have supplied personal information (as defined in the law) to us to, under certain circumstances, request and opt out of the sale of your personal information to third-parties for their direct marketing purposes. If this law applies to you, and you wish to make such a request, please provide sufficient information for us to determine if this applies to you, attest to the fact that you are a Nevada resident and provide a current Nevada address for our response. To make such a request, please contact us at our Email Notice Address with “Nevada Privacy Rights” as the subject line or mail us a letter at our Physical Notice Address. You must include your full name, email address, and postal address in your request.

5. ACCESS AND CONSENT.

Upon request, Company will grant you reasonable access to personal information that it holds about you and was collected on any Public Site. Company will take reasonable steps to permit individuals to correct, amend, or delete information about them that is shown to be inaccurate or incomplete.

In addition, Company allows users to modify the level of communications that you receive related to our Services by contacting us at our **Email Notice Address** or 1-800-INNOPAK (1-800-466-6725) to obtain current information about how to modify the types of information that you receive from Company.

6. STANDARD CONTRACTUAL CLAUSES

To the extent Company has agreements in place with any affiliates or subprocessors, each who may have access to the personal data, such agreements shall incorporate the EU Commission approved Standard Contractual Clauses ("**Standard Contractual Clauses**").

7. DATA TRANSFERS.

(a) Onward Transfer. Company will not disclose any personally identifiable information to a third party who is not a Company contractor or agent ("**Agent**") except as outlined above. For third parties acting as an Agent, Company will ascertain that the third party follows the Standard Contractual Clauses, is subject to the EU Data Protection Directive, or has entered into an agreement with Company that is consistent with the applicable or required principles.

In the context of an onward transfer, Company has responsibility for the processing of personal information it receives pursuant to the Standard Contractual Clauses and subsequently transfers to an Agent on its behalf. Company shall remain liable as provided under the Standard Contractual Clauses if its Agent processes such personal information in a manner inconsistent with such principles, unless Company proves that it is not responsible for the event giving rise to the damage.

(b) Data transfer to other controllers. Principally, your any personally identifiable information is forwarded to other controllers only if required for the fulfillment of a contractual obligation, or if we ourselves, or a third party, have a legitimate interest in the data transfer, or if you have given your consent. Additionally, data may be transferred to other controllers when we are obliged to do so due to statutory regulations or enforceable administrative or judicial orders

(c) Service providers (general). We involve external service providers with tasks such as sales and marketing services, contract management and processing, payment handling (where applicable), programming, and data hosting. We have chosen those service providers carefully and monitor them on a regular basis, especially regarding their diligent handling of and protection of the data that they store. All service providers are obliged to maintain confidentiality and to comply with the statutory provisions. Service providers may also be our affiliates.

8. SECURITY.

Company takes reasonable technical, administrative and physical measures to protect the security of your personal information from unauthorized use, disclosure and alteration.

When you place orders or access your account or any personal account information you're utilizing a secure connection via SSL, which encrypts your personal information before it's sent over the Internet.

Company provides information and training to all employees who have access to personally identifiable data maintained by Company, and Company employees are responsible for the internal security of such information.

Company takes all reasonable measures to ensure that such information is reliable for its intended use, and is accurate, complete and current.

Inside the Company, data is stored in password-controlled servers with limited access.

You also have a significant role in protecting your information. No one can see or edit your personal information without knowing your user name and password, so do not share these with others.

9. USERS OUTSIDE OF THE UNITED STATES

(a) Transfer of Your Information. Our Services are operated in the United States and intended primarily for users located in the United States. While we do market our Services to users outside the United States we do not do so in any material manner. As such, if you are located outside of the United States, please be aware that information we collect, including personal information, will be transferred to, and processed, stored and used in the United States in order to provide the Services to you. Where GDPR applies and our processors of your personal information are located outside the European Economic Area, such transfer will only be to a recipient country that ensures an adequate level of data protection, or with your explicit consent.

(b) Additional Rights Provided to EU Individuals.

- **Access and Portability:** You have the right to ask us to access the information we hold about you, including personal information, and be provided with certain information about how we use your such information and who we share it with. Where you have provided your personal information to us with your consent, you have the right to ask us for a copy of this data in a structured, machine readable format, and to ask us to share (port) this data to another data controller.
- **Right to deletion:** In certain circumstances, you have the right to ask us to delete personal information we hold about you:
 - where you believe that it is no longer necessary for us to hold your data including personal information;
 - where we are processing your personal information on the basis of legitimate interests and you object to such processing and we cannot demonstrate an overriding legitimate ground for the processing;
 - where you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; or
 - where you believe the personal information we hold about you is being unlawfully processed by us.
- **Restriction:** In certain circumstances, you have the right to ask us to restrict (stop any active) processing of your personal information:
 - where you believe the personal information we hold about you is inaccurate and while we verify accuracy;
 - where we want to erase your personal information as the processing is unlawful, but you want us to continue to store it;
 - where we no longer need your personal information for the purposes of our processing, but you require us to retain the data for the establishment, exercise or defense of legal claims; or
 - where you have objected to us processing your personal information based on our legitimate interests and we are considering your objection.

In addition, you can object to our processing of your Personal Information based on our legitimate interests and we will no longer process your Personal Information unless we can demonstrate an overriding legitimate ground.

To exercise any of these rights above, please contact us at our Email Notice Address.

Please note that these rights are limited, for example, where fulfilling your request would adversely affect other individuals, where there are overriding public interest reasons, or where we are required by law to retain your personal information.

You can withdraw your consent at any time by contacting us at our Email Notice Address.

- **Complaints:** In the event that you wish to make a complaint about how we process your Personal Information, please contact us in the first instance at our Email Notice Address and we will endeavor to deal with your request as soon as possible. This is without prejudice to your right to raise a complaint with a relevant supervisory authority.

10. CHILDREN'S PRIVACY.

Company does not knowingly collect or maintain information acquired through our site from persons under 16 years of age (the "**Approved Age**"), and no part of the site or services is directed to persons under the Approved Age. Any user under the Approved Age should not use or access our site at any time or in any manner. If Company learns that personally identifiable information of persons less than the Approved Age has been collected from our site without verified parental consent, then Company will take the appropriate steps to delete this information.

11. APPLICABLE LAW; VENUE.

Any questions or concerns regarding the use or disclosure of personal information should be directed to Company pursuant to the contact information below. Company will investigate and attempt to resolve complaints and disputes regarding use and disclosure of personal information in accordance with the principles contained in this Policy.

The internal laws of the State of Ohio govern this Privacy Policy and your use of the Services, without regard to its conflicts of law provisions. You expressly agree that the state or federal courts in and for Delaware County, Ohio have exclusive jurisdiction over any claim or dispute with Inno-Pak or relating in any way to these Terms or your account or your use of the Services. You further agree and expressly consent to personal jurisdiction over you in the federal and state courts in and for Delaware County, Ohio in connection with any such dispute.

12. IN THE EVENT OF MERGER, SALE, OR BANKRUPTCY.

In the event that all or part of Company is acquired by or merged with a third party entity, Company may transfer or assign the personally identifiable information held by Company as part of such merger, acquisition, or other change of control. In the unlikely event of Company's bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, Company may not be able to control how personal information is treated, transferred, or used.

13. CHANGES TO THIS PRIVACY POLICY.

This Privacy Policy may be revised periodically by Company, as reflected by the "last updated" date below. Please revisit this page to stay aware of any changes.

14. CONTACT INFORMATION.

Company welcomes questions and comments regarding this Privacy Policy. We may be contacted at our Email Notice Address.