

## **BKM Marketing Associates, Inc. Privacy Policy**

Last updated: February 2, 2021

**BKM Marketing Associates Inc.**, owner of [bankmergermarketing.com](http://bankmergermarketing.com), recognizes that your privacy is very important and we take it seriously. Our Privacy Policy explains how we collect, use, and disclose information about you. The terms “we,” “us,” and “our” include BKM Marketing Associates Inc., and our affiliates and subsidiaries. We use the terms “member,” “you,” and “your” to mean any person using our “Platform,” which means any website, application, or products or services we offer, or when you communicate with us. This Privacy Policy applies to the processing of information about members and other individuals that we collect when you use our Platform. For information about choices that we offer under this policy, please see “Your Choices” below. This Privacy Policy does not apply to the information that you may provide to third parties, such as members, and others with whom you may share information about yourself. For California residents, additional rights and disclosures required by California law may be found in our [CCPA Privacy Notice for California Residents](#).

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### **What information do we collect about you?**

#### *Information you give to us*

In order to process your requests and orders, it may be necessary to collect personal data from you. This includes, but is not limited to: your name, address, e-mail address, date of birth, telephone number, credit/debit card information. We are unable to provide you with certain products and services if you do not provide certain information to us. You may also be asked to

provide additional (non-mandatory) pieces of information such as your interests, preferences, age, gender, feedback, and survey responses so that we can better understand our customers. You can also choose to provide such information by posting on a forum, filling out a web form or when you communicate with us. We also obtain information about you where we have the appropriate permissions to do so or as otherwise authorized by applicable law.

#### *Information we collect automatically when you use our sites or services*

We may collect information about your interaction with our sites and services from the devices you use, such as your unique device ID, device type and advertising ID. We may also collect information about your visits and activity on our Platform (and sites operated by our group companies) including the content and any advertisements that you view and interact with, the address of the site from which you arrived and other technical data about your equipment, browsing actions and patterns (such as the pages you view, the links you click, the items you add to your shopping basket, the length of your internet session, your IP address and approximate location at the time of browsing). This information is collected using cookies or similar technologies. To learn more about these technologies and your choices, please see our updated Cookie Policy.

#### *Information collected from other sources*

We may combine your information with information we collect from third parties or public sources, including analytics providers, advertising networks, and publicly available sources.

#### *Social Media*

Certain sites in our Platform may offer services that require you to set up an account prior to receiving such services. To create a secure account, you can use your email address and a password or, if the site offers a Facebook single-sign-on service, you will be able to register for and log-in to your account using your Facebook account. If you choose to use the Facebook single-sign-on service, you are granting permission to Facebook to share certain profile information with us. This will include your name, profile picture and list of friends and any other information notified to you by Facebook prior to you completing the single-sign-on authorization process. You control what social media information you allow us to have access to using the privacy settings on the applicable social media platform and any permissions you give as part of the single-sign-on authorization process.

#### *Children's data*

Our Platform is not intended for children under the age of 13. If you are under 13, please do not provide any information to us and instead ask your parent or guardian to do this on your behalf. You must be at least 18 years of age to purchase products or services from us. If you are under the age of 18, you must ensure that your parent or guardian purchases the products or services on your behalf.

## How will we use the information about you?

We will or may use your information for the following purposes:

- *Service Access and Registration*: to register you as a new customer when you purchase a product or service from us or create an account on one of our sites in order to access one of our services.
- *Sales and Fulfilment*: to process and deliver your order; to manage payments, fees and charges; to collect and recover money owed to us; to provide you with services you have requested from us when we collected the information from you.
- *Customer Relationship Management*: to contact you about your account, subscription or other order; to provide you with customer service (such as responding to questions, concerns and feedback and contacting you via email, telephone, SMS/text, post, direct message or other similar communication method for this purpose); to notify you of material changes to our terms or this Privacy Policy; to send you service related communications; to ask you to leave a review or take a survey.
- *Sweepstakes, Contests, Events, Product Trials, Surveys, Awards*: to enable you to participate in sweepstakes, contests, product trials, events, awards, surveys, polls and quizzes and to provide you with any prizes, products or awards as applicable.
- *Business Administration, Systems and Security*: to administer and protect our business and our sites such as troubleshooting, testing, system maintenance, support, reporting and hosting data; to ensure network and system security and prevent detect, mitigate and investigate fraud, security breaches and other prohibited or illegal activities; to verify your identity.
- *Data Analytics*: to measure the performance of our marketing campaigns (for example, analyzing open and click rates); to provide insight and analysis of our customers for ourselves and our business partners.
- *Marketing*: to provide you with marketing via email, post, telephone, SMS/text, social media and other digital channels (including Facebook Custom Audiences and Google Custom Match); to make suggestions and recommendations to you about goods and services that could be of interest to you.
- *Advertising*: to select and deliver advertising and content to you and measure the delivery and effectiveness of such advertising and content.
- *Personalization*: to personalize content, services and communications and target advertising, as further explained in Personalization and Advertising below.
- *Aggregation and Anonymization*: to aggregate and anonymize your data, so that we can use it to enable us to sell advertising and monitor the efficacy of our business partnerships.

### *Personalization and Advertising*

We want the ads and content displayed on our Platform to be relevant to you. Personalizing and targeting advertising, content, services and communications allows us to provide you with much of our sought-after online content for free.

We will use your information to provide you with personalized content, services and communications as well as targeted advertising on our Platform, sites operated by our group companies and selected partner sites. We do this by matching, combining or linking the different sources of information we hold about you (e.g. linking your contact or subscriber information with your activity across our Platform or by linking your activity on our Platform across all your devices using your email or social media log-in details) or by creating segments based on various factors such as your age and gender, your device details or your inferred interests. We work with data management platform providers to assist with this process.

We also use your information for retargeting (for example, you could see an advertisement on a partner site such as Facebook for a product that you have recently viewed on our sites).

These activities may involve the use of cookies and other similar technologies. To learn more or to see how you can opt out of targeted advertising, please see our updated Cookie Policy.

### *Marketing*

Where we have the appropriate permissions or as otherwise authorized by applicable law, we will use your information to market and advertise our products and services and occasionally third-party products and services that could be of interest to you including third party offers, advertisements, competitions or commercial communications by telephone (mobile and landline when available), post, electronic messaging (including SMS and MMS), email, online or via applications. You could be contacted directly by our third-party service providers for these purposes.

You can always tell us that you wish to stop receiving direct marketing communications from us. But remember, if you do not want us to get in touch, you will miss out on offers.

If you would prefer not to receive direct marketing communications, simply let us know at any time by writing Bruce McMeekin, CEO at [bmcmeekin@bkmmarketing.com](mailto:bmcmeekin@bkmmarketing.com) or by following the opt-out instructions in the relevant communication. Please note that this will not stop you from receiving service messages from us.

### **What is our legal basis for processing your data?**

*We rely on one or more of the following legal bases when processing your data:*

**Fulfilling a contract with you and providing you with our services, or to comply with a legal obligation, including to:** register you as a new customer or create an account on one of our sites in order to access one of our products and services; process and deliver your order; manage

payments, fees and charges; collect and recover money owed to us; contact you about your account, subscription or other order; provide you with customer service (such as responding to questions, concerns and feedback and contacting you via email, telephone, SMS/text, post, direct message or other similar communication method for this purpose); send you service related communications; provide you with services you have requested from us when we collected the information from you; enable you to participate in sweepstakes, contests, product trials, events, awards, surveys, polls and quizzes and provide you with any prizes, products or awards as applicable; notify you of material changes to our terms or this Privacy Policy; administer and protect our business and our sites such as troubleshooting, testing, system maintenance, support, reporting and hosting data necessary to ensure network and system security and prevent detect, mitigate and investigate fraud, security breaches and other prohibited or illegal activities; verify your identity.

**Our legitimate interests (to run an effective and successful business), or the legitimate interests of a third party, where not outweighed by your interests, including to:** measure the performance of our marketing campaigns (for example, analyzing open and click rates); provide you with marketing via post, telephone, social media and other digital channels (including Facebook Custom Audiences and Google Custom Match); provide you with marketing via email where you have purchased goods or services from us; ask you to leave a review or take a survey; administer and protect our business and our sites such as troubleshooting, testing, system maintenance, support, reporting and hosting data; use data analytics to provide insight and analysis of our customers for ourselves and our business partners; make suggestions and recommendations to you about goods and services that could be of interest to you; select and deliver advertising and content to you and measure the delivery and effectiveness of such advertising and content; personalize content, services and communications and target advertising; to aggregate and anonymize your data, so that we can use it to enable us to sell advertising and monitor the efficacy of our business partnerships. The legitimate interests we rely on for this processing are: to keep our records updated; to study how customers use our products and services; to improve the customer experience; to develop our products and services; to develop and grow our business; to run our business; to provide administration and IT services; for network security and fraud prevention; in the context of a business reorganization or a group restructuring exercise; to inform our marketing and content strategy; to keep our sites and content updated and relevant.

**Your consent, including to:** provide you with marketing via email, SMS/text, post and telephone, including from our third-party service providers. You can withdraw your consent at any time – see *Marketing*, above, for further information.

### **What will we disclose and share with third parties?**

We share your personal data with our third-party service providers for the purposes outlined in this Privacy Policy, such as to enable them to process a request, order or service; to supply you with a prize in the event you win a competition; or in order to obtain information. We may use a

number of IT service providers inside and outside the European Union to store data and customer management information, provide disaster recovery services, and related IT services that we need to conduct our business and perform any contract we enter into with you. Any third parties we contract with to process your data on our behalf are subject to contractual obligations to protect the security of your data in accordance with the terms of this Privacy Policy and, where your data is transferred outside of the European Union, we make sure there are adequate protections in place – see the section entitled *International Transfers* below for further information.

We share your information with advertisers, ad servers, ad networks and content recommendation services to select and deliver advertising and content, and target and personalize advertising and content both on our sites and on selected partner sites. This will not include any information which directly identifies you in the real world, such as your name, email address, address or phone number. However, by interacting with or viewing an advertisement or content, you should be aware that the third party could make the assumption that you meet the targeting criteria used to display the advertisement or content. We also share your information with analytics and search engine providers to assist us in the improvement and optimization of our sites.

We may merge with or be acquired by another business. If this happens, we share the information that relates to you with that other business. You will be sent notice of such an event.

We reserve the right to disclose your personal data in order to comply with the law, applicable regulations and government requests. We also reserve the right to use such information in order to protect our operating systems and integrity as well as other users.

### **How do we protect your information?**

Once we have received your data we will take steps to ensure that it is treated in accordance with any applicable laws. Unfortunately, the transmission of information via the internet is not completely secure. Although we will do our best to protect your personal data, we cannot guarantee the security of your data transmitted to our site; any transmission is at your own risk.

#### *Other websites*

Please note that clicking on links and advertisements on our sites could result in you being transferred to another website, where data privacy practices vary from ours. If transferred to another website you should consult their privacy policy as we are not responsible for, and have no control over, information that is submitted to or collected by these third parties.

### **How long do we keep your information?**

We are required by law to keep certain information about our customers (such as financial and transaction related data) for seven years after they cease being customers for tax purposes. We may adjust this retention period to comply with changes in the law.

Our data retention periods vary depending on the context of the services that we provide to you and our legal obligations. To determine the appropriate period for which we keep your data, we consider the amount, nature and sensitivity of your data, the potential risk or harm from unauthorized use or disclosure of your personal data, the purposes for which we process that data (and whether we can achieve those purposes through other means), and applicable legal requirements.

### **International Transfers of Data and Information**

If you choose to provide us with personally identifiable information, it may be stored in the United States and in other jurisdictions. If you are visiting our Platform from the European Union or other regions with laws governing data collection and use, please note that your personally identifiable information may be transferred to the United States, and to other jurisdictions, which may not have the same data protection laws as the European Union and may not afford many of the rights conferred upon data subjects in the European Union. You acknowledge that you understand: (i) your personally identifiable information may be used for the uses identified above in accordance with this Privacy Policy; and (ii) your personally identifiable information may be transferred to the United States, or other jurisdictions as indicated above.

### **Our Security Policy**

Our Platform is hosted in the USA and we conduct all of our business from our office located in the USA. Accordingly, the information which you provide to us may be transferred to countries outside the European Union. By submitting your personal data, you're agreeing to the transfer, storing and processing of your data outside of the European Union. Your data may be transferred to countries that do not have the same data protection laws as the country from which you initially provided the information.

We have taken steps to build our Platform using sophisticated encryption and authentication tools to protect the security of your personal data. When we collect your personal data through our Platform, we will encrypt your personal data before it travels over the Internet using industry standards as establishing for conducting secure online transactions. We also use industry standard technologies such as secure routers and fire walls to make sure that your personal information is safe. Unfortunately, we cannot fully guarantee secure data transmission over the Internet because of its nature.

Once we receive your personal data, we have industry standard security measures in place to protect against the loss or misuse of your personal data, though again, we cannot fully guarantee against such loss or misuse. We strongly urge you to protect any password you may have for our Platform and not share it with anyone. You should always log out of our Platform when you are done using it, especially if you are sharing a computer with someone else or are using a computer in a public place.

### **Your Rights**

You have certain rights in relation to the personal data we hold about you, which we detail below. Certain rights only apply in specific circumstances as set out in more detail below. We have also described how you may exercise those rights. When you exercise your rights, we need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We will also contact you to ask you for further information in relation to your request to speed up our response.

***You have the right to:***

- **Request access to your personal data.** This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- **Request correction of the personal data that we hold about you.** This enables you to have any incomplete or inaccurate data we hold about you corrected, though we need to verify the accuracy of the new data you provide to us.
- **Request erasure of your personal data.** This enables you to ask us to delete or remove personal data where there is no legitimate reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we could have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we are not always able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
- **Object to processing of your personal data where we are relying on a legitimate interest** (or those of a third party) but you object to the processing on the ground that it impacts your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes (more information on your marketing choices can be found in the Marketing section above). In certain cases, we will demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing of your personal data.** This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data to you or to a third party.** We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated

information which you initially provided consent for us to use or where we used the information to perform a contract with you.

- **Withdraw consent at any time where we are relying on consent to process your personal data.** However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

If you wish to exercise any of the rights set out above, please contact us using the details provided in the How to contact us section below.

## CCPA PRIVACY NOTICE FOR CALIFORNIA RESIDENTS

Effective: January 1, 2020

This PRIVACY NOTICE FOR CALIFORNIA RESIDENTS supplements the information contained in the Privacy Statement of **BKM Marketing Associates Inc.** and its subsidiaries (collectively, “we,” “us,” or “our”) and applies solely to visitors, users, and others who reside in the State of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this notice.

### Information We Collect

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information	YES

	included in this category may overlap with other categories.	
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	NO
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO

K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO
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Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - Health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - Personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from our clients or their agents. For example, from documents that our clients provide to us related to the services for which they engage us.
- Indirectly from our clients or their agents. For example, through information we collect from our clients in the course of providing services to them.
- Directly and indirectly from activity on our website ([www. https://www.bkmmarketing.com](https://www.bkmmarketing.com)). For example, from submissions through our website portal or website usage details collected automatically.
- From third-parties that interact with us in connection with the services we perform. For example, from government agencies when we prepare readiness assessments for projects that receive government funding.

#### Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. For example, if you provide us with personal information in order for us to prepare a tax return, we will use that information to prepare the return and submit it to the applicable taxing authorities.
- To provide you with information, products or services that you request from us.
- To provide you with email alerts, event registrations and other notices concerning our products or services, or events or news, that may be of interest to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collections.

- To improve our website and present its contents to you.
- For testing, research, analysis and product development.
- As necessary or appropriate to protect the rights, property or safety of us, our clients or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### Sharing Personal Information

We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category I: Professional or employment-related information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Service providers.
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.

In the preceding twelve (12) months, we have not sold any personal information.

### Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

#### *Access to Specific Information and Data Portability Rights*

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### *Deletion Request Rights*

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.

9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

#### *Exercising Access, Data Portability, and Deletion Rights*

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 781-741-8005
- Emailing us at [info@bkmmarketing.com](mailto:info@bkmmarketing.com)

Only you or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

#### *Response Timing and Format*

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### Do Not Sell My Personal Information

The CCPA requires businesses to provide a web page where consumers can opt out of the "sale" of their Personal Information. The link to our Do Not Sell web form is <https://www.bkmmarketing.com/connect>. Please write your request in the details box.

### Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will notify you by email or through a notice on our website homepage. Your continued use of our Website and/or Services following the posting of changes constitutes your acceptance of such changes.

### Contact Information

If you have any questions or comments about this notice, our Privacy Statement, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 781-741-8005

Website: <https://www.bkmmarketing.com/>

Email: [info@bkmmarketing.com](mailto:info@bkmmarketing.com)

Company Name and Address: BKM Marketing Associates, Inc.; 75 Sgt William Terry, Suite 2035, Hingham, MA 02043 Attn: Bruce McMeekin, CEO

To fill out a Data Information or Deletion Request, click here(<https://www.bkmmarketing.com/connect>) and write your request in the details box.

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Do Not Sell My Personal Information: click here (<https://www.bkmmarketing.com/connect>) and write your request in the details box.

## **Cookies, Pixels and Tracking**

Like many other websites, we and our third-party service providers use cookies, clear GIFs/pixel tags, JavaScript, local storage, log files, and other mechanisms to automatically collect and record information about your usage and browsing activities on the Platform and across third party sites or online services. A cookie is a small piece of data stored on your computer or mobile device by your web browser. We use cookies to identify the areas of our Platform that you have visited. We also use cookies to enhance your online experience by eliminating the need to log in multiple times for specific content. Finally, we may use cookies to personalize the content that you see on our Website or to customize marketing and other information we provide to you. We may combine this information with other information we collect about users.

Most web browsers can be set to disable the use of Cookies, and our Website contains buttons that allow you to opt-in and opt-out to various types of communications from us. However, if you disable or do not opt-in to our use of Cookies, you may not be able to access features on our Website correctly or at all.

For more detailed information about these mechanisms and how we collect activity information, see our Cookie Policy.

## **Dispute Resolution**

By using the Platform, you and BKM Marketing Associates, Inc. agree that, if there is any controversy, claim, action, or dispute arising out of or related to your use of the Platform, or the breach, enforcement, interpretation, or validity of this Privacy Policy or any part thereof (“Dispute”), both parties shall first try in good faith to settle such Dispute by providing written notice to the other party describing the facts and circumstances of the Dispute and allowing the receiving party 30 days in which to respond to or settle the Dispute. Notice shall be sent to 75 Sgt. William B. Terry Drive, Suite 2035, Hingham, MA 02043

Both you and BKM Marketing Associates, Inc. agree that this dispute resolution procedure is a condition precedent that must be satisfied before initiating any litigation or filing any claim against the other party.

IF ANY DISPUTE CANNOT BE RESOLVED BY THE ABOVE DISPUTE RESOLUTION PROCEDURE, YOU AGREE THAT THE SOLE AND EXCLUSIVE JURISDICTION FOR SUCH DISPUTE WILL BE DECIDED BY BINDING ARBITRATION ON AN INDIVIDUAL BASIS. ARBITRATION ON AN INDIVIDUAL BASIS MEANS THAT YOU WILL NOT HAVE, AND YOU WAIVE, THE RIGHT FOR A JUDGE OR JURY TO DECIDE YOUR CLAIMS, AND THAT YOU MAY NOT PROCEED IN A CLASS, CONSOLIDATED, OR REPRESENTATIVE CAPACITY. Other rights that you and we would have in court will not be available or will be more limited in arbitration, including discovery and appeal rights. All such Disputes shall be exclusively submitted to Bruce McMeekin, CEO at (or to the alternative dispute resolution we select, in our sole discretion) for binding arbitration under its rules then in effect in the State of Massachusetts before one arbitrator to be mutually agreed upon by both parties.

The arbitrator, and not any federal, state, or local court or agency, shall have exclusive authority to resolve any dispute arising under or relating to the interpretation, applicability, enforceability, or formation of this Privacy Policy, including any claim that all or any part of this Privacy Policy is void or voidable.

### **Choice of Law and Forum**

You agree that the laws of the State of Massachusetts govern the Privacy Policy and any claim or dispute that you may have against us, without regard to conflict of laws rules. The parties acknowledge that this Privacy Policy evidences a transaction involving interstate commerce. Notwithstanding the foregoing with respect to applicable substantive law, any arbitration conducted pursuant to the terms of this Privacy Policy shall be governed by the Federal Arbitration Act (9 U.S.C., Secs. 1-16).

You further agree that any disputes or claims not subject to the arbitration provision discussed above shall be resolved by a court located in the State of Massachusetts, Plymouth County, and you agree and submit to the exercise of personal jurisdiction of such courts for the purpose of litigating any such claim or action. PLEASE NOTE THAT BY AGREEING TO THIS PRIVACY POLICY, YOU ARE: (1) WAIVING CLAIMS THAT YOU MIGHT OTHERWISE HAVE AGAINST US BASED ON THE LAWS OF OTHER JURISDICTIONS, INCLUDING YOUR OWN; (2) IRREVOCABLY CONSENTING TO THE EXCLUSIVE JURISDICTION OF, AND VENUE IN, STATE OR FEDERAL COURTS IN THE STATE OF MASSACHUSETTS FOR ANY DISPUTES OR CLAIMS BROUGHT UNDER THIS PROVISION; AND (3) SUBMITTING YOURSELF TO THE PERSONAL JURISDICTION OF COURTS LOCATED IN THE STATE OF MASSACHUSETTS, PLYMOUTH COUNTY FOR THE PURPOSE OF RESOLVING ANY SUCH DISPUTES OR CLAIMS.

### **Changes to our Privacy Policy**

We keep this Privacy Policy under review and will update it to reflect changes in our privacy practices. Any updates will be made on this page so that you can always find out what information we collect, how we use it and under what circumstances we will disclose it.

### **How to contact us**

If you have any queries relating to this Privacy Policy please contact us by writing to

BKM Marketing Associates, Inc.  
Attn: Privacy Officer  
75 Sgt. William B Terry Drive, Suite 2035  
Hingham, MA 02043

Email: [bmcmeekin@bkmmarketing.com](mailto:bmcmeekin@bkmmarketing.com)

Phone: (781) 741-800