

PRIVACY POLICY

At ProLook, we believe it is important to protect and respect the privacy of our customers and visitors to our website and/or mobile application (collectively the “Site”). We are committed to ensuring your privacy as a guest and a customer as set forth below, and we know you care about how your personal information is collected, used, and shared.

ProLook is based in Texas and is only required to comply with Texas and applicable US data and privacy laws. Do not use the Services if any provision of this Privacy Policy does not comply with any laws of your jurisdiction.

GENERALLY

What kinds of information do we collect?

Depending on which Services or products you use, we collect different kinds of information from or about you. The Site also may automatically collect information about visits to the website, including, but not limited to, interaction with the Site, purchase history, the browser used, the URLs from where the user came, the computer’s operating system, the user’s IP address, and other usage and browsing information.

Who is collecting the data?

The Site and collaborating third parties, such as survey providers and/or service providers, will collect data from users, to provide service to our customers.

What data is being collected?

We collect data including, but not necessarily limited to, demographic data, email address, location, phone numbers, and user’s participations in the Site.

Your Rights Regarding the Data We Collect

With respect to the data we collect from you, you have the following rights:

- 1) the right to be informed about the data we collect;
- 2) the right to access and review the data we have collected from you;
- 3) the right of rectification or correction of any data we have collected from you;
- 4) the right to have any/all data we collect removed;
- 5) the right to restrict how we process data we collect from you;
- 6) the right to data portability;
- 7) the right to object to our collection of data; and
- 8) the right to prevent direct marketing, automated decision-making, and profiling.

If you wish to take advantage of any of the above rights, please contact us and we will comply at no charge to you.

Data Retention Period

We typically maintain your data for as long as you use our Site and/or our Services or products. We also reserve the right to retain any/all data from our users and former users indefinitely unless/until the user requests deletion of their data, or in the event we are legally required to remove the data, whichever occurs first.

We will generally only retain your Personal Information for so long as is necessary to fulfill the purposes for which it was collected, as set out under this section above. However, in the following circumstances, we may be required to retain, preserve, or disclose your Personal Information for a longer period of time:

- in order to comply with applicable laws or regulations;
- in order to comply with a court order, subpoena or other legal process;
- in response to a request by a government authority, law enforcement agency or similar body (whether situated in your jurisdiction or elsewhere);
- where we believe it is reasonably necessary to comply with applicable laws or regulations;
- or
- in order to enforce the ProLook Terms of Use or this Privacy Policy, protect our rights, property or safety, or the rights, property or safety of our affiliate companies or other users of ProLook.

How we use collected information?

ProLook may collect and use a user's personal information for the following purposes:

Providing and improving our products.

We deliver our Services, personalize content, and make suggestions for you by using this information to understand how you use and interact with our Services and the people or things you're connected to and interested in on and off our Services.

We also use information to provide shortcuts and suggestions to you.

When we have location information, we use it to tailor our Services for you and others.

We conduct surveys and research, test features in development, and analyze the information that we have to evaluate and improve products and services, develop new products or features, and conduct audits and troubleshooting activities.

Promoting safety and security.

We use the information we to help verify accounts and activity, and to promote safety and security on and off our Services, such as by investigating suspicious activity or violations of our terms or policies.

Communicating with you.

We use your information to send you marketing communications, communicate with you about our Services, and let you know about our policies and terms. We also use your information to respond to you when you contact us.

Sending emails or pushing notifications.

We may occasionally also send emails such as company news, updates, related product or service information, etc., and we will use your basic personal information to respond to inquiries, questions, and/or other requests. We may also use your Personal Information for the purpose of sending you direct marketing (whether by messaging within our Services, by email, or by other means) that offer or advertise our products and Services and/or the products and services of selected third parties. You may at any time change your preferences or turn off notifications, which will alter or cease the specific notifications you receive. You may also cancel your account at any time, in which case we will cease sending you reminder emails, but you may continue getting shared content from others until you specifically turn off those notifications. We may use a third-party mailing list service for company announcements or occasional marketing emails, and you may need to unsubscribe from these emails separately than other types of emails.

This Privacy Policy describes our policies and practices in the areas of: *Notice, Disclosure of Collected Information, Security, and Enforcement*. We urge you to read this Privacy Policy so that you will understand both our commitment to you and your privacy, and how you can participate in that commitment.

1. Notice

- a. **General.** In general, you can browse the Site without telling us who you are or revealing any personal information about yourself. We will ask you when we need information that personally identifies you or allows us to contact you (“Personal Information”). Generally, this information is requested when you contact us for information or place an order for our products/services. We use your Personal Information for the following primary purposes:
 1. To facilitate your orders of our products/services.
 2. To make our Site easier for you to use by not having to enter information more than once.
 3. To help you quickly find information on the Site.

4. To alert you to special offers, updated information and other services from our company, affiliates, and business partners.
- b. **Collected Information.** ProLook may collect information from you in several different ways including the following:
1. **Registration.** When you register or sign up for an account, you are required to give certain personally identifiable information, such as your name, address, e-mail address, and phone number. Additionally, when you register one of our products that you have purchased, or when one of our sales agents registers a product on your behalf, we may request certain Personal Information. We use this information to contact you about the products and services on our Site in which you have expressed interest.
 2. **Order.** If you purchase or download a product or service from us, we request certain personally identifiable information from you. You must provide contact information (such as name, e-mail, and address) and, where applicable, financial information (such as credit card number, expiration date). We use this information for billing purposes. If we have trouble processing an order, we will use this information to contact you.
 3. **Requests.** When you request information from us, by phone or e-mail, through the Site, or by requesting to join our mailing list, we may collect certain personally identifiable information from you. We use this information to provide you with information, customer service, or other services related to your request.
 4. **Log Files.** As is true of most websites, we gather certain information automatically and store it in log files. This information includes Internet Protocol (IP) addresses, browser type, Internet Service Provider (ISP), referring/exit pages, operating system, date/time stamp, and movements around the site, and to gather demographic information about our user base. We do not link this automatically collected data to personally identifiable information.
 5. **Correspondence.** If you send us personal correspondence, such as an email or letter, we may collect such information into a file specific to you.
 6. **Links.** The Site may contain links to other sites. However, please be aware that ProLook is not responsible for and cannot control the privacy policies of such other sites. We encourage you to be aware when you leave the Site, and to read the privacy policies of every web site that collects personally identifiable information. This Privacy Policy applies solely to information collected by the Site.

- c. **Site Usage.** ProLook may monitor your activities, preferences, and transactional data (such as your IP address) relating to your use of the Site and/or Services and log this information. This information may be used to diagnose Site technical problems. We also use personal and non-personal information in aggregate or statistical form in order to improve our products, services and procedures. This means that information from many persons and/or web site visits is grouped together in a way that does not disclose the personal information of any particular person. For example, we track how many people have expressed interest in a particular product and what kinds of web browsers are most often used when visiting our web site. Among other things, this information helps us determine which of our products and services are successful and which should be changed or discontinued.
- d. **Cookies.** Cookies are data files that are written onto your computer by a website and stay there unless they expire or are removed by you. Cookies enable us to recognize your computer when you revisit the Site and recall your Site preferences to enhance your experience in using the Site. We do not use cookies to collect or use any information about your visits to other websites and do not knowingly allow any third party to create cookies or otherwise collect any information from our Site. Consult your browser Help menu to learn more about how you can configure your browser software to notify you when your computer receives a new cookie. Note that you may also be able to configure your browser to disable the creation of cookies entirely (although your full interactive use of the Site may be adversely impacted if you do this. For example, you may not be able to place on-line orders for our products.) This Privacy Policy covers the use of cookies by this Site only and does not cover the use of cookies by any advertisers or third parties.
- e. **Web Beacons.** Web beacons are very small, invisible graphics present on web pages or emails that help us track when the page or email has been accessed. Some parts of the Site, emails and other files may use web beacons, also known as clear gif technology or action tags. We do not use web beacons to collect, use or store any Personal Information about you.
- f. **Customer Service.** Based upon the personally identifiable information you provide, we may send you a confirmation e-mail to act as a receipt of your purchase. We will also communicate with you in response to your inquiries and to provide the services you request.

2. Disclosure of Collected Information

- a. **Information from the Site.** ProLook will never disclose to non-affiliated third parties without your prior approval, your e-mail address, phone number, or other personal information, that we collect via the Site. However, we reserve the right to outsource certain activities such as mass mailings, order fulfillment, shipping and credit card processing, on a limited basis, to certain third parties. In such cases, we strictly limit the information provided to these third parties to the minimum necessary for them to perform the functions for which we have retained them and prohibit them from using the information for any other purpose or retaining it after it is no longer needed.

b. **Law Enforcement.** ProLook, however, will cooperate with official law enforcement inquiries, such as fraud investigations and subpoenas, and will disclose your information when necessary to comply with state and federal laws and regulations.

c. **Disclaimer.** We cannot ensure that all of your private communications and other personal information will never be disclosed in ways not otherwise described in this Privacy Policy. By way of example (without limiting the foregoing), we may be forced to disclose personal information to the government or third parties under certain circumstances, third parties may unlawfully intercept or access transmission or private communications, or users may abuse or misuse your personal information that they collect from the Site.

d. **Children 13 Years of Age and Younger.** We follow the requirements of COPPA (Children's Online Privacy Protection Act), as we do not knowingly collect any information from anyone under 13 years of age. The Sites is not intended for children under 13 years of age, and we do not knowingly collect personal information from children under 13. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information.

3. Security

ProLook is committed to ensuring that your ordering information, including your customer information, is protected while you are on the Site. ProLook uses appropriate and reasonable measures to maintain the security of your personal information. This includes procedures followed by our personnel to prevent data loss or theft, physical security of our servers and information stores and electronic security such as firewalls, password-protected databases and secure connections.

ProLook may use certain third parties for services such as advertising, marketing, and order fulfillment. We only work with third parties whose privacy policies and security practices are equal to or more stringent than our own and who agree to strictly limit their use of the information we provide them to fulfill the functions for which they have been retained.

You should be aware, however, that no data transmitted over the Internet, sent through the mail, or stored on a computer is 100% secure and that we cannot guarantee the security of your personal data while in transmission to us. Public computers should never be considered secure. You should never give out personal information on message board, in chat rooms and other publicly viewable locations.

In addition, there exist malicious programs, typically called computer viruses or trojan horses, which can be used to capture information off your computer's hard drive or while you are entering it into a web form or sending it by email. You should always use the appropriate anti-virus and personal security technology to protect yourself. Lastly, if you have been assigned a login ID and/or password for use on a ProLook system (for example, a login for our web store to purchase products/services), you should never give out that information to others.

4. Enforcement

If for some reason you believe ProLook has not adhered to the principles of this Privacy Policy, please notify us, and we will do our best to determine and correct the problem promptly.

a. ***Limitations of Warranties and Remedies.*** TO THE FULL EXTENT ALLOWED BY LAW, PROLOOK DISCLAIMS ALL WARRANTIES, TERMS OR CONDITIONS, EXPRESS OR IMPLIED, EITHER IN FACT OR BY OPERATION OF LAW, STATUTORY OR OTHERWISE, INCLUDING WARRANTIES, TERMS, OR CONDITIONS OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND WARRANTY OF NONINFRINGEMENT. PROLOOK NEITHER ASSUMES NOR AUTHORIZES ANY OTHER PERSON TO ASSUME FOR IT ANY OTHER LIABILITY IN CONNECTION WITH THE SALE, AND USE OF THE PRODUCTS AND SERVICES. PROLOOK'S LIABILITY WILL NOT EXCEED THE FEE PAID BY THE CUSTOMER FOR THE PURCHASE OF THE PRODUCTS. IN NO EVENT WILL PROLOOK BE LIABLE FOR ANY INCIDENTAL, CONSEQUENTIAL, PUNITIVE OR SPECIAL DAMAGES, INCLUDING, WITHOUT LIMITATION, LOST PROFITS OR REVENUES, EVEN IF PROLOOK HAS, OR SHOULD HAVE HAD, ANY KNOWLEDGE, ACTUAL OR CONSTRUCTIVE, OF THE POSSIBILITY OF SUCH DAMAGES.

b. ***Indemnification.*** Each of the parties acknowledges and agrees that by entering into and performing its obligations under this Privacy Policy, ProLook will not assume and should not be exposed to the business and operational risks associated with Your business. You agree to defend, indemnify, and hold harmless ProLook and its officers and employees against any and all third-party claims, suits, costs, losses liabilities and expenses of any kind (including reasonable attorneys' fees) that ProLook may incur arising out of or resulting from the use of the Site or any of the goods and services of ProLook, the end user, or any other person.

c. ***Choice of Law and Venue.*** THIS AGREEMENT WILL BE CONSTRUED AND GOVERNED IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS WITHOUT APPLICATION OF CHOICE-OF-LAW PROVISIONS THAT WOULD REQUIRE APPLICATION OF THE LAWS OF ANOTHER JURISDICTION. BY ENTERING INTO THIS AGREEMENT, ALL PARTIES IRREVOCABLY SUBMIT THEMSELVES TO THE EXCLUSIVE JURISDICTION OF THE STATE AND FEDERAL COURTS IN SMITH COUNTY, TEXAS WITH REGARD TO ANY DISPUTE RELATING TO THIS PRIVACY POLICY OR ITS ENFORCEMENT. THE PARTIES ALSO HEREBY WAIVE ANY CHALLENGE TO VENUE THEY MAY HAVE TO A LAWSUIT FILED IN A STATE OR FEDERAL COURT IN SMITH COUNTY, TEXAS, RELATING TO A DISPUTE BETWEEN THE PARTIES RELATING TO THIS PRIVACY POLICY OR ITS ENFORCEMENT.

d. ***Severability.*** If any provision of this Agreement is found to be invalid, illegal, or unenforceable, the validity, legality and enforceability of any of the remaining provisions will not in any way be affected or impaired and a valid, legal, and enforceable provision of similar intent and economic impact will be substituted.

e. ***Additional Provisions Regarding Liability.*** The parties agree that the foregoing limitations will not be read to limit any liability to an extent that would not be permitted under applicable law and specifically will not limit any liability for gross negligence, intentional tortious or unlawful conduct or damages for strict liability that may not be limited by law.

f. **Notices.** Any notices or other communication required or permitted to be made or given by either Party pursuant to this Privacy Policy will be in writing, in English, and will be deemed to have been duly given when delivered if delivered personally or sent by recognized overnight express courier, to 2190 Poppyvine Road, Frisco, TX. 75033 or such other address as ProLook may specify in writing.

5. Additional Information

a. **Notification of Privacy Policy Changes.** We reserve the right to change this Privacy Policy at any time, and you may visit this page to learn of our revised Privacy Policy. All such changes shall be binding on you 14 calendar days after they are initially posted on the Site unless you are a new user, in which case they are binding on you immediately.

b. **Business Transition.** In the event we go through a business transition, such as a merger, acquisition by another company, or sale of all or a portion of our assets, your personally identifiable information will likely be among the assets transferred.

c. **Contact Us.** If you have any questions or suggestions regarding our privacy policy, please contact us via support@prolook.app.

d. **Representations and Warranties.** By using this Site, you represent that you are seeking this Site for personal reasons and that you are not an attorney or an agent of an attorney investigating a potential claim related to the Site, any material available through the Site, or ProLook. You also represent that you are not engaging in activities to reverse engineer the Site, portions of the Site, or any materials available through the Site. You also represent that any information you provide is true and accurate.