

the dtx company

NOTICE AT COLLECTION AND PRIVACY POLICY

Effective Date: July 3, 2020

NOTICE AT COLLECTION

This Notice at Collection and the rest of our Privacy Policy below cover the practices of the dtx company and its business operations, including Flowcode and Flowpage (collectively, “dtx”) concerning personal information we obtain in connection with our websites (the “Sites”), Flowpages, and other services, features, content, technology and applications, including, for example, our [QR codes](#) known as Flowcodes (collectively with the Sites and Flowpages, the “Services”).

We help participating companies (“Brands”), creators of Flowcodes and/or Flowpages (“Creators”) and consumers build connections. Sometimes we do this – and provide other aspects of our Services to Brands, Creators and consumers – by collecting information through Flowpages, Flowcodes or through the websites, applications or other online properties of Brands and Creators that use our Services.

This notice summarizes the information we collect and the purposes for which we collect it. For more detail, please read the rest of our Privacy Policy after reviewing this Notice at Collection.

Data collected when you scan one of our QR Codes:

- A record of the specific QR Code you scanned;
- Information about your device, such as its current IP address, the operating system and the browser used by the device;
- Unique cookie IDs we or our partners assign to your browser; and
- Inferences drawn from any of the above.

Data collected in other contexts (other than through our provision of QR Codes):

- Contact information, such as name, username, email address, phone number and address, and professional or employment-related data (such as title);
- Information about your purchases;
- Payment details, such as payment card number;
- Information about your interests and preferences;
- Information about your device or browser, that we collect through automated means such as cookies and other technology (e.g., unique browser identifiers, IP address, browser and operating system information, device identifiers; geolocation information, and internet connection information);
- Other information collected through automated means about your interactions with Brands, Creators and other partners, and about your interactions with our Sites and Services; and
- Inferences drawn from any of the above.

We use the data we collect about you for the following purposes:

- To provide our Services to Brands, Creators, users, and others;
- To improve our Services and create new ones;
- To respond to questions, concerns, or customer service inquiries, and to otherwise fulfill individuals’ requests;

- To send information about our current and future Services (or the offerings of Brands or Creators), including marketing communications by phone, email, online display advertising, and other channels;
- To analyze market conditions and use of our Services;
- To customize the content and advertising individuals see on our Sites, across the Internet, and elsewhere;
- To enforce the legal terms that govern our business relationships;
- To detect and take measures against fraud, cybersecurity violations and other risks;
- To comply with law and legal process and protect rights, safety and property;
- To create appropriately aggregated or de-identified data, which is not subject to our Notice at Collection or the rest of our Privacy Policy, and which we may use or disclose for any purpose; and
- For other purposes requested or permitted by Brands, Creators, users or other relevant individuals, as appropriate.

Californians have a right to direct us not to “sell” certain personal information as that term is defined under the California Consumer Privacy Act or CCPA. You can exercise that right by completing our CCPA Data Requests Form or emailing us at privacy@thedtxcompany.com.

PRIVACY POLICY

EFFECTIVE DATE: July 3, 2020

As explained above in our Notice at Collection, we help Brands, Creators and consumers build connections. Sometimes we do this – and provide other aspects of our Services to Brands, Creators and consumers – by collecting information through Flowpages, Flowcodes or through the websites, applications or other online properties of Brands and Creators that use our Services. In all cases, this Privacy Policy applies only to dtx’s handling of information. Brands, Creators and other third parties collect and handle information pursuant to their own policies and procedures, which differ from this Privacy Policy.

By using a Site or other Services, such as by scanning a dtx-powered QR code (such as one labeled Flowcode or Flowpage), creating a personalized QR code (“Personal QR code”) or creating a Flowpage (“Personal Flowpage”), you acknowledge the collection and handling of your information as described in this Privacy Policy.

For a PDF of this Privacy Policy, [click here](#).

1. How We Collect Information

The types of information we collect are described in our Notice at Collection at the top of this Privacy Policy.

You share some of that information with us using the information collection technology described below. We also may use that technology to collect information about you automatically.

We may also receive personal information from Brands, Creators, service providers, and data partners, as well as from publicly available sources such as websites.

If you share your Personal QR code or you share any other QR code (including through your Personal Flowpage) with another person who then scans that QR code, we may collect information from that person’s device in the same categories of information as described in the Notice at Collection and this

Privacy Policy, and that collection of information will be subject to the terms of this Privacy Policy. In addition, if a Personal Flowpage uses our contact collection widget, another person may enter additional information into the contact collection widget. In that case, our own collection and handling of such information will be subject to the terms of this Privacy Policy, but the Flowpage Creator's handling of the information will be subject to their own privacy policies and practices.

Cookies and other Information Collection Technology:

Through our Sites and other Services (including on Flowpages and in some Brands' online properties and communications), we and third parties collect information from your device by automated means such as cookies, web beacons, local storage, JavaScript, mobile-device functionality and other computer code. This information may include unique browser identifiers, IP address, browser and operating system information, device identifiers (such as the Apple IDFA or Android Advertising ID), geolocation, other device information, Internet connection information, as well as details about your interactions with the relevant website, application, email or other online property (for example, the URL of the third-party website from which you came, the pages on our Site that you visit, and the links you click on in a website). In some cases (such as cookies), the tools described here involve storing unique identifiers or other information on your device for later use.

These technologies help:

- Display personalized content;
- Facilitate online marketing;
- Remember your settings on the pages you visit so that we can display your preferred content the next time you visit;
- Perform analytics, measure traffic and usage trends, and better understand the demographics of users;
- Diagnose and fix technology problems;
- Plan for and enhance our business; and
- Facilitate the other uses and disclosures described in this Privacy Policy.

For example, in some cases, we assist with the collection of information by advertising services provided by third parties. We and ad services may track your online activities over time by collecting information through automated means such as cookies, and we or they may use this information to show you ads that are tailored to your individual interests or characteristics, your prior visits to certain websites, or other information we or they know, infer, or have collected from people like you.

To learn more about interest-based advertising generally, or to opt out of targeted, interest-based ads by some of our current ad service partners, visit aboutads.info/choices from each browser you use.

You can opt out of Google Analytics and customize the Google Display Network ads by visiting the [Google Ads Settings](#) page from each browser. Google also allows you to install a [Google Analytics Opt-out Browser Add-on](#) for each browser.

In addition, you may be able to set your browser to refuse certain types of cookies, or to alert you when certain types of cookies are being used. Some browsers offer similar settings for HTML5 local storage

and other technologies. However, if you block or otherwise reject our cookies, local storage, JavaScript or other technologies, certain websites (including some of our own Sites) may not function as expected.

If you replace, change, upgrade or reset your browser or device, or delete your cookies, you may need to use these opt-out tools again. We do not respond to browser-based do-not-track signals.

QR Codes

[Here's an example of a QR code.](#)

When you point the camera on any modern phone or tablet at a QR code, you'll either be given an option to take some action, or your device will automatically take that action. For example, when you point the camera at the QR code above, you'll see the option to visit a webpage. Some QR codes can do other things, like download some content or install an app.

When you use a dtx-powered QR code, we may collect some information about that interaction. For example, a Brand could display a dtx-powered QR code on a billboard, in an ad on TV, on the Brand's product, or anywhere else, along with an invitation to scan it to get a coupon, find out more information about a product, or purchase a product ("Brand Destination"). If you scan it, your phone may visit a dtx Site (such as flowto.it, flwc.de or shop2.it) for a split second while on its way to the Brand Destination. At the dtx Site we may collect information, such as the IP address of your device, the time of the scan, information about the browser your device uses and about your device's operating system. dtx may also use cookies and the other information collection technology [described above](#) on that dtx Site and at the Brand Destination to collect information.

2. How We Use Personal Information

We use personal information for all the purposes described in our Notice at Collection at the top of this Privacy Policy.

3. Protection of Information

Our security measures include various technological and physical safeguards. We urge you to use a unique password for each of the Services, to keep them in a safe place and not to divulge them to anyone. Also remember to sign off your account and close your browser window when you have finished your visit to the Sites or your other use of the Services. However, no security method is perfect, and even if you take those steps, we cannot guarantee that any data will remain secure.

4. How Long We Keep Your Personal Information

In general, we will retain your information in identifiable form for the time necessary to realize our legitimate business purposes and to comply with the law. Information may persist in copies made for backup and business continuity purposes for longer than original copies.

5. Sharing Your Personal Information

We may share your information with third parties as follows:

- [With Brands and Creators](#): We share information with Brands and Creators. For example, when we collect information about you in the context of your relationship with (or interaction with) a Brand or Creator, we may share that information with the Brand or Creator. We may also share personal information with Brands or Creators in other situations.

- **With Vendors:** We may share your information with companies that provide services to us, including, without limitation, facilitating some aspects of our Sites or Services such as sending emails and fulfilling customer service requests.
- **With Affiliates:** We may share information with other members of our corporate family for the purposes described in this Privacy Policy.
- **With Business Partners:** We may share information with businesses with which we partner to offer you certain products, services, and promotions which may be of interest to you.
- **Legal Proceedings:** We share information when we believe disclosure is appropriate due to a subpoena or similar investigative demand, a court order, or other request from a law enforcement or government agency; to establish or exercise our legal rights; to defend against legal claims; or as otherwise required by law;
- **Compliance:** We share information when we believe disclosure is appropriate in connection with efforts to investigate, prevent, or take other action regarding illegal activity, suspected fraud or other wrongdoing; to protect and defend the rights, property or safety of our company, our users, our employees, or others; to comply with applicable law or cooperate with law enforcement; or to enforce our Services' terms and conditions or other agreements or policies.
- **Corporate Transactions:** We may disclose your information as part of, or to take steps in anticipation of, a sale of all or a portion of our business, a divestiture, merger, consolidation, or asset sale, a bankruptcy, or other significant corporate event.

Except for recipients that receive the information under a legal or contractual obligation to handle it solely on dtx's behalf, the recipient of the information may be permitted to handle the information pursuant to its own privacy policy, not this one, subject to applicable law.

6. Marketing Messages Opt-Out

If you would like to opt out of receiving promotional emails from dtx, please contact privacy@thedtxcompany.com or follow the instructions in those messages. Please note that if you opt out, we may still send you non-promotional messages, such as communications regarding Services you have requested.

7. Use of Services by Children

Our Services are not directed at and should not be used by children under the age of 16. If we learn that we have collected the personal information of a child under the age of 16, we will delete it or take other steps if required under applicable law. Please inform us if you believe we have collected the data of a child under the age of 16 by emailing us at privacy@thedtxcompany.com.

8. Links to Third Party Web Sites

Our Services contain links to web sites, apps and other online properties operated and maintained by Brands, Creators and other third parties, over which we have no control, including but not limited to social media platforms. Privacy policies on such properties are different from our privacy policy, and you should read them right away. You access those online properties at your own risk.

9. International Data Transfers

We are headquartered in the United States, and recipients of the data disclosures described in this Privacy Policy are located in the United States and elsewhere in the world, including where privacy laws may not provide as much protection as those of your country of residence. However, this Privacy Policy applies to dtx's operations worldwide.

10. Legal Basis for Processing Personal Information

The laws in some jurisdictions require companies to tell you about the legal grounds they rely on to process your personal information. To the extent those laws apply, our legal grounds for processing personal information are as follows:

- To honor our contractual commitments to an individual: Some of our processing of personal information is done to meet our contractual obligations to the individuals to whom the personal information relates, or to take steps at their request in anticipation of entering into a contract with them. For example, when an individual purchases something from us, we may process their payment information on this basis.
- Consent: Where required by law, and in some other cases, we process personal information on the basis of consent. For example, some of our direct marketing activities happen on the basis of opt-in consent, such as sending marketing emails to individuals who have requested them.
- Legitimate interests: In many cases, we handle personal information on the ground that it furthers our legitimate interests in commercial activities, such as the following, in ways that are not overridden by the interests or fundamental rights and freedoms of the affected individuals:
 - o Customer support;
 - o Some marketing activities, including, in some cases, direct marketing such as via email;
 - o Protecting Brands, Creators, users, personnel and property;
 - o Analyzing and improving our business and Services; and
 - o Managing legal issues.

We may also process personal information for the same legitimate interests of Brands, Creators, and other business partners.

- Legal compliance: We need to use and disclose personal information in certain ways to comply with our legal obligations.

Where we process personal information solely on behalf of a Brand or Creator, the Brand or Creator is responsible for maintaining a legal basis for the processing.

11. Your Choices and Rights

You can unsubscribe from dtx marketing emails as described in section 6 above, and you can make certain choices regarding the use of cookies and similar technology as described in section 1 above. If you have established an online account with our Services, you may also be able to login to that account to access or change your personal information, or to use certain privacy preference settings.

Depending on which laws apply to particular situations, residents of the European Economic Area and some other jurisdictions have certain additional legal rights to do the following with personal information we handle:

- obtain confirmation of whether we hold personal information about them, and receive information about how it is used and disclosed;
- obtain a copy of the personal information, and in some cases, receive it in a structured, commonly used and machine-readable format, or have it be transmitted to a third party in such form;
- update, correct or delete the information;
- object to the use or disclosure of the information;
- withdraw consent previously provided for the handling of the information (without affecting the lawfulness of prior use and disclosure of the information); and
- obtain a restriction on the use of the information.

For example, individuals whose personal information is subject to the General Data Protection Regulation (GDPR) have a right to opt out of our handling of their personal information for direct marketing purposes.

Many of the rights described above are subject to limitations or exceptions under applicable law.

If you wish to exercise any of these rights, or raise a complaint on how we have handled your personal information, please contact us as described at the end of this Privacy Policy. However, in cases where we handle personal information solely on behalf of a Brand or Creator, we may need to refer your request to the Brand or Creator, depending on our arrangement with them.

For Nevada Residents Only: Under a Nevada privacy law, certain Nevada residents may opt out of the “sale” (as defined in that law) of certain categories of information about them for monetary consideration to a person for that person to license or sell such information to additional persons. As of the effective date of this Privacy Policy, we do not engage in such “sales” of information covered by that law. However, if you are a qualifying Nevada resident, you may submit a request to opt out of future “sales” by us under that Nevada law by writing to us as described below. We reserve the right take reasonable steps to verify your identity and the authenticity of the request. Once verified, we will maintain your request in the event our practices change.

13. Additional Detail for California Residents

This section applies only to “personal information” about California residents, as that term is defined in the California Consumer Privacy Act (“CCPA”), and it supplements the information in the Notice at Collection and the rest of this Privacy Policy. Data about individuals who are not residents of California may be handled differently and is not subject to the same California rights described below. This section also does not apply to data that we handle solely on behalf of a Brand or Creator, even when such data is about a resident of California.

CCPA Information and Deletion Rights

If you are a California resident, California law may permit you to request that we:

- Inform you of the categories of personal information we have collected about you in the last twelve months; the categories of sources of such information; the categories of personal information (if any) that we sold or disclosed about you for a business purpose, the business or commercial purpose for collecting or (if applicable) selling your personal information; and the categories of third parties to whom your personal information was sold or otherwise disclosed for a business purpose.
- Provide a copy of certain information we hold about you.
- Delete certain information we have about you.

Certain information is exempt from such requests under applicable law. You also may have the right to receive information about the financial incentives that we offer to you (if any). You also have certain rights under the CCPA not to receive discriminatory treatment by dtx for the exercise of your CCPA rights.

To request to exercise those CCPA rights, please email us at privacy@thedtxcompany.com. For security and legal reasons, dtx may not accept requests that require us to access third-party websites or services. We do not respond to browser-based do-not-track signals or similar mechanisms.

We will take steps to verify your identity before responding to your request, which may include confirming that the browser in your possession matches the one associated with the relevant QR Codes, requesting that you respond to an email that we send to you, or otherwise verifying your name, email address or other information that will help us to confirm your identity.

If you are an agent making a request on behalf of a consumer, you must verify that you are authorized to make that request, which may include requiring you to provide us with written proof that satisfies CCPA requirements, such as an appropriate letter signed by the consumer or a power of attorney. We also may require the consumer to verify their identity directly with us.

Collection and Disclosure of California Personal Information During Past 12 Months

We describe in the two charts below the categories of California personal information we have collected, and the categories of third parties to whom we have disclosed such information for a business purpose, during the 12 months leading up to the effective date of this Privacy Policy:

Information collected when you scan a Flowcode:	
Category of personal information collected	Categories of third parties to which it was disclosed for a business purpose
Identifiers, such as IP address	Affiliates, customers, and service providers, contractors or agents who perform functions on our behalf, such as data storage and hosting providers, email service providers, analytics providers, network and system management providers, communications tools, IT support providers, CRM providers, incentive providers, accounting services. Brands
Commercial information, such as information about your use of our QR codes	Same as first row

Internet or other electronic network activity information, such as technical data about your device and information about your use of QR codes and your interactions with our Sites and Services, and with Brands, Flowcodes and Flowpages	Same as first row
Inferences drawn from any of the above information	Same as first row

Other personal information	
Category of personal information collected	Categories of third parties to which it was disclosed for a business purpose
Identifiers, such as your name, username, email address, phone number and address	Affiliates, customers, and service providers, contractors or agents who perform functions on our behalf, such as data storage and hosting providers, email service providers, analytics providers, network and system management providers, communications tools, IT support providers, CRM providers, incentive providers, accounting services. Brands, Creators
Professional or employment-related information, such as your title	Same as first row
Commercial information, such as information you provided to us in your communications (some of which is personal information) and information about your purchases or interactions with our Services	Same as first row
Financial information such as your payment card number	Handled directly by payment card processors and payment service providers
Internet or other electronic network activity information, such as technical data about your device and your interactions with our Sites and Services, and with Brands and Flowpages	Same as first row
Inferences drawn from any of the above information	Same as first row

CCPA “sale” of California personal information

dtx does not “sell” and has not “sold” personal information in the way those terms are conventionally defined. For example, we do not sell email lists or any other personal information in exchange for monetary value from a purchaser. However, the CCPA defines a “sale” in very specific terms, that may encompass some situations when a website uses third-party cookies and similar technology for its own analytics or advertising purposes, even when the website pays the third-party provider (not vice versa). dtx, like most companies, does use those sorts of services. For that reason, during the 12 months leading up to the effective date of this Privacy Policy, dtx is considered to have engaged in such “sales” (as defined in the CCPA) of what the CCPA calls “identifiers” (like IP addresses), “internet or other electronic network activity information” (like information regarding an individual’s browsing interactions with a website), and “commercial information” (like the fact that a browser visited a

particular page) to our analytics and advertising vendors. These practices continue today. To make a do-not-sell request, please email us at privacy@thedtxcompany.com. You will need to follow the steps in our email response to complete your request. To exercise more specific choices regarding our use of some of our analytics and advertising vendors, please use the controls described in the Cookies and Other Information Collection Technology section of our Privacy Policy. dtx has no actual knowledge of selling the personal information of minors under 16 years of age.

California Shine the Light Disclosure

The California “Shine the Light” law gives residents of California the right under certain circumstances to request information from us regarding the manner in which we shared certain categories of “personal information” with third parties for their “direct marketing purposes” (as defined in the Shine the Light law) in the prior calendar year. To exercise that right, please contact us as described below.

14. Updates and Changes to this Policy

dtx will update this Privacy Policy from time to time, such as to reflect changes in our practices or for legal reasons. We will post those changes here or on a similarly accessible page. Please be sure to check this Privacy Policy before proceeding to use our Site or our other Services.

15. Questions or Feedback

If you have any questions or comments regarding our privacy policy and practices, or to submit a request or complaint, please email us at privacy@thedtxcompany.com or use the contact details below:

the dtx company

Attn: Privacy Team

45 Grand St.

New York, NY 10013