

SCALEOPS PRIVACY POLICY

Last Updated: November 24, 2022

In order to ensure transparency and give you more control over your personal information, this privacy policy (“**Privacy Policy**”) governs how we, **ScaleOps Labs Ltd.** (“**ScaleOps**”, “**we**”, “**our**” or “**us**”) use, collect and store personal information that we collect or receive from or about you (“**you**”) in connection with <https://www.scaleops.sh/> and the services provided therein and otherwise by us (the “**Services**”):

We greatly respect your privacy, which is why we make every effort to provide a platform that would live up to the highest user privacy standards. Please read this Privacy Policy carefully, so you can fully understand our practices in relation to personal data. “**Important note**: Nothing in this Privacy Policy is intended to limit in any way your statutory rights, including your rights to a remedy or other means of enforcement.

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ScaleOps’ mission is to allow users to receive customized service plans based on their needs, including resource management and cloud based cost savings, via ScaleOps’ proprietary platform (the “**Platform**”), and receive other services made available by ScaleOps (collectively, the “**Services**”).

This Privacy Policy can be updated from time to time and, therefore, we ask you to check back periodically for the latest version of this Privacy Policy. If we implement material changes in the way we use your information, in a manner that is different from that stated at the time of collection, we will notify you by posting a notice on our Website or by other means and take any additional steps as required by applicable law.

1. WHAT INFORMATION WE COLLECT, WHY WE COLLECT IT, AND HOW IT IS USED

(i) We Process the Following Personal Information:

- a. **Information You Provide Directly to Us.** We collect the following information you provide directly to us, including, without limitation, information when you browse and make use of our Services.
- b. **Information from Other Sources.** ScaleOps may also obtain information about you from other sources, including publicly – or commercially- available information, and through third-party data platforms, partners and service providers.
- c. **Automatic Data Collection.** We may automatically collect certain information through your use of the ScaleOps Services, such as your Internet protocol (IP) address, cookie identifiers and other device identifiers that are automatically assigned to your device, browser type and language, geo-location information, hardware type, operating system, internet service provider and other information about actions taken through the use of the ScaleOps Services.

(ii) We process information for the following purposes:

- a. **To provide you with the ScaleOps Services.** ScaleOps will use your information to provide the ScaleOps Services.
- b. **For Administrative Purposes.** ScaleOps may use your information (i) to respond to your questions, comments, and other requests for customer support, or information, including information about potential or future services; (ii) to provide you with the ScaleOps Services; (iii) for internal quality control purposes; (iv) to establish a business relationship; and (v) to generally administer the ScaleOps Services.
- c. **To Market the ScaleOps Services.** ScaleOps may use information to market the ScaleOps Services. Such use includes (i) notifying you about offers and services that may be of interest to you; (ii) tailoring content, advertisements, and offers for you, including, targeting and re-targeting practices; (iii) conducting market research; (iv) developing and marketing new products and services, and to measure interest in ScaleOps’ services; (v) other purposes disclosed at the time you provide information; and (vi) as you otherwise consent.
- d. **Security purposes.** Some of the abovementioned information will be used for detecting, taking steps to prevent and prosecuting fraud or other illegal activity; to identify and repair errors; to conduct audits; and for security purposes. Information may also be used to comply with applicable laws, with investigations performed by the relevant authorities, law enforcement purposes, and/or to exercise or defend legal claims.
- e. **De-identified and Aggregated Information Use.** In certain cases, we may or will anonymize or de-identify your Information and further use it for internal and external purposes, including, without limitation, to analyze and improve ScaleOps services (including through the use of artificial intelligence) and for research purposes. We may use this anonymous or de-identified information and/or disclose it to third parties without restrictions (for example, in order to improve our services and enhance your experience with them and/or to develop new product features and improve existing offerings).
- f. **Cookies and Similar Technologies.** We, as well as third parties that provide content, advertising, or other functionality on the ScaleOps Services, may use cookies, pixel tags, local storage, and other technologies (“**Technologies**”) to automatically collect information through the ScaleOps Services. We use Technologies that are essentially small data files placed on your device that allow us to record certain pieces of information whenever you visit or interact with the ScaleOps Services. If you would like to opt out of the Technologies we employ on the ScaleOps Services, you may do so by blocking, deleting, or disabling them as your browser or device permits.

2. HOW WE PROTECT AND RETAIN YOUR PERSONAL INFORMATION

- 2.1. **Security.** We have implemented and maintain reasonable technical, organizational and security measures designed to protect your information. However, please note that we cannot guarantee that the information will not be compromised as a result of unauthorized penetration to our servers. As the security of information depends in part on the security of the computer, device or network you use to communicate with us and the security you use to protect your user IDs and passwords, please make sure to take appropriate measures to protect this information.
- 2.2. **Retention of your information.** Your information will be stored until we delete our records, and we proactively delete it, or if you send a valid deletion request. Please note that in some circumstances we may store your information for longer periods of time, for example (i) where we are required to do so in accordance with legal, regulatory, tax or accounting requirements, or (ii) for us to have an accurate record of your dealings with us in the event of any complaints or challenges, and/or (iii) if we reasonably believe there is a prospect of litigation relating to your information or dealings.

3. HOW WE SHARE YOUR PERSONAL INFORMATION

In addition to the recipients described above, we may share your information as follows:

- 3.1. The information ScaleOps gathers is shared with our partners and other third parties.
- 3.2. We may also share information with our affiliated companies about you.
- 3.3. We may use third party service providers to process your information for the purposes outlined above, including, without limitation:
 - 3.3.1. With cloud service providers for hosting purposes;
 - 3.3.2. With websites and web content creation platforms in order to help us manage our Website (including Slack);
 - 3.3.3. With email providers (Gmail), marketing, CRM (Hubspot), and other similar tool providers;
 - 3.3.4. With WordPress service providers in order to help us manage our Website;
 - 3.3.5. With analytic companies, in order to help us understand and analyze information we collect in accordance with this policy; and

3.3.6. Hosting services companies, in order, among others, to customize our services.

3.3.7. Observability services, monitoring companies and communications companies such as Slack, in order to provide on-going support.

- 3.4. To the extent necessary, with regulators, courts, banks or competent authorities, to comply with applicable laws, regulations and rules (including, without limitation, federal, state or local laws), and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order, as well as for internal compliance procedures and to protect the safety, security, and integrity of ScaleOps, our Services, customers, employees, property, and the public.
- 3.5. If, in the future, we sell or transfer, or we consider selling or transferring, some or all of our business, shares or assets to a third party, we will disclose your information to such third party (whether actual or potential) in connection with the foregoing events (including, without limitation, our current or potential investors). In the event that we are acquired by, or merged with, a third party entity, or in the event of bankruptcy or a comparable event, we reserve the right to transfer, disclose or assign your information in connection with the foregoing events.
- 3.6. Where you have otherwise provided your consent to us for sharing or transferring your information.

4. YOUR PRIVACY RIGHTS

4.1. **Rights:** You can exercise your rights by contacting us at team@scaleops.sh. Subject to legal and other permissible considerations, we will make every reasonable effort to honor your request promptly in accordance with applicable law or inform you if we need further information in order to fulfil your request. When processing your request, we may ask you for additional information to confirm or verify your identity and for security purposes, before processing and/or honoring your request. We reserve the right to charge a fee where permitted by law, for instance if your request is manifestly unfounded or excessive. In the event that your request would adversely affect the rights and freedoms of others (for example, would impact the duty of confidentiality we owe to others) or if we are legally entitled to deal with your request in a different way than requested, we will address your request to the maximum extent possible, all in accordance with applicable law.

4.2. **Marketing emails – opt-out:** You may choose not to receive marketing email of this type by sending a single email with the subject "BLOCK" to team@scaleops.sh. Please note that the email must come from the email account you wish to block OR if you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails, and we will process your request within a reasonable time after receipt.

5. **USE BY CHILDREN.** We do not offer our products or services for use by children and, therefore, we do not knowingly collect information from, and/or about children under the age of 18. If you are under the age of 18, do not provide any information to us without the involvement of a parent or a guardian. In the event that we become aware that you provide information in violation of applicable privacy laws, we reserve the right to delete it. If you believe that we might have any such information, please contact us at team@scaleops.sh.

6. **INTERACTION WITH THIRD PARTY PRODUCTS.** We enable you to interact with third party websites, mobile software applications and products or services that are not owned, or controlled, by us (each, a “Third Party Service”). We are not responsible for the privacy practices or the content of such Third Party Services. Please be aware that Third Party Services can collect information from you. Accordingly, we encourage you to read the terms and conditions and privacy policies of each Third Party Service.

7. ANALYTIC TOOLS

- **Google Analytics.** The Website uses a tool called “Google Analytics” to collect information about use of the Website. Google Analytics collects information such as how often users visit this Website, what pages they visit when they do so, and what other websites they used prior to coming to this Website. We use the information we get from Google Analytics to maintain and improve the Website and our products. We do not combine the information collected through the use of Google Analytics with information we collect. Google’s ability to use and share information collected by Google Analytics about your visits to this Website is restricted by the Google Analytics Terms of Service, available at <https://marketingplatform.google.com/about/analytics/terms/us/>, and the Google Privacy Policy, available at <http://www.google.com/policies/privacy/>. You may learn more about how Google collects and processes data specifically in connection with Google Analytics at <http://www.google.com/policies/privacy/partners/>. You may prevent your data from being used by Google Analytics by downloading and installing the Google Analytics Opt-out Browser Add-on, available at <https://tools.google.com/dlpage/gaoptout/>.
- We reserve the right to remove or add new analytic tools, cookies, pixels and other tracking technologies.

8. SPECIFIC PROVISIONS APPLICABLE UNDER CALIFORNIA PRIVACY LAW

8.1. Our California Do Not Track Notice:

Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers

9. **CONTACT US.** If you have any questions, concerns or complaints regarding our compliance with this notice and the data protection laws, or if you wish to exercise your rights, we encourage you to first contact us at team@scaleops.sh.
