

PRIVACY POLICY

1UP SOLAR, LLC

Last Reviewed On: August 26, 2024

1UP Solar, LLC (“we” or “us”) respects your privacy and is committed to protecting it through our compliance with this Privacy Policy. The Company operates a digital platform where visitors can learn about and use our service offerings.

This policy describes the types of information we may collect from you when you visit our website and use our SMS messaging service. It also applies to your use of all features, applications, social media channels, content, downloads, and other services that we make available through the website or application and/or that post a link to this Privacy Policy (together, the “Platform”). This policy also covers information we collect about you offline, from third parties, or when you contact us by phone. The policy describes our practices for collecting, using, maintaining, protecting, and disclosing that information.

If you are a California resident, please see the section entitled “Notice at Collection and Privacy Policy for California Residents” below for more details about our privacy practices and your rights.

Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Platform. By accessing or using our Platform, you agree to this Privacy Policy. This Privacy Policy may change from time to time (see Changes to Our Privacy Policy). Your continued use of the Platform after we make changes is deemed to be acceptance of those changes, so please check the Privacy Policy periodically for updates.

Information Collection

We collect several types of information from and about you, including:

- **Information Provided by You:** This includes information such as your name, address, email address, telephone number, and other personally identifying information. For example, we collect information from you when you fill out a form on our website or a physical copy of a form.
- **Information Provided by Third Parties:** As part of our services, we may collect information from your attorneys, credit reporting agencies, and third-party reporting services, including medical information, electronic protected health information (ePHI), and contact information.
- **Information Collected Automatically:** This includes information as you navigate through the site, such as usage details, domain address, IP addresses, internet browser, operating system, your internet connection, the equipment you use to access our Website, and information collected through cookies.

Information Use

We use information that we collect about you or that you provide to us:

- To present our Website and its contents to you and improve our website (We continually strive to improve our website offerings based on the information and feedback we receive from you).
- To provide you with information or services that you request from us.
- To fulfill our obligations to you as a customer.
- To provide you with notices about your account and to improve customer service (your information helps us to respond to your customer service requests and support needs more effectively).
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To notify you about changes to our Website or any products or services we offer or provide through it.
- To allow you to participate in interactive features on our Website and personalize your experience (your information helps us respond better to your individual needs).
- To enable communications to you regarding our services, such as email and text.
- To work with marketing partners to provide you with products or services that may interest you.
- To fulfill any other purpose for which you provide it and in any other way we may describe when you provide the information.
- To initiate marketing calls or text messages generated by an automated dialer or similar device from 1UP Solar, LLC or its representatives or affiliates to any telephone number(s), where message and data rates may apply. You understand consent is not required to make a purchase, and you may revoke your consent at any time.
- For any other purpose with your consent.

Disclosure of Your Information

We may disclose information that we collect about you or that you provide us directly as described in this privacy policy:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Company about our Website users is among the assets transferred.
- To fulfill the purpose for which you provide it. For example, to process your inquiry regarding a 1UP Solar service or product.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government, regulatory, or law enforcement request.
- To enforce or apply our Terms and Conditions and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers, or others. This includes exchanging information with other companies and organizations for fraud protection.

We may disclose aggregated information about our users and de-identified data or information that does not identify an individual.

Security

We have implemented reasonable measures designed to secure your personal information from accidental loss and unauthorized access, use, alteration, and disclosure. The safety and security of your information also depend on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. If you have reason to believe that your interaction with us is no longer secure, please immediately notify us in accordance with the “Contact Us” section below.

Choices and Access

Your choices regarding our use of your information for marketing purposes:

If you prefer that we no longer send you email marketing, please opt out by using the unsubscribe instructions contained in each such email. If you prefer that we no longer send you marketing text messages, please opt out by replying “STOP” to any such message. If you prefer that we no longer place telemarketing calls to you, please inform the sales representative who calls you or email customerservice@1upsolar.com with such a request.

How you can request to access, correct, update, or delete your Personal Information:

If you would like to request to correct, update, or delete Personal Information, please contact us in accordance with the “Contact Us” section below. We will respond to your request consistent with applicable law. Please note that we may need to retain certain information for recordkeeping purposes and/or to complete any transactions that you began prior to requesting deletion.

Third-Party Services

This Privacy Policy does not address, and we are not responsible for, the privacy, information security, or other practices of any third parties, including any third party that advertises or places a link on the Platform. We encourage our users to be aware when they leave our site and to read the privacy statements of any other site that collects personally identifiable information.

The inclusion of advertising or a link on the Platform does not imply endorsement of the linked site or service by us.

Sensitive Information

Unless we request it, we ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, biometrics or genetic characteristics, or criminal background) on or through the Platform or otherwise to us.

No Sharing or Selling of Personal Information

We do not share or sell mobile information to third parties for marketing or promotional purposes. We only share information with subcontractors or service providers to support the services we provide, such as customer service, and for business operations as permitted by law. All other use cases exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties.

Updates to This Privacy Policy

The “LAST UPDATED” legend at the top of this Privacy Policy indicates when this Privacy Policy was last revised. Any changes will become effective when we post the revised Privacy Policy on the Platform.

Contact Us

If you have any questions about this Privacy Policy, please contact us at customerservice@1upsolar.com.

Notice at Collection and Privacy Policy for California Residents

1UP Solar, LLC (“we” or “us”) respects your privacy and is committed to providing a transparent Notice at Collection and Privacy Policy for California Residents. This Notice and Privacy Policy for California Residents applies solely to those who reside in the State of California (“consumers” or “you”).

The purpose of this notice and privacy policy is to provide California residents, at or before the time we collect your personal information, with a comprehensive description of our online and offline practices regarding the collection, use, disclosure, and sale of personal information and of the rights of consumers regarding your personal information:

Notice at Collection:

Notice at or before the point of collection, about the categories of personal information to be collected from you and the purposes for which the personal information will be used.

Privacy Policy:

A comprehensive description of our online and offline practices regarding the collection, use, disclosure, and sale of personal information and of your rights regarding your personal information, including:

- Your right to know about personal information collected, used, disclosed, or sold.
- Categories of personal information we collected in the preceding 12 months.
- Categories of sources from which personal information is collected.
- Categories of personal information, if any, we disclosed or sold in the preceding 12 months.
- For each category identified as disclosed or sold, categories of third parties to whom the information was disclosed or sold.
- Your right to opt out of the sale of personal information and transparency that we do not sell your personal information.
- Your right to request deletion of your personal information.
- How to submit a verified consumer request for your Right to Know or Right to Delete.
- How to use an authorized agent to submit a verified consumer request.
- Your right to non-discrimination for the exercise of your privacy rights.
- Other California privacy rights.
- Changes to our privacy notice and our contact information.

Notice at Collection

The purpose of this Notice at Collection is to provide you with timely notice, at or before the point of collection, about the categories of personal information to be collected from you and the purposes for which the personal information will be used.

Categories of Personal Information

- **A. Identifiers:** For example, a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.
- **B. Personal Information Categories from Cal. Civ. Code § 1798.80(e):** For example, a name, signature, address, telephone number, bank account number, credit card number, debit card number, or any other financial information.
- **C. Characteristics of CA or Federal Protected Classifications:** For example, primary language.
- **D. Commercial Information:** For example, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
- **F. Internet or Other Similar Network Activity:** For example, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement.

- **G. Geolocation Data:** For example, information that can be used to determine a device's physical location.
- **K. Profile Data:** For example, inferences drawn from personal information to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Please note that Personal Information does not include:

- Publicly available information from government records.
- Deidentified 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 (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (CalFIPA), and the Driver's Privacy Protection Act of 1994.

We use 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 our internal operation purposes.
- For auditing relating to consumer transactions including ad impressions and compliance with regulations.
- Fraud and security detection.
- Debugging to identify and repair errors.
- Short-term data use for the current interaction that is not used to build a profile.
- Servicing transactions and accounts (e.g., customer service, maintaining and servicing accounts, customer verification, payment processing) and providing services on behalf of business or service provider (e.g., financing, advertising or marketing, analytics).
- 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 a bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.
- Undertaking internal research for technological development and demonstration.
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by the business, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by the business.
- To share the personal information with service providers to carry out other business purposes.

We will not collect additional categories of personal information without providing you a new Notice at Collection disclosing those categories.

Your Right to Know

You have the right to request that we disclose what personal information we collect, use, disclose, and sell. You can do this through a verified consumer request. That process is described below in the section, “Submitting a Verified Consumer Request.”

Your Right to Request Deletion of Your Personal Information

You have the right to request that we delete any of your personal information collected by us, subject to certain exceptions. You can do this through a verified consumer request. That process is described below in the section, “Submitting a Verified Consumer Request.”

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- 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.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- 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.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Submitting a Verified Consumer Request

You have the right to submit verified consumer requests to know information or for deletion. The request to know can be for any or all of the following:

1. Specific pieces of personal information that we have collected about you.
2. Categories of personal information we have collected about you.
3. Categories of sources from which the personal information was collected.

4. Categories of personal information that we sold or disclosed for a business purpose about you.
5. Categories of third parties to whom the personal information was sold or disclosed for a business purpose.
6. The business or commercial purpose for collecting or selling personal information.

The response to a request for any of the categories above will cover the preceding 12 months. Please note that we are not required to provide personal information to you more than twice in a 12-month period. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

You can submit requests using one of the following methods: by using the webform at customerservice@1upsolar.com or by calling (760) 871-4414.

If you have a password-protected account, we may verify your identity through our existing authentication practices for your account and require you to re-authenticate yourself before disclosing or deleting your Personal Information.

If you submit a request that is not through one of these designated methods or is deficient in some manner unrelated to verification, we will either treat it as if it had been submitted in accordance with our designated methods or provide you with information on how to submit the request or remedy any deficiencies.

Your request will be verified by matching the information you provide to information that we have collected.

Once we receive your verifiable consumer request, we will confirm receipt of the request within 10 business days describing our verification process. We will respond to your request within 45 calendar days if we can verify your identity. Requests for deletion will require a separate confirmation that you want your information deleted.

If requests from you are manifestly unfounded or excessive in particular because of their repetitive character, we may either charge a reasonable fee or refuse to act on the request, notifying you of our reason for refusing to act. If we determine that the request warrants a fee, we will notify you of the reason for that determination and provide you with a cost estimate before completing your request.

Please note that, in responding to your request, we are not permitted to disclose or provide you with your Social Security number, driver's license number or other government-issued identification number, financial account number, any health insurance or medical identification number, an account password, security questions and answers, or unique biometric data generated from measurements or technical analysis of human characteristics. However, we will inform you with sufficient particularity that we have collected the type of information without disclosing the actual data.

Requests to Know or Delete for Child Under the Age of 13: We do not knowingly collect information of minors under the age of 13.

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 post the updated notice on the Website and update the notice's effective date. Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.

Contact Us

Please contact customerservice@1upsolar.com if you have any questions regarding this notice.