

## Website Privacy Policy

Last modified: [DATE]

### Introduction

TRKX, Inc. (“**TRKX**”, the “**Company**”, or “**We**”) respect your privacy and are committed to protecting it through our compliance with this policy.

TRKX provides a platform and venue through its website and mobile application for different parties (i.e., carriers, shippers, and brokers) to negotiate for and agree to terms of a contract for the transportation of goods between locations (the “**Services**”). When parties agree to such an arrangement, they enter into a legally binding contract for the exchange of services for compensation (each, a “**Freight Contract**”). TRKX is not a party to any Freight Contracts entered into between users, and this Privacy Policy applies to information exchanged in the Freight Contract negotiation and communication processes.

Protecting individual privacy is important to us. This Privacy Policy is intended to notify you, or in the case that you represent a business entity, you and that business entity (“you”), of the type of information that we may collect from users of the Services and to generally summarize how we use and protect that information. Please read this Privacy Policy carefully to understand our policies and practices regarding your information and how we will treat it. BY ACCESSING AND USING THE SERVICES, YOU AGREE TO THIS PRIVACY POLICY. IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS SET FORTH IN THIS PRIVACY POLICY, DO NOT ACCESS OR OTHERWISE USE THE SERVICES.

This policy describes the types of information we may collect from you or that you may provide when you visit the website [www.TRKXInc.com](http://www.TRKXInc.com) or the TRKX Mobile Application (collectively, the “**Website**”), and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect:

- On this Website.
- On the TRKX Mobile Application.
- In email, text, and other electronic messages between you and this Website.
- Through mobile and desktop applications you download from this Website, which provide dedicated non-browser-based interaction between you and this Website.
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this policy.
- When you use EFS Systems to carry out obligations under arrangements made through the TRKX Website.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by the Company or any third party other than EFS (including our affiliates and subsidiaries); or

- Any other third party not covered by this policy (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or on the Website.

Please read this 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 Website. By accessing or using this Website, you agree to this privacy policy. This policy may change from time to time (see [Changes to Our Privacy Policy](#)). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

### **Children Under the Age of 18**

Our Website is not intended for children under 18 years of age. No one under age 18 may provide any information to or on the Website. We do not knowingly collect personal information from children under 18. If you are under 18, do not use or provide any information on this Website or through any of its features, register on the Website, make any purchases through the Website, use any of the interactive or public comment features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at [info@TRKX.com](mailto:info@TRKX.com).

### **Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, including information:

- By which you may be personally identified, such as name, postal address, e-mail address, telephone number, social security number, vehicle and/or trailer registration, proof of insurance, FMCSA authority number, license information, and any other identifier by which you may be contacted online or offline (“**personal information**”);
- That is about you but individually does not identify you; and/or
- About your internet connection, the equipment you use to access our Website, and usage details.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the Website. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons and other tracking technologies.
- From third parties, for example, our business partners.

### ***Information You Provide to Us***

The information we collect on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of registering to use our Website, registering to use our service, posting material, or requesting further services. We may also ask you for information when you enter a

contest or promotion sponsored by us, and when you report a problem with our Website.

- Information that you provide through the Website when negotiating for or agreeing to a Freight Contract, including information or communications given directly to another party through the Website.
- Records and copies of your correspondence (including email addresses), if you contact us or others through the Website.
- Your responses to surveys that we might ask you to complete for research or marketing purposes.
- Details of transactions you carry out through our Website and of the fulfillment of your orders or obligations. You may be required to provide financial information before placing an order through our Website.
- Your search queries on the Website.
- Your name, postal address, e-mail address, telephone number, social security number, vehicle and/or trailer registration, proof of insurance, FMCSA authority number, license information

You also may provide information to be published or displayed (hereinafter, “**posted**”) on public areas of the Website or transmitted to other users of the Website or third parties (collectively, “**User Contributions**”). Your User Contributions are posted on and transmitted to others at your own risk.

Although we limit access to certain pages, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

### ***Rights Concerning Your Personally Identifiable Information***

If you provide us with personally identifiable information, you have the following rights with respect to that personally identifiable information to:

- Review the personally identifiable information that you have supplied to us;
- Request that we correct any errors, outdated information or omissions in the personally identifiable information that you have supplied to us;
- Request that your personally identifiable information not be used to contact you;
- Request that your personally identifiable information be removed from any solicitation list that we use;
- Request that your personally identifiable information be deleted from our records; and
- Opt out of being solicited by us.

If you request that your personally identifiable information be deleted from our records, there may be a brief delay in our processing that request while we verify that the request is valid and originates from you as opposed to an unauthorized third party. If you request that your personally identifiable information be deleted, we reserve the right to terminate any account you have registered with us or limit your access to the Services.

To exercise any of these rights, please contact us as set forth in this Privacy Policy.

## *Information We Collect Through Automatic Data Collection Technologies*

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking).

Some third-party browsers have a "do not track" feature that lets you tell websites that you do not want to have your online activities tracked. At this time, we do not respond to browser "do not track" signals.

To learn more about online behavioral advertising (OBA), please visit the Network Advertising Initiative website (<http://www.networkadvertising.org/choices/>) or Digital Advertising Alliance website (<http://www.aboutads.info/choices/>).

The information we collect automatically may include personal information, or we may maintain it or associate it with personal information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our audience size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website.
- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies. For information about managing your privacy and security settings for Flash cookies, see [Choices About How We Use and Disclose Your Information](#).
- **Web Beacons.** Pages of our Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an email and for other related website statistics (for example, recording the popularity of certain website content and

verifying system and server integrity).

- **Device Information.** We may collect information about your mobile device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, mobile network information, and the device's telephone number.
- **Stored Information and Files.** The TRKX App also may access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.
- **Location Information.** The TRKX App App collects real-time information about the location of your device to better provide the TRKX Service as you carry out your obligations under a Freight Contract.

We do not collect personal information automatically, but we may tie this information to personal information about you that we collect from other sources or you provide to us.

### ***Location Information***

If you initially permit the collection of precise location from your mobile device per the permission system used by your mobile operating system, you can later disable it by changing the location settings on your mobile device. This may limit your ability to use certain features of our Services. Additionally, disabling the collection of precise location from your mobile device will not limit our ability to derive approximate location from your IP address.

### **Third-Party Use of Cookies and Other Tracking Technologies**

Some content or applications, including advertisements or API services, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see [Choices About How We Use and Disclose Your Information](#).

When you use the TRKX App or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.

### **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us or other users of the Website. For example, we may use information about you that we collect to help a user that you've entered into a Freight Contract with to perform services pursuant to that Freight Contract.
- To fulfill any other purpose for which you provide it.
- To provide you with notices about your account or any Freight Contracts that you've entered into, including but not limited to expiration, invoice, communication, and renewal notices.
- 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, such as to communicate with other users, submit bids/quotes, and search for other users through the Website.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you. If you do not want us to use your information in this way, please check the relevant box located on the form on which we collect your data (registration form) or adjust your user preferences in your account profile. For more information, see [Choices About How We Use and Disclose Your Information](#).

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

### **Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide 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 and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- 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 TRKX, Inc.'s assets, whether as a going

concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by TRKX, Inc. about our Website users is among the assets transferred.

- To third parties to market their products or services to you if you have not opted out of these disclosures. We contractually require these third parties to keep personal information confidential and use it only for the purposes for which we disclose it to them. For more information, see [Choices About How We Use and Disclose Your Information](#).
- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the “email a friend” feature of our Website, we will transmit the contents of that email and your email address to the recipients. Or, if you give us information as part of our interactive services to communicate with other users, we will transmit the contents of that information to the recipients.
- 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 or regulatory request.
- To enforce or apply our terms of use [\[INSERT AS LINK TO WEBSITE’S TERMS OF SERVICE\]](#) 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 TRKX, Inc., our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

### **Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe’s [website](#). If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt-out by checking the relevant box located on the form on which we collect your data, if available. You can also always opt-out by logging into the Website and adjusting your user preferences in your account profile, checking or unchecking the relevant boxes (if available) or by sending us an email with your request to [info@TRKX.com](mailto:info@TRKX.com)
- **Promotional Offers from the Company.** If you do not wish to have your contact information used by the Company to promote our own or third parties’ products or services, you can opt-out by checking the relevant box located on the form on which we collect your data, if available, or at any other time by logging into the Website and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email stating your request to [info@TRKX.com](mailto:info@TRKX.com). If we have sent you a promotional email, you may send us a return email asking to be omitted from future email distributions. This opt out does not apply to information provided to the Company as a result of a product or service purchase, Freight Contract agreement, warranty



registration, product service experience or other transactions.

- **Targeted Advertising.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by emailing us [info@TRKX.com](mailto:info@TRKX.com).

We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

California residents may have additional personal information rights and choices. Please see [\[Your California Privacy Rights\]](#) for more information.

### **Accessing and Correcting Your Information**

You can review and change your personal information by logging into the Website and visiting your account profile page.

You may also send us an email at [info@TRKX.com](mailto:info@TRKX.com) to request access to, correct or delete any personal information that you have provided to us. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

If you delete your User Contributions from the Website, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Website users.

Proper access and use of information provided on the Website, including User Contributions, is governed by our terms of service [\[URL LINK TO WEBSITE'S TERMS OF USE\]](#).

California residents may have additional personal information rights and choices. Please see [\[Your California Privacy Rights\]](#) for more information.

### **Your California Privacy Rights**

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. To learn more about your California privacy rights, visit [\[HYPERLINK TO CCPA PRIVACY NOTICE FOR CALIFORNIA RESIDENTS\]](#).

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [info@TRKX.com](mailto:info@TRKX.com) or write us at: 11487 SAN FERNANDO RD, SAN FERNANDO CA 91340.

### **Data Security**

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology.



The safety and security of your information also depends 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. We urge you to be careful about giving out information in public areas of the Website like message boards. The information you share in public areas may be viewed by any user of the Website.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk.

We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

### **Changes to Our Privacy Policy**

It is our policy to post any changes we make to our privacy policy on this page with a notice that the privacy policy has been updated on the Website and App home page. If we make material changes to how we treat our users' personal information, we will notify you by email to the email address specified in your account and/or through a notice on the Website and App home page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

### **Contact Information**

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

info@TRKX.com

or via our toll-free number:

(800) 574-TRKX (8759)