



## **PRIVACY POLICY**

**Last Updated: May 27, 2021**

### **INTRODUCTION**

Arka Energy, Inc. (“we” or “us” or “our”) respects the privacy of our users (“user” or “you”). This Privacy Policy explains how we collect, use, disclose, and safeguard your information when you visit our website (<https://www.arka.energy>) and its associated subdomains, including any other media form, media channel, mobile website, or mobile application related or connected thereto (collectively, the “Site”). PLEASE READ THIS PRIVACY POLICY CAREFULLY. IF YOU DO NOT AGREE WITH THE TERMS OF THIS PRIVACY POLICY, PLEASE DO NOT ACCESS THE SITE.

We reserve the right to make changes to this Privacy Policy at any time and for any reason. We will alert you about any changes by updating the “Last Updated” date of this Privacy Policy. Any changes or modifications will be effective immediately upon posting the updated Privacy Policy on the Site, and you waive the right to receive specific notice of each such change or modification.

You are encouraged to periodically review this Privacy Policy to stay informed of updates. You will be deemed to have been made aware of, will be subject to, and will be deemed to have accepted the changes in any revised Privacy Policy by your continued use of the Site after the date such revised Privacy Policy is posted.

### **DEFINITIONS AND KEY TERMS**

**Cookie:** a small amount of data generated by a website and saved by your web browser. It is used to identify your browser, provide analytics, and remember information about you, such as your language preference or login information.

**IP address:** every device connected to the Internet is assigned a number known as an Internet protocol (IP) address. These numbers are usually assigned in geographic blocks. An IP address can often be used to identify the location from which a device is connecting to the Internet.

**Personal Data:** any information that directly, indirectly or in connection with other information – including a personal identification number – allows for the identification or identifiability of a natural person.

### **COLLECTION OF YOUR INFORMATION**

We may collect information about you in a variety of ways. The information we may collect on the Site includes:

### **Personal Data**

Personally identifiable information, such as your name/username, mailing address, email address, billing address, and telephone number, and demographic information, such as your age, gender, hometown, and interests, that you voluntarily give to us when you register with the Site or when you choose to participate in various activities related to the Site, including the purchase of products and services. You are under no obligation to provide us with personal information of any kind, however your refusal to do so may prevent us from being able to provide you with products and services.

### **Derivative Data**

Information our servers automatically collect when you access the Site, such as your IP address, your browser type, your operating system, your access times, and the pages you have viewed directly before and after accessing the Site.

### **Financial Data**

Financial information, such as data related to your payment method (e.g. valid credit card/debit card number, card brand, expiration date) that we may collect when you purchase, order, return, exchange, or request information about our products and services from the Site. We currently do not accept payments of any kind through the Site, but should we do so in the future we expect to store only very limited, if any, financial information that we collect. Otherwise, all financial information will be stored by our payment processor, and at the appropriate time you will be encouraged to review their privacy policy and contact them directly for responses to your questions.

### **Facebook Permissions**

The Site may by default access your Facebook basic account information, including your name, email, gender, birthday, current city, and profile picture URL, as well as other information that you choose to make public. For more information regarding Facebook permissions, refer to the Facebook Permissions Reference page.

### **Data from Social Networks**

User information from social networking sites, such as Facebook, Google+, Instagram, Pinterest, and Twitter, including your name, your social network username, location, gender, birth date, email address, profile picture, and public data for contacts, if you connect your account to such social networks.

### **Third-Party Data**

Information from third parties, such as personal information or network friends, if you connect your account to the third party and grant the Site permission to access this information.

### **Data from Surveys**

Personal and other information you may provide when responding to surveys.

### **Data from Mobile Devices**

We may also collect information from mobile devices for a better user experience, although these features are completely optional. Such information may include location data (GPS), which helps to create an accurate representation of your interests, and this can be used to bring ore targeted and relevant ads to potential customers.

## USE OF YOUR INFORMATION

Having accurate information about you permits us to provide you with a smooth, efficient, and customized experience. Specifically, we may use information collected about you via the Site to:

- Conduct surveys
- Compile anonymous statistical data and analysis for use internally or with third parties
- Create and manage your account
- Provide customized or targeted content, including interest-based advertising, newsletters, and other information regarding our business, the residential solar industry, and the Site to you
- Email you regarding your account or order
- Enable user-to-user communications
- Process, fulfill and manage purchases, orders, payments, and other transactions related to the Site
- Analyze, enhance, and improve our online features, marketing communications, and marketing strategies, and to otherwise increase the efficiency and operation of the Site
- Monitor and analyze usage and trends to improve your experience with the Site
- Notify you of updates to the Site
- Offer new products, services, and/or recommendations to you
- Perform other business activities as needed
- Prevent fraudulent and unauthorized transactions, monitor against theft, and protect against criminal activity, including to identify unauthorized users or other security issues
- Process payments and refunds
- Request feedback about your use of the Site
- Gather feedback about our products and services
- Resolve disputes and troubleshoot problems
- Respond to product and customer service requests
- Send you a newsletter
- Comply with applicable legal requirements, industry standards and our policies, or to enforce compliance with those requirements

## DISCLOSURE OF YOUR INFORMATION

We may share information we have collected about you in certain situations. Your information may be disclosed as follows:

### By Law or to Protect Rights

If we believe the release of information about you is necessary to respond to legal process, to investigate or remedy potential violations of our policies, or to protect the rights, property, and safety of others, we may share your information as permitted or required by any applicable law, rule, or regulation. This includes exchanging information with other entities for fraud protection and credit risk reduction.

### Third-Party Service Providers

We may share your information with third parties that perform services for us or on our behalf, including payment processing, data analysis, email delivery, hosting services, customer service, and marketing assistance.

**Marketing Communications**

With your consent, or with an opportunity for you to withdraw consent, we may share your information with third parties for marketing purposes, as permitted by law.

**Third-Party Advertisers**

We may use third-party advertising companies to serve ads when you visit the Site. These companies may use information about your visits to the Site and other websites that are contained in web cookies in order to provide advertisements about goods and services of interest to you.

**Affiliates**

We may share your information with our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include our parent company and any subsidiaries, joint venture partners or other companies that we control or that are under common control with us.

**Successors**

We reserve the right to transfer information to a third party in the event of a sale, merger or other transfer of all or substantially all of the assets of us or any of our affiliates, or that portion of us or any of our affiliates to which the Site relates, or in the event that we discontinue our business or file a petition or have filed against us a petition in bankruptcy, reorganization, or similar proceeding, provided that the third party agrees to adhere to the terms of this Privacy Policy.

**Business Partners**

We may share your information with our business partners to offer you certain products, services or promotions.

**Social Media Contacts**

If you connect to the Site through a social network, your contacts on the social network will see your name, profile photo, and descriptions of your activity.

**Other Third Parties**

We may share your information with advertisers and investors for the purpose of conducting general business analysis. We may also share your information with such third parties for marketing purposes, as permitted by law.

We are not responsible for the actions of third parties with whom you share personal or sensitive data, and we have no authority to manage or control third-party solicitations. If you no longer wish to receive correspondence, emails or other communications from third parties, you are responsible for contacting the third party directly.

**TRACKING TECHNOLOGIES****Cookies and Web Beacons**

We may use cookies, web beacons, tracking pixels, and other tracking technologies on the Site to help customize the Site and improve your experience. For more information on how we use cookies, please

refer to our Cookie Policy posted on the Site, which is incorporated into this Privacy Policy. By using the Site, you agree to be bound by our Cookie Policy.

### **Internet-Based Advertising**

Additionally, we may use third-party software to serve ads on the Site, implement email marketing campaigns, and manage other interactive marketing initiatives. This third-party software may use cookies or similar tracking technology to help manage and optimize your online experience with us. For more information about opting-out of interest-based ads, visit the Network Advertising Initiative website and the Digital Advertising Alliance website.

### **Website Analytics**

We may also partner with selected third-party vendors, such as Google Maps API, HubSpot API, Google Analytics, Tag Manager, and others, to allow tracking technologies and remarketing services on the Site through the use of first party cookies and third-party cookies, to, among other things, analyze and track users' use of the Site, determine the popularity of certain content and better understand online activity. By accessing the Site, you consent to the collection and use of your information by these third-party vendors. You are encouraged to review their privacy policy and contact them directly for responses to your questions. We do not transfer personal information to these third-party vendors. However, if you do not want any information to be collected and used by tracking technologies, you can visit the third-party vendor or the Network Advertising Initiative website and the Digital Advertising Alliance website.

You should be aware that getting a new computer, installing a new browser, upgrading an existing browser, or erasing or otherwise altering your browser's cookies files may also clear certain opt-out cookies, plug-ins, or settings.

### **THIRD-PARTY WEBSITES**

The Site may contain links to third-party websites and applications of interest, including advertisements and external services, which are not affiliated with us. Once you have used these links to leave the Site, any information you provide to these third parties is not covered by this Privacy Policy, and we cannot guarantee the safety and privacy of your information. Before visiting and providing any information to any third-party websites, you should inform yourself of the privacy policies and practices (if any) of the third party responsible for that website, and should take those steps necessary to, in your discretion, protect the privacy of your information. We are not responsible for the content or privacy and security practices and policies of any third parties, including other sites, services or applications that may be linked to or from the Site.

### **TRANSFER OF INFORMATION TO OTHER COUNTRIES**

We are incorporated in the United States of America. Information collected via our Site, through direct interactions with you, or from your use of our help services may be transferred from time to time to our offices or personnel, or to third parties, located throughout the world, and may be viewed and hosted anywhere in the world, including countries that may not have laws of general applicability regulating the use and transfer of such data. To the fullest extent permit by applicable law, by using any of the above, you voluntarily consent to the trans-border transfer and hosting of such information.

## **SECURITY OF YOUR INFORMATION**

We use administrative, technical, and physical security measures to help protect your personal information. While we have taken reasonable steps to secure the personal information you provide to us, please be aware that despite our efforts, no security measures are perfect or impenetrable, and no method of data transmission can be guaranteed against any interception or other type of misuse. Any information disclosed online is vulnerable to interception and misuse by unauthorized parties. Therefore, we cannot guarantee complete security if you provide personal information. You can help by keep your personal information safe by taking reasonable steps to protect your personal information from unauthorized disclosure or misuse.

## **POLICY FOR CHILDREN**

We acknowledge, and are in compliance with, the Children’s Online Privacy Protection Act. The Site is a general audience website, and is not specifically targeted to, or intended for use by, children. We do not knowingly solicit information from or market to children under the age of 13. If you become aware of any data we have collected from children under age 13, please contact us using the contact information provided below.

## **CONTROLS FOR DO-NOT-TRACK FEATURES**

Most web browsers and some mobile operating systems include a Do-Not-Track (“DNT”) feature or setting you can activate to signal your privacy preference not to have data about your online browsing activities monitored and collected. We do not currently respond to DNT browser signals or any other mechanism that automatically communicates your choice not to be tracked online, but we do provide you the option to opt out of interest-based advertising (see “**Opt-in/Opt-out**” below). To learn more about interest-based advertising or to opt-out of this type of advertising, visit the Network Advertising Initiative website and the Digital Advertising Alliance website. Options you select are browser- and device-specific.

## **OPT-IN/OPT-OUT**

### **Sharing of Personal Information**

If you do not wish us to share your personal information with third parties for direct marketing purposes, or sell your personal information to third parties, you may opt out by:

- Noting your preferences at the time you register your account with the Site
- Logging into your account settings and updating your preferences
- Contacting us using the contact information provided below

### **Account information**

You may at any time review or change the information in your account or terminate your account by:

- Logging into your account settings and updating your account
- Contacting us using the contact information provided below

Upon your request to terminate your account, we will deactivate or delete your account and information from our active databases. However, some information may be retained in our files to prevent fraud,

troubleshoot problems, assist with any investigations, enforce our Terms of Use and/or comply with legal requirements.

### **Emails and Communications**

If you no longer wish to receive correspondence, emails, or other communications from us, you may opt-out by:

- Noting your preferences at the time you register your account with the Site
- Logging into your account settings and updating your preferences
- Contacting us using the contact information provided below

If you no longer wish to receive correspondence, emails, or other communications from third parties, you are responsible for contacting the third party directly.

### **GOVERNING LAW**

The federal laws of the United States of America shall govern this Privacy Policy and your use of the Site. Your use of the Site may also be subject to other state or local laws, or the laws of other jurisdictions.

### **CALIFORNIA RESIDENTS – CALIFORNIA PRIVACY RIGHTS**

We allow you to choose whether we share your personal information with third parties for their own marketing purposes (see “**Opt-in/Opt-out**” above).

Pursuant to California Civil Code Section 1798.83, known as the California Consumer Privacy Act or CCPA, California residents who provide us with personal information in obtaining products or services for personal, family or household use are entitled to request and obtain from us, one time per calendar year and free of charge, information about categories of personal information we shared, if any, with third parties for their own direct marketing purposes, and the names and addresses of all third parties with which we shared personal information in the immediately preceding calendar year. Alternatively, the law provides that a company may comply by disclosing in its privacy policy that it provides consumers a choice (opt-in or opt-out) regarding sharing personal information with third parties for those third parties’ direct marketing purposes, and information on how to exercise that choice. As stated above in this Privacy Policy, we provide you with a choice prior to sharing your personal information with third parties for their direct marketing purposes. If you do not opt-in, or if you choose to opt-out at the time we offer that choice, we do not share your information with that identified third party for its direct marketing purposes.

If you are a California resident and you have questions about our practices with respect to sharing information with third parties for their direct marketing purposes and your ability to exercise choice, please contact us using the contact information provided below.

You must put the statement “California Privacy Rights” in the subject field of your e-mail or include it in your writing if you choose to write to us at the designated mailing address. You must include your name, street address, city, state and zip code. We will respond to you at your mailing address or, at our option, your e-mail address. We are not responsible for notices that are not labeled or sent properly, or do not have complete information.

If you are under 18 years of age, reside in California, and have a registered account with the Site, you have the right to request removal of unwanted data that you publicly posted on the Site. To request removal of such data, please contact us using the contact information provided below, and include the email address associated with your account and a statement that you reside in California. We will make sure the data is not publicly displayed on the Site, but please be aware that the data may not be completely or comprehensively removed from our systems.

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you products or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives consistent with the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt-in consent, which you may revoke at any time.

## **CONTACT US**

If you have questions or comments about this Privacy Policy, please contact us at:

Arka Energy, Inc.  
5064 Sloan Way  
Union City, California 94587  
United States of America  
Phone Number: (650) 521-7274  
E-mail: [info@arka.energy](mailto:info@arka.energy)  
Via this Link: <https://arka.energy>