

# Badgerworks, Inc. (askNFTY.com)

## Privacy Policy

Last updated: July 28, 2022

We at Badgerworks, Inc. aka askNFTY, Inc. (“askNFTY”, “we,” “us,” or “our”) have created this Privacy Policy (the “Privacy Policy”) to describe our information collection, sharing and use practices. In this Privacy Policy, we describe what kinds of information we may obtain online through your use of the Services, how we may use and disclose that information, the steps we take to keep it secure, your choices regarding our use of this information, and how you can contact us if you have any questions about our privacy practices.

Please read this Privacy Policy carefully before accessing and using the Services. By using the Services, you agree to be bound by its terms. If you do not agree to (or cannot comply with) all of the terms of this Privacy Policy, do not access or use the Services.

This Privacy Policy is incorporated into and made a part of the askNFTY Terms of Service which may be found here. Capitalized terms not defined in this Privacy Policy shall have the meaning set forth in our Terms of Service.

### 1. THE INFORMATION WE COLLECT

In the course of operating the Services, we will collect the following types of information about you (“Your Data”).

**Profile Information:** When you create a profile on any of our Services (including, by way of example, a Discord handle for use on our Discord Channels), we collect the information that you may provide, such as your name, age, and a profile picture (the “Profile Information”).

**Geolocation Information:** Certain features and functionalities of the App may be based on your location. In order to provide these features and functionalities, we may, with your consent, automatically collect geolocation information from your mobile device, wireless carrier, and/or certain third-party service providers (collectively, the “Geolocation Information”). Collection of such Geolocation Information occurs only when the App is running on your device. You can choose whether or not to allow the App to collect and use real-time information about your device’s location through the device’s privacy settings. Note, however, that opting out of the App’s collection of location information will disable its location-based features.

**Other Information:** In addition to the above-mentioned information, we may collect additional information (the “Other Information”). Such Other Information may include:

From Your Activity: Information that we automatically collect when you use the App or the Discord Channels, including, without limitation:

- IP addresses, browser type and language, referring and exit pages and URLs, date and time, amount of time spent on particular pages, what sections of the App and the Discord Channels you visit, etc.;
- Information about a mobile device, including universally unique ID (“UUID”), carrier and country location, hardware and processor information (storage, chip speed, camera resolution, NFC enabled, and network type (WiFi, 2G, 3G, 4G); and
- Activity and usage information occurring via the App and the Discord Channels, including tagging data, favorites, preferences, session lengths, traffic data, logs, and other communication data and the resources that you access and use on or through the App and the Discord Channels, and similar data.

From Cookies: We collect information using “cookie” technology. Cookies are small packets of data that a website stores on your computer’s or mobile device’s hard drive so that your computer will remember information about your visit. We use session cookies, which expire once you close your web browser, to help us collect Other Information and to enhance your experience using the App and the Discord Channels. If you do not want us to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your internet browser’s documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the App and the Discord Channels may not function properly.

Third-Party Analytics: We use one or more third-party analytics services (such as Google Analytics) to evaluate your use of the App and the Discord Channels, compile reports on activity (based on their collection of IP addresses, internet service provider, browser type, operating system and language, referring and exit pages and URLs, data and time, amount of time spent on particular pages, what sections of the App and the Discord Channels you visit, number of links clicked while on the App and the Discord Channels, search terms and other similar usage data), and analyze performance metrics. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the App and the Discord Channels, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. For more information on these third parties, including how to opt out from certain data collection, please visit the sites below. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the App and the Discord Channels. For additional information about Google Analytics, please see: <https://www.google.com/analytics>.

Submissions: Submissions, as defined in our Terms of Service, includes data, media, documents, content, and other materials that you may submit to the App or Discord Channels, or share or utilize internally by or through the App or Discord Channels. This can include, for example, chats and messages shared between or among users; and collaborative projects, presentations, and project notes. We may access your Submissions in order to improve our Services and for any other lawful purpose.

If you do not want us to collect the information as described above, do not download or use the Services.

## 2. HOW WE USE AND SHARE YOUR DATA

We will take reasonable measures to require that any party receiving Your Data from us undertakes to: (i) retain and use such information only for the purposes set out in this Privacy Policy; (ii) not disclose Your Data except with your consent, as permitted by law, or as permitted by this Privacy Policy; and (iii) generally protect the privacy of Your Data.

**Your Data:** We use Your Data to: (i) provide you with access to specialized portions of the Services and to maintain, and secure such access; (ii) allow you to create a profile on the Services; (iii) store information about your preferences, allowing us to customize your Account according to your individual interests; (iv) notify you when updates to the Services are available; (v) contact you to respond to inquiries related to the Services; (vi) communicate with you to provide you with relevant information about us, including special promotions, discounts and newsletters; (vii) provide you with support, to respond to your inquiries, and to solicit feedback; (viii) identify, investigate, and respond to, and prevent fraudulent or illegal activity (such as incidents of hacking or misuse of our applications), and other liabilities; (ix) enhance or repair the functionality of the Services or improve our Services, and (x) to inform you about our Services and those of our third-party marketing partners.

**Submissions:** If you post Submissions to the Services, that information is transmitted to others at your own risk, and can be collected and used by third parties and by us without limitation. Although you may set certain privacy settings for such contributions, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of third parties with whom you may choose to share Submissions. Therefore, we cannot and do not guarantee that Submissions will not be viewed by unauthorized persons once you have posted it to the Services.

**Miscellaneous:** You also authorize us to use and/or share Your Data as described below.

- **Agents, Affiliates, Providers and Other Third Parties:** We may engage other companies and individuals to perform certain business-related functions on our behalf. Examples may include providing technical assistance, order fulfillment, customer service, and marketing assistance. These other companies will have access to Your Data as necessary to perform their functions and to the extent permitted by law. We may also share Your Data with any of our parent companies, subsidiaries, or other companies under common control with us.
- **Marketing:** As permitted by applicable law, we may use Your Data for marketing purposes, such as informing you about our products and services and those of our third-party marketing partners that could be useful, relevant, valuable, or otherwise of interest to you. We may also share Your Data with third parties that are not service providers or vendors, so that those third parties can send you information about their products and/or services. If you do not wish to have Your Data shared directly with third

parties as described above (other than our service providers and vendors), please submit your request to our email at [partnerships@asknft.com](mailto:partnerships@asknft.com).

- **Aggregated Information:** In an ongoing effort to better understand users of the Services, we might analyze Your Data in aggregate form in order to operate, maintain, manage, and improve the Services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners, and may share and sell this aggregate information to other unaffiliated third parties. We may also disclose aggregated user statistics in order to describe our Services to current and prospective business partners and to other third parties for other lawful purposes.
- **Business Transfers:** As we develop our business, we might sell or buy other assets or businesses. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, Your Data may be part of the transferred assets associated with such transaction.
- **Legal Requirements and to Enforcement of Our Policies:** To the extent permitted by law, we may also disclose Your Data: (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (ii) whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of us or others. We may disclose Your Data to enforce our rights arising from any contracts entered into between you and us, including our Terms of Service and this Privacy Policy or if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of askNFTY, our customers or others.
- **Otherwise With Your Consent:** We may also disclose Your Data to fulfill any purpose for which you provide it or for any other purpose disclosed by us when you provide the information.

### 3. ACCESSING AND MODIFYING INFORMATION AND COMMUNICATION PREFERENCES

If you have provided us any personal information, you may access, remove, review, and/or make changes to the same by contacting us at [partnerships@asknft.com](mailto:partnerships@asknft.com). In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the “Unsubscribe” link located on the bottom of any askNFTY marketing e-mail. We will use commercially reasonable efforts to process such requests in a timely manner.

### 4. EXTERNAL SITES

Our Services may contain links to third-party websites (“External Sites”). askNFTY has no control over the privacy practices or the content of these External Sites. As such, we are not responsible for the content or the privacy policies of those External Sites. You should review the applicable third-party privacy policy and terms of use when visiting any External Sites.

### 5. DO NOT TRACK SIGNALS

Some web browsers may give you the ability to enable a “do not track” setting that is an HTTP header field indicating your preferences regarding user tracking or cross-site tracking. We do not recognize web browser “do not track” signals at this time, and we do not alter our Services’

data collection and use practices when we see a do not track signal from your browser. Instead, information collection and disclosure practices and the choices that we provide to users will continue to operate as described in this Privacy Policy, whether or not a “do not track” signal is received. For more information about “do not track,” please see <http://donottrack.us/>.

## 6. DATA SECURITY AND RETENTION

We take commercially reasonable steps to protect Your Data from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases or the databases of the third parties with which we may share such information, nor can we guarantee that the information you supply will not be intercepted while being transmitted over the internet. In particular, e-mail sent to us may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

We retain Your Data for as long as you have an account with us. In some cases we may retain Your Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

## 7. CHILDREN

We do not knowingly collect personal information from children under the age of 18 through our Services. If you are under 18, please do not use the Services or provide us with any personal information. We encourage parents and legal guardians to monitor their children’s internet usage and to help enforce our Privacy Policy by instructing their children never to provide personal information through the Services without their permission. If you have reason to believe that a child under the age of 18 has provided personal information to us, please contact us, and we will delete that information from our databases.

## 8. IMPORTANT NOTICE TO NON-US RESIDENTS

askNFTY is based in the United States and governed by U.S. law. If you are located outside of the United States, please be aware that any information you provide to us may be transferred to, processed, maintained, and used on computers, servers, and systems located outside of your state, province, country, or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. Data protection laws in the United States are likely different from those of your country of residence. By submitting your personal information through our Services, you acknowledge that your personal information will be processed in the United States in accordance with this Policy. Visitors residing outside the United States may contact us at [partnerships@asknfty.com](mailto:partnerships@asknfty.com) for more information about our data practices.

## 10. NEVADA PRIVACY RIGHTS

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties. You can exercise this right by contacting us at [partnerships@asknft.com](mailto:partnerships@asknft.com) with the subject line "Nevada Do Not Sell Request" and providing us with your name and the email address associated with your access to the Services. Please note, however, that we do not sell personal information.

#### 11. CHANGES TO THIS PRIVACY POLICY

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time with or without notice to you. Any such changes will be posted on the Services. Please refer back to this Privacy Policy on a regular basis.

#### 12. HOW TO CONTACT US

If you have questions about this Privacy Policy or if you would like askNFTY to either change, or discontinue use of, Your Data, please contact us via e-mail at [partnerships@asknft.com](mailto:partnerships@asknft.com), with "Privacy Policy" in the subject line.