

Privacy

Privacy Statement

At Felix Smart, we take your privacy seriously.

This Privacy Statement for Felix Smart Products and Services ("Privacy Statement") describes information that Felix Smart Inc. and its subsidiaries and affiliates (collectively, "Felix Smart") collect, use, share and store, including personal information (i.e., information that personally identifies you, such as your name, email address or billing information, or other data that can be reasonably used to infer this information). This document focuses on information related to the operation of Felix Smart products and services, including the Felix Smart Smart Controller, Felix Smart Monitor, Felix Smart Cam and other products from Felix Smart (collectively, "Felix Smart Products"). In this Privacy Statement, the expression "Felix Smart Products" also includes our Web Apps, Mobile Apps and Subscription Services as defined in our Terms of Service.

We provide additional details about how we collect and use information from our public web sites in our Privacy Policy for Felix Smart Web Sites.

Our Pledge:

1. We will be transparent about the different types of information we collect and how we use them.
2. We will ask your permission before sharing your personal information with third parties for purposes other than at your request or to provide Felix Smart Products and to do so only when we think they will provide you with a welcome additional service.
3. We will use best-in-class data security tools to keep your data safe and protect the Felix Smart Products from unauthorized access.

Your Permission: Permission for data collection and processing. By using Felix Smart Products, you agree to allow us to collect and process information as described in this Privacy Statement.

International data transfers. Your personal information may be collected, processed and stored by Felix Smart or its service providers in the United States and other countries where our servers reside. Please be aware that the privacy protections and legal requirements, including the rights of authorities to access your personal information in some of these countries, may not be equivalent to those in your country. If you are using Felix Smart Products in the European Economic Area or other regions with laws governing data collection and use that may differ from United States law, you agree to the transfer of your personal data to the United States and other countries where Felix Smart operates. We have provided you with more information below as to how we protect your personal data when it is transferred internationally: How does Felix Smart protect my personal information when it is transferred internationally?

What information does the Felix Smart collect?

Felix Smart collects:

- Setup information you provide
- Environmental data from the Felix Smart Monitoring sensors
- Direct adjustments to the device, including temperature and power settings
- Video of the internal view of your aquarium and images outside of the aquarium which are in view

- Technical information from the device

Setup information you provide: When you install the Felix Smart, you'll be asked several questions in order to help us create an initial program. For example, we'll ask for information like the devices you will be connecting to your Felix. This information helps us to customize your experience by, for example, setting up automated programs that are best suited for your equipment, habitat and animals. Answering these questions helps us to set up an initial program that will keep them comfortable.

Environmental data from the Felix Smart sensors: We collect data from several sensors built into the Felix Smart Monitor. These sensors collect data such as current temperature, pH, ammonia, water levels, humidity, nitrates, CO2 and ambient light in the room.

Direct adjustments to the device: If you change settings like temperature on the Felix Smart, it records and feeds that information to the Felix Smart algorithms to learn your desired setting levels in different situations.

Automatic or Custom Settings usage information: Every time your system or devices turn on and off, Felix Smart records the time and duration during which your system was on in order to offer you features such as usage history.

Technical information from the device: In order to improve your experience over time and help Felix Smart, we record your Felix Smart model and serial number, software version and technical information.

What information does Felix Smart Cam collect?

Felix Smart Cam collects and enables you to collect:

- Setup information you provide
- Environmental data from Felix Smart Cam sensors
- Video signals and data
- Fish and Plant recognition data to enable Health Cam AI Fish and Plants Alerts feature
- Technical information from the device
- Shared content

Information input during setup: When you install Felix Smart Cam, you'll be asked for certain basic information like your camera name, camera description, home address, ZIP/postal code, as well as where in your aquarium you're installing Felix Smart Cam. This information is used to personalize your experience — for example, to tell you which device is triggering a notification.

Environmental data from the camera's sensors: We collect data from several sensors built into Felix Smart Cam. These sensors collect data such as device temperature and ambient light in the room. By recording this information, Felix Smart Cam will know, for instance, whether it's dark and it should turn on night vision.

Video and audio signals and data: Felix Smart Cam enables you to determine the purpose and the means for which you collect video and audio signals data. When you enable the recording or streaming features of your Felix Smart Cam, we may record and process video and/or audio recordings from the device, subject to your instruction, configuration and settings. This may include capturing and emailing to you portions of this data as part of a notification, or analyzing the data to identify motion or other events. If you instruct us by setting up your camera and choosing to receive mobile notifications, we may process information from your Felix Smart Cam to

send you alerts when something happens. In addition, if you have the recording features enabled, we will capture, process and retain video recordings from your device.

Fish and Plant recognition data to enable Health Cam AI Alerts feature: If you choose to use the Health Cam AI alerts feature on your Felix Smart Cam, we will process images and underlying prints for the purpose of enabling your device to recognize Health Cam AI and to notify you of familiar fish and plants. Using the app and your account, you control whether this biometric processing occurs.

Technical information from the device: In order to improve your experience over time and help troubleshoot any problems you may encounter with Felix Smart Cam, we record your Felix Smart Cam model and serial number, software version and technical information such as Wi-Fi signal strength.

Saved and Shared Content: Felix Smart Cam enables you to determine the purpose and the means for which you save and share content. You may save and may choose to share certain content like video clips, live video streams, images, captions and comments for other people to access using the Services. We will collect and store information that will allow us to save or share your content at your instruction through the Services.

Felix Smart Cam is primarily intended for purely personal or household use. However, data protection and privacy laws in your country may impose certain responsibilities on you and your use of Felix Smart Cam. You (not Felix Smart) are responsible for ensuring that you comply with any applicable laws when you use Felix Smart Cam. For example, you may need to display a notice that alerts visitors to your home that you are using Felix Smart Cam and/ or obtain their explicit consent depending on the purpose and the means of your processing activities. Note in particular that recording and sharing clips that involve other people, public spaces and/or scans of people's faces may affect an individual's privacy and data protection rights.

How does my Felix Smart Product or account interact with third parties?

If I use Felix Smart to connect third-party products and services to Felix Smart, will information be shared? When you choose to connect third-party products and services through Felix Smart, you are shown details about any proposed exchange(s) of data between Felix Smart and the third party that is providing the product or service. Felix Smart or the third party will instead (or also) ask for consent to control the products that you have connected. Your consent is required to allow any of these exchanges or requests for control and you will be able to revoke it at any time.

Is information shared with or received from third parties, outside of the Felix Smart program? Felix Smart may share information with third parties with your permission. We may also receive information from our partners and other sources and combine that with the information in your Felix Smart account. For example, in order to offer online shopping programs, we might receive information (such as which of our partners offers services where you live) to determine eligibility and efficacy of our programs.

Additional information about the limited circumstances in which information from your Felix Smart account may be shared with third parties is described below in the section titled "In what circumstances does Felix Smart share my information?".

Any Felix Smart data that you choose to share with a third party is governed by that third party's privacy policy while in that party's possession.

Any data that Felix Smart receives from third parties will be processed and stored by Felix Smart and will be treated in accordance with this Privacy Statement. This information may be processed by the same methods as any other data that is a part of your Felix Smart account or the Felix Smart logs.

What additional information does Felix Smart collect and store when a user connects a Felix Smart Product to the Internet or creates an account?

Wi-Fi Network Information: To connect your Felix Smart Product to our Services, or to access your

Felix Smart Product over the Internet from a computer, a smartphone or a tablet, you will need to connect it to your Wi-Fi network. During setup, the Felix Smart Product will ask for your Wi-Fi network name (SSID) and password to connect to the Internet. It will save this information on the device along with your IP address, so that you can access it and control it from your computer, smartphone or tablet, so that it can communicate with Felix Smart servers and download software updates.

Once connected to your Wi-Fi network, your Felix Smart Product regularly sends the data described in this Privacy Statement (excluding your Wi-Fi password) to Felix Smart to provide you with the Services.

Additional Authorized Users: Felix Smart may provide you with the ability to enable additional authorized users to access your account. If you do so, the additional authorized users may control and view all of your devices, content and Works with Felix Smart connections. Invited users may also add additional authorized users to your account, so be careful to add only those you trust. An invited user must have or create a Felix Smart account and information about invited users (like email address, name or changes to product settings) will be stored with your account.

Email Addresses: When you create a Felix Smart account, we collect and store your email address. From that point forward, your email address is used for communications from Felix Smart. In addition, Felix Smart may provide you with the ability to enable individuals to access your account as additional authorized users, or to invite other individuals such as friends or family to share access to your content such as recorded video footage. We will ask you for the email address of any such individuals and automatically send an email invitation on your behalf. Felix Smart stores this information to send this email, to register your friend if your invitation is accepted and to track the success of our invitation services.

Basic Profile Information: Your account allows you to provide certain basic profile information like your name and profile photo. Names and profile photos may be shown to others in connection with the Services. In addition, if you download the Felix Smart Mobile App, we may collect and store your mobile device identifiers (such as IDFA, AAID, or other device identifiers). For example, if you invite someone as an additional authorized user, he or she will be able to see your name and photo. You should only use photos you are willing to make public.

Mobile location data: You may choose to enable features like Home/Away Assist or device pairing. If you do this, you'll be asked for permission to share location data from your mobile device. If you grant this permission, the Felix Smart app uses standard location services built into iOS and Android. This data may be processed or combined with data from other products to enhance features like Home & Away.

Bluetooth data: Bluetooth-enabled Felix Smart Products (such as Felix Smart Protect 2nd generation and Felix Smart Cam) may broadcast an identifying signal wirelessly. This is used to connect with your Bluetooth-enabled devices (such as a smartphone or tablet) in order to deliver features like easy setup or App Silence.

Remember that when you visit our Sites, we collect personal information as described in our separate Privacy Policy for Felix Smart Web Sites. Like most Internet sites, we routinely record log entries (including information such as your IP address) and technical information (such as your browser type and version) when your browser, mobile device or Felix Smart Product contacts our servers.

How does Felix Smart use the information it collects?

We use this information to provide, develop and improve Felix Smart Products and services, including to make assessments and recommendations about products, safety, or energy use. We may use your contact details to send you this information, or to ask you to participate in surveys about your Felix Smart use and to send you other communications from Felix Smart.

We may also use this information in a non-identified form for research purposes and to help us make sales, marketing and business decisions. For example, we use aggregated user information about the number of active thermostat users in a particular state to help us decide what energy companies might be good partners and aggregated smoke and CO alarm data to study emergency alarm rates across our customers.

We may use service providers to perform some of these functions. Those service providers are restricted from sharing your information for any other purpose.

We use industry-standard methods to keep this information safe and secure while it is transmitted over your home network and through the Internet to our servers. Depending on your location and type of data, Felix Smart may process your personal information on servers that are not in your home country.

In general for purposes of applicable law (e.g., GDPR), Felix Smart is a controller of the information collected in connection with the Products and Services. However, in the case of "Video and audio signals and data" and "Fish and Plant recognition to enable Health Cam AI Alerts feature" you are the controller of these data and Felix Smart is a processor.

Our legal bases for processing information

If European data protection law applies to the processing of your information, we process your information for the purposes described in this Privacy Statement, based on the following legal grounds:

When we're providing a product or service

We process your data to provide and support a product or service you've asked for under a contract, including but not limited to delivering our Terms of Service.

When we're pursuing legitimate interests

We process your information for our legitimate interests and those of third parties while applying appropriate safeguards that protect your privacy. This means we process your information for things like:

- offering and improving Felix Smart Products and services
- developing new products and features
- understanding how people use our products and services
- performing research that improves our services for our users and benefits the public
- sending you direct marketing and other communications from Felix Smart
- protecting against harm to the rights, property and safety of Felix Smart, our users and the public
- detecting, preventing or otherwise addressing fraud, abuse, security or technical issues with our services
- maintaining and improving the integrity of our computing systems and protecting our users' data security
- enforcing legal claims, including investigation of potential violations of applicable Terms of Service

When we're complying with legal obligations

We process your data when we have a legal obligation to do so, for example, if we're responding to a legal process or an enforceable governmental request.

With your consent, we ask for your consent to process your information for certain specific purposes and give you the right to withdraw that consent at anytime.

In what circumstances does Felix Smart share my information?

Under no circumstances do we share personal information for any commercial or marketing purpose unrelated to the activation and delivery of Felix Smart Products and services without asking you first. Period. We do not rent or sell our customer lists. The following are the limited situations where we may share personal information:

- With your permission: We may share personal information when we have your permission. One example of this would be if you invite another user to access the Products on your account as an additional authorized user. Another example is if you sign up for programs offered by our partners (e.g., energy or insurance companies); if you do this, we may share certain information with the partner. This could include things like your enrollment information and the activation status of your device. If you connect third party devices and services to your Felix Smart Products through the Works with Felix Smart program, you are shown information about any proposed exchange of data. Felix Smart or the third party will request your consent to these exchanges on your behalf and you can change your mind at any time. When you use third party products and services integrated with the Felix Smart Products, their own terms and privacy policies will govern your use of those products and services.
- For external processing: We have vendors, service providers and technicians who help with some of our processing and storage, including help to answer your questions. They may also assist with monitoring our servers for technical problems. These technicians (as well as Felix Smart employees) can access certain information about you or your account in line with this work but these technicians are not allowed to use this data for non-Felix Smart purposes. We also have strict policies and technical barriers in place to prevent unauthorized employee access to video data.
- As part of business transitions: Upon the sale or transfer of the company and/or all or part of its assets, your personal information may be among the items sold or transferred. We will request a purchaser to treat our data under the privacy statement in place at the time of its collection.
- For legal reasons: We will share personal information with third parties if we have a good faith belief that access, use, preservation or disclosure of the information is reasonably necessary to (i) meet any applicable law, regulation, legal process or enforceable government request; (ii) enforce Felix Smart policies or contracts, including investigation of potential violations; (iii) detect, prevent or otherwise address fraud, security or technical issues; (iv) protect against harm to the rights, property or safety of Felix Smart, our users or the public as required or permitted by law.

We may share non-personal information (for example, aggregated or anonymized customer data) publicly and with our partners. For example, we may publish trends about energy use or elevated carbon monoxide levels in the home. This information may also be shared with other users to help them better understand their energy usage compared to others in the Felix Smart community, raise awareness about safety issues, or help us generally improve our system. We may also share non-personal information with our partners, for example, if they are interested in providing demand-response services or other incentive programs. We take steps to keep this non-personal information from being associated with you and we require our partners to do the same.

If you select an outside party for the purchase, installation or service of your Felix Smart device and share your personal information, we cannot control the collection, storage or sharing of information collected by that party. For example, if you buy a Felix Smart from a retailer, the retailer may collect personal information as part of the transaction. Or the party that installed the device may retain information that you provided to them to assist them in servicing the device if needed. Always check the privacy policies of any company that collects your personal information.

What choices do I have and how can I delete my personal information?

Felix Smart generally stores your personal information on Felix Smart's servers until you delete or edit it, or for as long as you remain a Felix Smart customer in order to provide you with Felix Smart Products. In addition, Felix Smart may store your personal information to resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements and comply with applicable laws.

As described above, some information is processed and stored directly on the Felix Smart device. Personal information from Felix Smart devices is encrypted while it is being transmitted to Felix Smart.

You can delete the information on the Felix Smart device by resetting it to the defaults (using Reset in the Settings menu).

You can access, amend or delete your personal information from Felix Smart's servers through the controls in your account. Felix Smart customers can also request their Felix Smart data by visiting Felix Smart.com/ca/privacy. Learn more about our data retention practices here.

Individual Rights in the European Economic Area.

If you are located in the European Economic Area, you may seek confirmation regarding whether Felix Smart is processing personal information about you, request access to your personal information and ask that we correct, amend or delete your personal information. In addition, you may object to Felix Smart's processing of your personal information at any time. However doing so may impact your use of the Products and Services.

If applicable law provides you the right to request access to, (receive) port, object to or restrict processing, seek rectification or request erasure of personal information held about you by Felix Smart, you may do so, as applicable, through controls in the Felix Smart application or by contacting Felix Smart. To protect your privacy, Felix Smart will endeavor to take commercially reasonable steps to verify your identity before granting access to or making any changes to your personal information. Learn more at Felix Smart.com/ca/privacy.

How does Felix Smart protect my personal information when it is transferred internationally?

When we transfer personal data from the European Economic Area and Switzerland to other countries, including to the United States, we use a variety of legal mechanisms to help ensure your data is appropriately protected. Felix Smart Labs Inc. complies with the EU-US Privacy Shield Framework and the Swiss—US Privacy Shield Framework (the "Privacy Shield") regarding the collection, use, sharing and retention of personal information from the European Economic Area and Switzerland to the United States, as described in our Privacy Shield certification. Felix Smart adheres to the principles contained in the Privacy Shield (the "Principles").

As part of our participation in Privacy Shield, if you have a dispute with us about our adherence to the Principles, you may refer a complaint to your local data protection authority and we will work with them to resolve your concern. (In certain circumstances, the Privacy Shield Framework provides the right to invoke binding arbitration to resolve complaints not resolved by other means, as described in Annex I to the Privacy Shield Principles.) If you have a Privacy Shield related complaint, please contact us at privacy@felixsmart.com.

Privacy Shield participants are subject to the investigatory and enforcement powers of the US Federal Trade Commission and other authorized statutory bodies. Under certain circumstances (i.e. personal data sharing under the Onward Transfer Principle with third parties for external processing on our behalf), participants like us may be liable for the transfer of personal information from the EU to third parties outside the EU. Learn more about Privacy Shield here.

We may share, as described in this Privacy Statement, information with our affiliates and subsidiaries and third parties. We may disclose information in response to legal process and lawful requests by public authorities in the United States and other countries for the purposes of law enforcement and national security.

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Minors.

Only individuals aged 18 and older are permitted to act as Owners of Felix Smart Accounts. Authorised Users must be over the age of 13 (or equivalent minimum age in the jurisdiction where they reside) and may use the Products and Services under the supervision of a parent or legal guardian and only if they agree to be bound by these Terms on your behalf. Felix Smart Products and Services do not knowingly collect or store any personal information from anyone under the age of 13.

Can the Privacy Statement be changed?

Please note that this Privacy Statement may change from time to time. We will provide notice of any changes on the website or by contacting you.

How can I contact Felix Smart?

If you have any questions, you may submit an inquiry to our Data Protection Office, led by our Data Protection Officer, by emailing privacy@felixsmart.com.