

# Privacy Policy

Payment Guardian Inc. (PGI) understands and respects your concerns about the use of your personal information. We believe that you should know what information about you we collect, as well as how that information is used, maintained, and, in some cases, shared. The following sets forth our privacy practices and policies.

PGI will collect information about you when you do any of the following: (i) register to become a customer; (ii) use any of our services, including when you use a mobile device equipped with one of our services; (iii) use this website; (iv) participate in one of our promotions, such as a sweepstakes; or (v) request information about our services from us or from another company through which our services are offered (such as a mobile telecommunications provider). By doing any of the foregoing, you assent to this privacy policy. If you do not agree with the terms of this policy, please do not engage in any of these activities.

As described in greater detail below, we will store and use information about you, including information about who you are, where your wireless device is located at particular points in time, and where and when you browse on our website in order to provide our services to you and to continually improve the quality of our services and this website. Such information may be uploaded to our servers, to be used (generally in an anonymous format) to monitor the status of the communication network and data processing systems.

We will not sell or disclose to unaffiliated third parties without your consent your location and route information that we collect during your use of our services, except as otherwise provided in this policy. However, from time to time we will disclose, and may sell, to unaffiliated third parties other information that we collect about you, including information that we collect through your registration to be a customer, your participation in one of our promotions, or your request to us or one of our partners for information about our services.

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## Information Collected about You and Our Use of Such Information

The following describes the types of personal and other information we may collect about you, and how we use and maintain that information:

### *Information Related to Your Account:*

We collect information about you when you register to become a customer of the PGI service, and when you otherwise transmit such information to us via our website or by email. Specifically, to maintain your account we collect and store in a database your name, billing address, email address, 10-digit mobile phone number (or device ID/number as required), mobile phone model, wireless carrier, and in certain circumstances your credit card number.

We use your name, billing address, and credit card number for the purpose of billing you for the PGI service.

We use your email address to contact you with regard to your account, such as to communicate that it is about to expire or to confirm any change to your phone number, and to respond to any inquiry you submit via

our website or by email. We also may use your email address from time to time to inform you about our products and services that we think will interest you.

As a customer of PGI, you may also create a username and password, which we store in our database, for the purpose of you logging into your account via the website link provided to you by PGI. In some cases, the usernames and / or passwords are generated for you automatically on your wireless device, and cannot be altered.

As a customer of PGI, you also have the option of providing us with your home and work addresses (to the extent they differ from your billing address), which we store in our database, to enable you to access other features on the PGI service.

On some versions of the PGI service, you can also create a list of addresses that you may edit on our website, or on your mobile device. We store these addresses in our database so that you can access them from your mobile device, and so that should you change devices, this collection of addresses will still be available to you.

### *Information Related to Your Location and Route*

Each time you access the PGI service, we periodically receive and record your current location from the GPS hardware associated with your vehicle. All location data submitted to PGI will remain the sole property of you to the full extent provided by law. PGI will not use the location data for any purpose other than to provide the Service to you and for statistical reporting purposes. PGI may aggregate anonymous statistical data regarding use and functioning of its system by its various customers. Such aggregated statistical data will be the sole property of PGI.

We maintain a database with this location and route information, and may keep such information indefinitely. We use this location and route information to the extent reasonably necessary to provide and maintain the Service and for determining where we should emphasize improving our map coverage and service capabilities, and to improve your user experience. PGI will use commercially reasonable security measures to protect your data against unauthorized disclosure or use.

### *Website Information*

Our website employs browser cookies.

In addition, when you visit our website our systems automatically collect your IP address and the type of browser that you use. When you browse our website, our systems log the web pages that you visit.

### *Remarketing*

We use cookies, which provide information to Google, who will then serve our ads to you based on your prior visit to our website. Google may show our ads on other sites you visit on the internet.

You may opt out of Google's use of cookies by visiting the Google advertising opt-out page.

### *Information from Promotions*

We collect information you give us when you participate in an PGI promotion, such as a sweepstakes. Specifically, you will typically be asked to provide your name and email address, and possibly other information such as your mailing address and telephone number.

We store this information in our database and will use it to communicate with you about the promotion. We may also use this information to promote our services to you in the future, unless you inform us that you opt out from receiving such communications.

We also collect information that you give us when you request additional information about one of our services either via our website or via one of our partners through which our services are offered. (To understand what a partner of ours may do with information about you in the partner's custody, you should check the privacy policy of that partner.)

Information we collect through these requests includes your name, phone number, and email address, and if you are seeking information on behalf of your company, the name of that company. We will use this information to provide you with details about our services, and we may use this information to promote our services to you in the future, unless you inform us that you opt out from receiving such communications.

### *Mobile Phone Information*

By providing a mobile phone number, you expressly consent to receive non-marketing and marketing text messages at the telephone number(s) that you provide. You may opt-out of these communications at any time, and consent to receive marketing text messages is not required to purchase any goods or services. See SMS Terms and Conditions.

### *Other Information*

We may retain any data you provide to us in an email inquiry, for the purpose of tracking the types of questions we receive.

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### *When Your Information Will Be Shared Or Disclosed*

We routinely provide your name, billing address, and credit card information, along with the amount to be charged, to the bank that processes your credit card for billing purposes.

We will comply with any subpoenas, court orders or other legal processes for any of the information about you in our possession, and we may use such information to establish or exercise our legal rights, or to defend against legal claims.

Information about you in our possession may be disclosed as part of any merger, acquisition, sale of company assets, or transition of service to another provider, as well as in the unlikely event of insolvency, bankruptcy, or receivership in which your personal information would be transferred as one of the business assets of the

company. PGI does not guarantee that any entity receiving such information in connection with one of these transactions will comply with all terms of this policy.

Information that we collect about you may also be transferred among our various divisions and affiliated companies around the world, which may involve transfer from countries within the European Economic Area (EEA) to countries outside the EEA. By allowing PGI to collect this information about you, you consent to these transfers, including transborder transmission of data covered by this privacy policy.

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#### Information on Wireless Devices

The PGI software (and any upgrades, modifications, or additions thereto) that is factory installed or downloaded to, and resides upon your wireless device retains your manually entered account number username and password, or reads it from the device. Having your carrier change the assigned phone number for your wireless device does not change the account number we maintain with regard to that device, which will result in your device not being able to access your PGI account established using the new phone number. If this happens, please continue to use the original number.

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#### Other Websites

For your convenience, this website contains links to other websites, including some websites administered by PGI or administered by other companies on behalf of PGI, as well as to websites unrelated to PGI. This privacy policy does not apply to these linked websites. Each website should be checked for its own privacy policy.

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#### Changes to this Policy

PGI may from time to time update this privacy policy. In the event that PGI merges with, or is acquired by another company, a change to this privacy policy may result.

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#### Governing Law

By choosing to visit this website or otherwise provide information to PGI, you agree that any dispute over privacy or the terms contained in this privacy policy will be governed by the law of the State of California. You also agree to arbitrate such disputes and to abide by any limitation on damages contained in our Terms of Use, Terms and Conditions of Service, or other applicable agreement we have with you.

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## Update Information / Suggestions

If you would like to update or correct any information that you have provided to PGI through your use of the PGI services or this website, or you have suggestions for improving this privacy policy, please send an e-mail to [support@mysmartcargps.com](mailto:support@mysmartcargps.com)