

TEND.AI

Privacy Policy

(last updated: January 27th, 2017)

This **Privacy Policy** (“Privacy Policy”) describes the types of information **Tend ai Inc.** (“Tend.ai”) may collect from **you** (“you” or “your”) when you visit Tend.ai owned websites or domains, including www.tend.ai, or access or use Tend.ai software or services (collectively, the “Services”), how Tend.ai uses the information it collects from you, with whom Tend.ai shares such information, how Tend.ai protects such information, and the choices Tend.ai offers you regarding Tend.ai’s collection and use of such information. By accessing or using the Services you agree to the terms and conditions set forth in this Privacy Policy.

1. INFORMATION TEND.AI COLLECTS

Tend.ai may collect personal information about you, meaning information that can uniquely identify you, from various sources, such as directly from you when you access or use the Services, register for an account, access or use certain features or content, or order products.

The personal information Tend.ai may collect about you may include, without limitation:

- contact information, such as name, postal address, email address, and phone number;
- demographic information, such as age, date of birth, gender, job information, and postal code;
- login information, such as username, password, and security questions and answers; and
- payment and financial details, such as credit card number, expiration date, authentication code, billing address, and bank account number.

In addition, if you access or use the Services on a mobile device and your mobile device’s settings allow it, Tend.ai may collect information about your real-time location. Please see the “Your Choices” section below for information regarding how to limit the location information that Tend.ai may collect when you access or use the Services on a mobile device.

When you use the Services, Tend.ai may also collect certain information by automated means, such as cookies or web beacons. A “cookie” is a text file that websites send to a visitor’s computer or other Internet-connected device to uniquely identify the visitor’s browser or to store information or settings in the browser. A “web beacon,” also known as an Internet tag, pixel tag, or clear GIF, is used to transmit information about actions of the user opening the page or email containing the beacon back to a web server. Certain features of the Services may use local shared objects (or Flash cookies) to collect and store information about your preferences and how you interact with the Services. Tend.ai may also use third-party analytics tools that collect information about access to or use of the Services and user traffic. Tend.ai may also use third-party services to collect information about access to or use of the Services and user traffic and to help Tend.ai measure the effectiveness of the Services. These third-party service providers may place cookies or other tracking technologies on your computer or device to help Tend.ai and such third-parties analyze the traffic on the Tend.ai websites and better meet Tend.ai’s customers’ needs and they may also use the data for other purposes, such as improving their own services and delivering customized advertisements on other websites. The information Tend.ai may collect by automated means may include, without limitation:

- information about the computers or devices you use to access or use the Services (such as the IP address and the type of the device, operating system, and web browser);
- dates, times, and duration of access to or use of the Services (including whether you are a repeat or first time visitor); and
- information on actions taken when using the Services (such as page views and website navigation patterns).

The information Tend.ai collects automatically is statistical data and may include personal information, but Tend.ai may maintain it or associate it with personal information Tend.ai collects in other ways or receives from third parties. This helps Tend.ai improve and personalize the Services, including by enabling Tend.ai to identify and authenticate users.

2. HOW TEND.AI RESPONDS TO DO NOT TRACK SIGNALS

Your web browser may let you choose your preference as to whether you want to allow the collection of information about your online activities over time and across different websites or online services. The Services may not respond

to the preferences you may have set in your web browser regarding such collection of your information, and the Services may continue to collect information in the manner described in this Privacy Policy.

3. THIRD-PARTY USE OF COOKIES AND OTHER TRACKING TECHNOLOGIES

Some content or applications available through the Services, including advertisements, may be served by third parties. These third parties may use cookies, alone or in conjunction with web beacons or other tracking technologies, to collect information about you when you access or use the Services, such as your IP address, pages you visit, and when you view a page or open an email in which a tag is embedded. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content and for other purposes. Tend.ai does not control these third parties' tracking technologies or how they may be used. The information practices of these third parties are governed by their own privacy policies and are not covered by this Privacy Policy. If you have any questions about a third party advertisement or other targeted content, you should contact the responsible provider directly.

4. HOW TEND.AI USES THE INFORMATION TEND.AI COLLECTS

Tend.ai may use information it obtains about you to:

- process orders you place and to complete other transactions you have requested in connection with the Services, and provide you with products and services you request;
- send you information or materials you request;
- maintain a record of your purchases and other transactions in connection with the Services;
- respond to your questions and comments and provide customer support;
- communicate with you about Tend.ai products, services, offers, and promotions and third party products and services that may be of interest to you;
- operate, evaluate, and improve Tend.ai's business and the products and services Tend.ai offers;
- analyze and enhance Tend.ai's marketing communications and strategies, including by identifying when emails sent to you have been received and read;
- analyze trends and statistics regarding access to or use of the Services and transactions conducted in connection with the Services;
- protect against and prevent fraud, unauthorized transactions, claims, and other liabilities, and manage risk exposure, including by identifying potential hackers and other unauthorized users;
- enforce or apply this Privacy Policy or the [Tend.ai Terms of Service](#) or other agreements with you; and
- comply with applicable legal requirements and industry standards.

Tend.ai may combine the information it collects with publicly available information and information it receives from its parent, affiliate, or subsidiary companies, business partners, and other third parties. Tend.ai may use that combined information to enhance or personalize your experience with Tend.ai, to communicate with you about products, services, and events that may be of interest to you, for promotional purposes, and for other purposes described in this Privacy Policy. Tend.ai also may use the information it obtains about you in other ways for which Tend.ai provides specific notice at the time of collection.

5. DISCLOSURE OF INFORMATION

Tend.ai may disclose aggregated information about you and other Tend.ai users, and information that does not identify any individual user, without restriction. Tend.ai may disclose personal information about you:

- to contractors, service providers, and other third parties Tend.ai uses in connection with the Services or to support Tend.ai's business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which Tend.ai discloses it to them;
- to comply with any court order, law, or legal process, including to respond to any government or regulatory request;
- to enforce or apply this Privacy Policy or the [Tend.ai Terms of Service](#) or other agreements with you;
- if Tend.ai believes disclosure is necessary or appropriate to protect the rights, property, or safety of Tend.ai, users of the Services, or others;
- to third parties to market their products or services to you if you have consented to, or not opted out of, these disclosures; and
- with your consent.

Tend.ai also reserves the right to transfer your personal information to a buyer or other transferee in the event of a merger, acquisition, divestiture, restructuring, reorganization, dissolution, sale, or other transfer of some or all of Tend.ai's equity or assets. Should any such event occur, Tend.ai will use reasonable efforts to direct the buyer or transferee to use your personal information in a manner that is consistent with this Privacy Policy.

6. DATA SECURITY

Tend.ai has implemented measures intended to protect your personal information from accidental loss and from unauthorized access, use, alteration and disclosure. All information you provide to Tend.ai in connection with the Services is stored on secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology. Please note that the electronic transmission of information is not completely secure, and Tend.ai cannot guarantee that the security measures it has in place to safeguard personal information will never be defeated or fail, or that such measures will always be sufficient or effective. Any transmission of personal information is at your own risk.

7. YOUR CHOICES

Tend.ai offers you the following choices about the information Tend.ai collects from you and how Tend.ai communicates with you:

Cookies

Most browsers will tell you how to stop accepting new cookies, how to be notified when you receive a new cookie, and how to disable existing cookies. Flash cookies operate differently than browser cookies and cookie management tools available in a web browser may not remove Flash cookies. To learn how you can manage your Flash cookie settings, visit http://www.macromedia.com/support/documentation/en/flashplayer/help/settings_manager.html. Please note, however, that without cookies you may not be able to take full advantage of all of the features of the Services.

Promotional Communications

If you do not want Tend.ai to use your email address or other contact information you have provided to Tend.ai to promote Tend.ai's or third parties' products or services, you can opt out by checking the relevant box located on the form on which Tend.ai collects such information or at any other time by logging into your account with Tend.ai and adjusting your user preferences in your account profile or by sending Tend.ai an email stating your request to contact@Tend.ai. If you have received a promotional email from Tend.ai, you can also opt out of receiving future promotional emails from Tend.ai by following the unsubscribe instructions contained in such email. If you have received a catalogue or other mailing from Tend.ai and you send Tend.ai an email to opt out of future mailings, please be sure to include in the email your name and mailing address exactly as they appear on such mailing. Tend.ai will remove your name from the Tend.ai mailing list as soon as practicable thereafter.

Location Information

If you access the Services using a mobile device, you may adjust the settings on your mobile device to allow or prevent the sharing of location information. For example, you can disable "Location" (or "Location Services" on iOS-based devices) on your mobile device to prevent sharing your location information with Tend.ai. Please refer to instructions provided by your mobile service provider or the manufacturer of your mobile device to learn how to adjust your mobile device settings. Please note that if you disable the sharing of location information, you may be unable to access some features of the Services that are designed for mobile devices.

Disclosure of Personal Information for Third-Party Advertising

If you do not want Tend.ai to share your personal information with third parties for their own promotional purposes, you can opt out by checking the relevant box located on the form on which Tend.ai collects your personal information or at any other time by logging into your account with Tend.ai and adjusting your user preferences in your account profile or by sending Tend.ai an email stating your request to contact@Tend.ai.

Third-Party Tracking

Although Tend.ai does not control third parties' collection or use of your information to serve interest-based advertising or other targeted content, a number of these third parties may provide you with ways to choose not to have your information collected or used in this way. You may be able to opt out of receiving targeted advertisements from members of the Network Advertising Initiative by visiting <http://www.networkadvertising.org/choices>.

8. ACCESSING AND CHANGING YOUR INFORMATION

You can review and change the personal information associated with your Tend.ai account by logging into your account and visiting your account profile page. You may also send Tend.ai an email at contact@tend.ai to request access to correct or delete any personal information that you have provided to Tend.ai. Tend.ai may not accommodate a request

to change information if Tend.ai believes the change would violate any law or legal requirement or cause the information to be incorrect or inaccurate.

9. YOUR CALIFORNIA PRIVACY RIGHTS

California Civil Code Section §1798.83 permits users of the Services who are California residents to request certain information regarding Tend.ai's disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to Tend.ai at contact@Tend.ai or write to Tend.ai at 2964 Northwest Terra Meadow Drive, Bend, Oregon 97701.

10. CHILDREN UNDER THE AGE OF 13

The Services are not directed to, and Tend.ai does not knowingly collect or solicit personal information from, children under the age of 13. If Tend.ai learns it has collected or received personal information from a child under the age of 13, Tend.ai will delete that information. If you believe Tend.ai might have any information from or about a child under the age of 13, please contact Tend.ai at contact@Tend.ai.

11. CHANGES TO THIS PRIVACY POLICY

Tend.ai reserves the right to update or change this Privacy Policy at any time. If Tend.ai makes an update or change to this Privacy Policy then Tend.ai will provide notice to you by posting the updated or changed Privacy Policy to www.tend.ai, posting to www.tend.ai a notice that the privacy practices of Tend.ai have changed and providing a link to the new Privacy Policy, or by sending an email to you regarding such update or change. In the event Tend.ai makes an update or change to this Privacy Policy as to how Tend.ai uses your personal information, then Tend.ai will provide you with an opportunity to opt out of such new or different use. The date this Privacy Policy was last revised is at the top of this Privacy Policy. Tend.ai encourages you to visit www.tend.ai periodically to review the then-current Privacy Policy to check for any updates or changes.

12. DATA TRANSFERS

Tend.ai is based in the State of Oregon in the United States. When Tend.ai obtains information about you it may transfer, process, and/or store such information outside of the country in which you reside, including in the United States. By using the Services, you consent to the transfer to and processing and storage of your information in countries outside of your country of residence, which may have different data protection laws than those in the country where you reside.

13. QUESTIONS

If you have any questions about this Privacy Policy or Tend.ai's personal information gathering practices, please contact Tend.ai at contact@Tend.ai.