

Website Privacy Policy for Website Visitors & Job Seekers

TD-1498: Last Revised Date: April 4, 2023

1. General

We know that your privacy is important to you, and we work hard to earn and keep your trust. MIM Software® Inc. (collectively with its subsidiaries, "Company," "we," "us," and "our") respects your privacy and is committed to protecting your privacy through our compliance with this Website Privacy Policy (the "Policy").

This Policy describes:

- The types of information we collect from you or that you may provide when you visit our website available at: <https://www.mimsoftware.com/> (our "Website").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Policy applies to information we collect on this Website or in emails and other electronic messages between you and this Website, and information gathered when you interact with our advertising on third-party websites if such advertisements include links to this Policy.

This Policy does not apply to information collected by us offline or through any other means, including on any other website operated by the Company or any third party, or information collected by any third party through any application or content (including advertising) that may link to or be accessible from the Website (for further information, see below, "Third-party Websites").

Please read this Policy carefully to understand our practices regarding your information and how we will treat it. If you do not agree with our policies and practices, then please do not use our Website. By using our Website, you agree to the terms of this Policy. This Policy may change from time to time (see below, "Changes to this Policy"). Your continued use of our Website after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

2. Website Terms of Use; Other Agreements

This Policy should be read in conjunction with our Terms of Use, <https://go.mimsoftware.com/legal/terms-of-use>, into which this Policy is incorporated by reference. This Policy only applies to the Website. The privacy policy that governs the Company's software and services is located at: <https://www.mimsoftware.com/legal/software-and-services-policy>.

3. What We Collect and How We Collect It

To ensure that we provide you with the best possible experience, we will store, use, and share personal information about you in accordance with this Policy. Personal information is information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular user, household or device ("Personal Information"). In particular, the Website may collect the following categories of Personal Information from users of the Website:

Category	Examples	Collected
Identifiers.	First and last name, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name.	YES
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	First and last name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.	YES
Protected classification characteristics.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	NO
Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
Sensitive Personal Information.	Precise geolocation, Social Security number, driver's license, state identification card, passport number, account log-in, financial account, debit card, credit card number with security, or access code or password, racial or ethnic origin, religious/philosophical beliefs, or union membership, genetic data and processing of biometric information, health and sexual orientation.	NO
Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
Geolocation data.	Physical location or movements.	NO
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
Professional or employment-related information.	Current or past job history or performance evaluations.	YES
Non-public education information.	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
Inferences drawn from other Personal Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

We obtain the categories of Personal Information listed above from the following categories of sources:

- **Directly from you.** For example, when you:
 - register yourself with the Website;
 - request a demo;
 - subscribe to one of our e-newsletters;
 - chat with us via our chat window;
 - submit a job application; or
 - communicate with us, such as request information.

- **Indirectly from you.** For example, through information we collect from you in the course of providing our services to you.

- **Directly and indirectly from activity on our Website.** For example, from Website usage details that are collected automatically. For more information on automatic information collection, please review the "Automated Information Collection" section below.



Free Text Boxes.

The information that you provide in each case will vary. In some cases, you may be able to provide Personal Information via email or free text boxes, such as contacting the Company to request further information. When providing your Personal Information, please provide only relevant information and do not provide unnecessary sensitive information, such as Social Security numbers, credit card information or other sensitive personal data, unless required for our services.

Live Chat.

We partner with a trusted third-party vendor to provide you with live chat features to better assist you. When using the live chat features, please only provide necessary information and do not provide sensitive information. **For recordkeeping, training, and quality assurance purposes, we or our third-party vendor may record and maintain a transcript of any communications in the live chat.**

4. Automated Information Collection

In addition to the information that you provide to us, we may also collect information about you during your visit to our Website. We collect this information using automated tools that are detailed below. These tools may collect information about your behavior and your computer system, such as your internet address (IP Address), the pages you have viewed, and the actions you have taken while using the Website. Some of the tools we use to automatically collect information about you may include:

A. Cookies. A “cookie” is a small data file transmitted from a website to your device’s hard drive. Cookies are usually defined in one of two ways, and we may use either (or both) of them:

- (1) session cookies, which do not stay on your device after you close your browser, and
- (2) persistent cookies, which remain on your device until you delete them or they expire.

We may use the following categories of cookies on our Website.

i Strictly Necessary Cookies. These cookies are essential in order to enable you to move around the Website and use its features. Without these cookies, services you have requested, such as training materials available only to customers, cannot be provided.

ii Performance Cookies. These cookies collect anonymous information on how you use our Website to help us understand how you arrive at our Website, browse or use our Website and highlight areas where we can improve, such as navigation. The data stored by these cookies never shows personal details from which your individual identity can be established.

iii Functionality Cookies. These cookies remember choices you make such as the country from which you visit our Website, your preferred language, and your search parameters. This information can then be used to provide you with an experience more appropriate to your selections and to make your visits to our Website more tailored to your preferences. The information in these cookies may be anonymized. These cookies cannot track your browsing activity on other websites.

Of course, if you do not wish to have cookies on your devices, you may turn them off at any time by modifying your internet browser’s settings. However, by disabling cookies on your device, you may be prohibited from full use of the Website’s features or lose access to some functionality.

B. Google Analytics. The Website sends aggregated non-Personal Information to Google Analytics for the purpose of providing us with the ability to conduct technical and statistical analysis on the Website’s performance. For more information on how Google Analytics supports the Website and uses information sent from the Website, please review Google’s privacy policy available at <https://policies.google.com/technologies/partner-sites>.

C. Google Ads. MIM Software uses Google Ads, which offers a remarketing function by creating remarketing lists of the people visiting the Website. By using this function, MIM Software is able to contact you through ads once you have visited the Website or while you are visiting other websites or platforms that form part of the Google Display Network.



D. Web Beacons. A Web Beacon is an electronic image. Web Beacons can track certain things from your computer and can report activity back to a web server allowing us to understand some of your behavior. If you choose to receive emails from us, we may use Web Beacons to track your reaction to our emails. We may also use them to track if you click on the links and at what time and date you do so. Some of the third-party marketers we engage with may use Web Beacons to track your interaction with online advertising banners on our Website. Please note that any image file on a webpage can act as a Web Beacon.

E. Embedded Web Links. Links provided in our emails and, in some cases, on third-party websites may include tracking technology embedded in the link. The tracking is accomplished through a redirection system. The redirection system allows us to understand how the link is being used by email recipients. Some of these links will enable us to identify that you have personally clicked on the link and this may be attached to the Personal Information that we hold about you. This data is used to improve our service to you and to help us understand the performance of our marketing campaigns.

F. Third-party Websites and Services. We work with a number of service providers of marketing communications technology. These service providers may use various data collection methods to improve the performance of the marketing campaigns we are contracting them to provide. The information collected can be gathered on our Website and also on the websites where our marketing communications are appearing. For example, we may collect data where our banner advertisements are displayed on third-party websites.

5. How We Use Your Information

The information we gather and that you provide is collected to provide you information and the services you request, in addition to various other purposes, including, but not limited to:

- providing the information, products and services you request;
- security or fraud prevention purposes;
- providing you with effective customer service;
- providing you with a personalized experience when you use this Website;

- contacting you with special offers and other information we believe will be of interest to you (in accordance with any privacy preferences you have expressed to us);
- contacting you with information and notices related to your use of this Website;
- inviting you to participate in surveys and providing feedback to us (in accordance with any privacy preferences you have expressed to us);
- better understanding your needs and interests;
- improving the content, functionality and usability of this Website;
- improving our products and services;
- improving our marketing and promotional efforts; and
- any other purpose identified in an applicable privacy notice, click-through agreement or other agreement between you and us.

Duration. The length of time Company intends to retain each category of Personal Information, including sensitive information, if any, is for as long as reasonably necessary to carry out Company's intended business purpose for such information.

6. How We Disclose Your Information

We do not sell or lease your Personal Information to any third party. We may disclose your Personal Information to a third party for a business purpose. When we disclose your Personal Information, we enter into a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except for the purposes set forth in the contract.

In the preceding twelve (12) months, we may have disclosed the following categories of Personal Information for one or more business purposes:

- Identifiers; and
- Internet or other network activity information.

We may disclose your Personal Information for a business purpose to the following categories of third parties:

- Third party vendors who provide services that enhance our Website, products and services to you (such as vendors for operating the Website, credit card processing, advertising and marketing, customer support, and recruitment of potential new employees).



Except as described in this Policy, we will not share your information with third parties without your notice and consent, unless it is under one of the following circumstances:

- **Legal Reasons.**
 - We believe that disclosure is reasonably necessary to comply with any applicable law, regulation, subpoena, or court order;
 - To respond to duly authorized information requests from law enforcement or other governmental authorities;
 - To enforce our agreements, policies, or the Terms of Use;
 - To investigate and prevent security threats, fraud, or other malicious activity; or
 - To respond to an emergency that we believe in good faith requires us to disclose such information to assist in preventing the death or serious bodily injury of any person or Company employee.
- **Sale of Business or Merger.** There are circumstances where the Company may decide to buy, sell, or reorganize its business in selected countries. Under these circumstances, it may be necessary to share or receive Personal Information with prospective or actual partners or affiliates. In such circumstances, the Company will ensure your information is used in accordance with this Policy.

7. Your Choices and Selecting Your Privacy Preferences

We want to provide you with relevant information that you have requested. When possible, we will always provide options as to what information we collect and how you can manage any preferences that pertain to such information.

If we provide subscription-based services, such as email newsletters, we will allow you to make choices about what information you provide at the point of information collection or at any time after you have received a communication from us while you are subscribed. Transactional or service-oriented messages, such as delivery confirmation messages, are usually excluded from such preferences, as such messages are required to respond to your requests or to provide goods and services, and are not intended for the purposes of marketing.

We may send you email newsletters and marketing emails. After you receive these emails, you may opt out of them at any time as detailed below:

- For electronic communications, click on the unsubscribe function in the communication; and
- go to <https://www.mimsoftware.com/support/email-opt-out/>.

Please note that by opting out or unsubscribing you may affect other services you have requested we provide to you, in which email communication is a requirement of the service provided.

8. Text Messaging

You may have the opportunity to receive SMS or "text" messages, pre-recorded voice messages or auto-dialed phone calls from the Company, its affiliates and related entities as well as third parties. Such messaging may be used to authenticate your identity or mobile device, as well as provide you informational updates about services or products you may have requested. In providing your mobile device number or cell phone number to the Company, you knowingly consent to such communications from the Company or for the Company to use your cell phone number or mobile device number in accordance with the Company's Terms of Use. In providing your number, you represent that you have the authority to agree to receive text messages at the telephone number that you provide to the Company, or from which you sent the text message request to us. You further acknowledge that no purchase is required to opt into this service, and you may opt out at any time by following the instructions provided in our communications to you.

Any such communications you receive from us will be administered in accordance with your preferences and this Policy.

9. Accuracy and Access to Your Personal Information

We strive to maintain and process your information accurately. We have processes in place to maintain all of our information in accordance with relevant data governance frameworks and legal requirements. We employ technologies designed to help us maintain information accuracy on input and processing.

Where we can provide you access to your Personal Information in our possession, we will always ask you



for a username and password to help protect your privacy and security. We recommend that you keep your password safe, that you change it periodically, and that you do not disclose it to any other person or allow any other person to use it.

To view and change the Personal Information that you have provided to us, you can log in to your account and follow the instructions on that webpage, or contact us directly for assistance.

10. Information of Minors

We do not intentionally seek to gather information from individuals under the age of eighteen (18). We do not target the Website to minors, and would not expect them to be engaging with our Website or services. We encourage parents and guardians to provide adequate protection measures to prevent minors from providing information unwillingly on the internet. If we are aware of any Personal Information that we have collected about minors, we will take steps to securely remove it from our systems.

11. Submissions

We welcome inquiries or feedback on the services or products you might use or like to use. Any inquiries, feedback, suggestions, ideas, materials, comments or other information you provide to us (collectively, "Submissions") will be treated as non-proprietary and non-confidential. In addition, we may use your Submissions in advertising campaigns and other promotions. We will seek your consent before using your name for such purposes. Therefore, you should have no expectation of privacy with respect to your Submissions on or through this Website. You should not submit any content you do not wish to make available to the general public, and you must take special care to make sure your Submissions comply with our Terms of Use or other applicable agreements. All terms and conditions of our Terms of Use apply to Submissions on or through this Website. In particular, your Submissions must not violate the privacy or other rights of others. You may not use false identifying information or contact information, impersonate any person or entity, or otherwise mislead us as to the origin of any Submission.

12. Third-Party Websites

This Policy **does not** apply to websites or other domains that are maintained or operated by third parties or our affiliates. Our Website may link to third-party websites and services. For example, if you click on an advertisement on this Website, you may be taken to another website that we do not control. These links are not endorsements of these websites, and this Policy does not extend to them. Because this Policy is not enforced on these third-party websites, we encourage you to read any posted privacy policy of the third-party website before using the service or website and providing any information.

13. Your Rights Under State Law

California

- **Shine the Light law.** Pursuant to California Civil Code Section 1798.83, we will not disclose or share your Personal Information with third parties for the purposes of third-party marketing to you without your prior consent.
- **Do Not Track Signals.** Other than as disclosed in this Policy, the Website does not track users over time and across third-party websites to provide targeted advertising. Therefore, the Website does not operate any differently when it receives Do Not Track ("DNT") signals from your internet web browser.
- **WE DO NOT SELL OR SHARE YOUR PERSONAL INFORMATION.** If we ever decide to "sell" or "share" Personal Information, as those terms are defined under the California Consumer Privacy Act of 2018, we will update you via this Policy and include a link entitled "Do Not Sell or Share My Personal Information," to provide you with an opportunity to opt out of the selling or sharing of your Personal Information.

Your Consumer Rights

Some state laws in the United States provide consumers with additional rights with respect to their personal information (also known as "personal data"), as those terms are defined under those applicable state laws. Such state laws may include, but are not limited to, the California Consumer Privacy Act of 2018 (the "CCPA") as amended by the California Privacy Rights Act, the Colorado Privacy Act ("CPA") and the Virginia Consumer Data Protection Act ("VCDPA"). Any personal information we collect is collected for the commercial



purpose of effectively providing our services to you, as well as enabling you to learn more about, and benefit from, our services. If you reside in a state that provides additional rights with respect to your personal information, you may exercise each of your rights as identified below, subject to our verification of your identity.

- **Access.** You have the right to request that we disclose certain information to you about our collection, use and disclosure of your Personal Information over the past twelve (12) months. Any disclosures we provide will only cover the 12-month period preceding the receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable.
- **Correction.** You can correct what personal data our Website database currently contains by accessing your account directly, or by contacting us to request that we correct or rectify any personal data that you have provided to us.
- **Limit Use and Disclosure of Sensitive Personal Information.** If we collect any sensitive personal information, you have the right to request that we limit the use of the sensitive personal information to that use which is necessary to perform the services or provide the goods reasonably expected by an average consumer who requests those goods or services.
- **Portability.** Upon request and when possible, we can provide you with copies of your Personal Information. When such a request cannot be honored, we will advise you accordingly. You can then choose to exercise any other rights under this Policy.
- **Deletion.** You have the right to request that we delete any of your Personal Information, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies. Where applicable, we will ensure such changes are shared with trusted third parties.
- **Opt-out of Processing.** You have the right to request that we do not sell your Personal Information, use your Personal Information for Targeted Advertising, or use your Personal Information for profiling. Where applicable, we will ensure such changes are shared with trusted third parties.
- **Non-Discrimination.** If a data subject exercises his

or her rights under applicable state law, including but not limited to the CCPA, CPA, and VCDPA, we shall not discriminate against that data subject by denying our goods or services, charging different prices or rates to similarly situated consumers, providing a different level or quality of our goods or services, or taking any other adverse action.

- **Exercising your rights** If you are a data subject that has rights under applicable state law, including but not limited to the CCPA, CPA, and VCDPA, who chooses to exercise the rights listed above, you can:
 - Submit a request via email at privacy@mimsoftware.com; or
 - Call us at 866-421-2536 to submit your request.

Only you, or someone legally authorized to act on your behalf, may make a request related to your Personal Information. If an authorized agent makes a request on your behalf, we may require proof that you gave the agent permission to submit the request.

Responding to Your Request

Upon receiving your request, we will confirm receipt of your request by sending you an email confirming receipt. To help protect your privacy and maintain security, we may take steps to verify your identity before granting you access to the Personal Information. In some instances, such as a request to delete personal information, we may first separately confirm that you would like for us to in fact delete your personal information before acting on your request.

We will respond to your request within forty-five (45) days. If we require more time, we will inform you of the reason and extension period in writing.

In some cases our ability to uphold these rights for you may depend upon our obligations to process Personal Information for security, safety, fraud prevention reasons, compliance with regulatory or legal requirements, or because processing is necessary to deliver the services you have requested. Where this is the case, we will inform you of specific details in response to your request.

14. For Website Users or Visitors Outside of the United States

We do not warrant or represent that this Policy or the Website's use of your Personal Information complies with the laws of every jurisdiction. Furthermore, to provide you with our services, we may store, process,



and transmit information in the United States and other locations around the world, including countries that may not have the same privacy and security laws as yours. Regardless of the country in which such information is stored, we will process your Personal Information in accordance with this Policy.

15. For Website Users or Visitors in the European Union (“EU”)

Under the General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016, or “GDPR”), individuals in the EU are afforded specific rights with respect to their Personal Information, or “personal data” as defined under the GDPR. For the purposes of this Policy, the Company operates as a data controller. Any personal data we collect from you is processed in the United States and under the terms of this Policy.

Any personal data we collect from you is processed in the legitimate interest of our business and providing our services to you as the lawful means of such processing. You may always withdraw your consent to our use of your personal data as described below. We will only retain your personal data for the time necessary to provide you the information and services to which you have consented, to comply with the law and in accordance with your rights below.

The Data Controller is:

NAME: MIM Software® Inc.

ADDRESS: 25800 Science Park Drive - Suite 180
Cleveland, OH 44122

EMAIL ADDRESS: privacy@mimsoftware.com

You can exercise any of the following rights, subject to verification of your identity, by notifying us as described below:

- **Access.** You may email us at privacy@mimsoftware.com to request a copy of the personal data our Website databases currently contain.
- **Automated Processing and Decision-Making.** You may email us at privacy@mimsoftware.com to request that we stop using your personal data for automated processing, such as profiling. In your email, please explain how you wish us to restrict

automated processing of your personal data. When such restrictions are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent to the processing of your personal data.

- **Correction or Rectification.** You can correct what personal data our Website database currently contains by accessing your account directly, or by emailing us at privacy@mimsoftware.com to request that we correct or rectify any personal data that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause information to be incorrect. Where applicable, we will ensure such changes are shared with trusted third parties.
- **Restrict Processing.** When applicable, you may restrict the processing of your personal data by submitting a request via email to privacy@mimsoftware.com. In your email, please explain how you wish us to restrict processing of your personal data. When such restrictions are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent to the processing of your personal data. Where applicable, we will ensure such changes are shared with trusted third parties.
- **Object to Processing.** When applicable, you have the right to object to the processing of your personal data by submitting a request via email to privacy@mimsoftware.com. When such objections are not possible, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent to the processing of your personal data. Where applicable, we will ensure such changes are shared with trusted third parties.
- **Portability.** Upon request and when possible, we can provide you with copies of your personal data. You may submit a request via email to privacy@mimsoftware.com. When such a request cannot be honored, we will advise you accordingly. You can then choose to exercise any other rights under this Policy, to include withdrawing your consent. Where applicable, we will ensure such changes are shared with any trusted third parties.
- **Withdraw Consent.** At any time, you may withdraw your consent to our processing of your personal data through this Website by notifying us via email at privacy@mimsoftware.com. Using the same email address associated with your Website



account, simply type the words "WITHDRAW CONSENT" in the subject line of your email. Upon receipt of such a withdrawal of consent, we will confirm receipt and proceed to stop processing your personal data. Where applicable, we will ensure such changes are shared with trusted third parties.

- **Erasure.** If you should wish to cease use of our Website and have your personal data deleted from our Website, then you may submit a request by emailing us at privacy@mimsoftware.com. Upon receipt of such a request for erasure, we will confirm receipt and will confirm once your personal data has been deleted. Where applicable, we will ensure such changes are shared with trusted third parties.

Submit Complaints or Questions

If you wish to raise a complaint on how we have handled your personal data, you can contact us as described below. If you reside in a European Union member state, you may also lodge a complaint with the supervisory authority in your country.

16. Safeguarding the Information We Collect

We use reasonable technical, administrative, and physical safeguards in order to protect your Personal Information against accidental loss and from unauthorized access, use, alteration, and disclosure. However, we can never promise 100% security. You have a responsibility, as well, to safeguard your information through the proper use and security of any online credentials used to access your Personal Information, such as a username and password. If you believe your credentials have been compromised, please change your password. Please also notify us of any actual or suspected unauthorized use.

17. Changes to This Policy

This Policy describes our current policies and practices with regard to the information we collect through this Website. We are continually improving and adding to the features and functionality of this Website along with the products and services we offer through this Website. If we make any changes to this Policy, a revised Policy will be posted on this webpage and the date of the change will be reported in the "Last Revised" block above. You can get to this page from any of our webpages by clicking on the "Privacy Policy" link (usually at the bottom of the screen).

18. How to Contact Us

We value your opinions and welcome your feedback. To contact us about this Policy or your Personal Information, please contact us by email at privacy@mimsoftware.com.

