

SWARM PRIVACY POLICY

Last updated December 15, 2022

This privacy policy describes the personal information (defined below) that Swarm Technologies Inc. and its affiliates (“Swarm”, “we”, “us” and/or “our”) collect about you, how we use and protect this personal information, and the choices you can make about how we may use your personal information. Your privacy and the security of your personal information is important to us, so please review our privacy practices and contact us at privacy@swarm.space if you have any questions about your personal information. Please read this privacy policy carefully to understand our information practices.

1. What Personal Information Do We Collect?

Depending on how you interact with our website, we may collect the following personal information about you, which we have grouped together as follows:

- **Identity Data**, which may include your first name, last name, title.
- **Contact Data**, which may include your postal address, email address and telephone numbers.
- **Profile Data**, which may include your username and password, purchases made by you, and customer service requests.
- **Financial Data**, which may include your payment card details and billing address.
- **Transaction Data**, which includes details about payments to and from you and other details of products and services you have purchased from us.
- **Technical Data**, which includes your (IP) address, browser type and version, time zone setting and general location, browser plug-in types and versions, and operating system and platform, and the ways in which you interact with your website and services.
- **Marketing and Communications Data**, which includes your preferences in receiving marketing and non-marketing communications from us.
- **Employment Data**, if you apply for employment with us, we will collect your employment work history, as well as personal information related to your potential employment. This may include your education and employment history, address and contact information, demographic information, and any other information included in your resume or application.

2. How Do We Collect Personal Information?

We may collect personal information about you from the following sources:

- **From you**, such as when you subscribe to our publications, purchase an item, request marketing to be sent to you, enter a promotion, complete a survey or correspond with us by any means. As you interact with our website, we will also automatically collect Technical Data about your equipment, browsing actions and patterns. We collect this personal information by using cookies, server logs and other similar technologies.

- **From publicly available sources**, such as information that you or your organization make publicly available online.

3. How and Why Do We Use Personal Information?

To the extent permitted by applicable law, we may use your personal information:

- For the specific business purposes related to the goods and services we provide;
- To process and deliver customer orders;
- To manage payments, fees and charges;
- To manage our relationship with you, such as communicating with you about our goods and services, providing customer service, and notifying you of changes to our terms or privacy policy;
- To administer and protect our business and services, including troubleshooting, and performing data analysis, testing, system maintenance, support, reporting and hosting of data;
- To detect, prevent, or otherwise address fraud, security or technical issues, including by monitoring and enforcing compliance with our terms of use, appropriate use policies, and privacy policies;
- To defend our interests in the event of a dispute;
- To comply in good faith with applicable laws, legal processes, and lawful government requests;
- To understand what may be of interest to you as a customer;
- To deliver relevant news, offers and other content to you and measure and understand the effectiveness of the content;
- To ask and enable you to take a survey;
- To use data analytics to debug, optimize, and improve our products and services, marketing, customer relationships and experiences and
- To intake and assess your employment application and to contact you regarding the hiring process.

We may also aggregate and/or anonymize any information collected through our services so that such information can no longer be linked to you or your device. Such aggregate/anonymous information may be used for any purpose, at our discretion.

4. With Whom Do We Disclose Personal Information

We may disclose your personal information to the following categories of third parties:

- **Our Service Providers:** We may disclose your personal information to our affiliates and service providers for the purposes we outline in this privacy policy. For example, we may rely on service providers to host and maintain our website, perform backup and storage services, process payments, transmit communications, and perform analytics services.
- **Government Agencies, Regulators and Professional Advisors:** Where required by applicable law, we may also need to transfer your personal information to government agencies and regulators (e.g., tax authorities, courts, and government authorities) to comply with our legal obligations, and to external professional advisors as necessary to defend our legal interests.
- **Organizations Involved in Business Transfers:** If we sell, merge or reorganize our company, we expect that the personal information that we have collected will be transferred to the surviving entity in accordance with applicable law.

5. How Do We Protect Personal Information?

We implement and maintain technological, physical and administrative procedures to protect your personal information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the personal information.

Although we endeavor to keep information secure, we cannot guarantee that our security measures will prevent every unauthorized attempt to access, use or disclose personal information. We maintain procedures to deal with any suspected breach of personal information, and we will notify you and any applicable regulator of a breach where we are legally required to do so.

6. Your Privacy Rights

Under applicable law you may have legal rights to access, update, correct, port or erase certain personal information that we have about you or restrict or object to how we use it. If you have such rights and your request complies with the requirements under applicable laws, we will give effect to your rights as required by law. For more information regarding rights that may be applicable to you, please review your specific privacy notice:

- If you are a resident of **California**, our [California Privacy Notice](#) also applies to you.
- If you are located in the **European Economic Area, the United Kingdom** or **Switzerland** (collectively “EEA+”), our [EEA+ Privacy Notice](#) also applies to you.

To exercise any rights you may have under applicable privacy laws, please contact us using the details in the “Contact Us” section below. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it.

To opt-out of marketing communications, please email us at privacy@swarm.space or by following the instructions included in the email or text correspondence. Please note that, even if you unsubscribe from certain correspondence, we may still need to contact you with important transactional or administrative information, as permitted by law. Additionally, if you withdraw your consent or object to processing, or if you choose not to provide certain personal information, we may be unable to provide some or all of our services to you.

7. Children’s Privacy

Swarm does not knowingly collect personal information from children under the age of 16. If you are under the age of 16, please do not submit any personal information through the Services. In the event that we learn that we have collected personal information from a child, we will promptly take steps to delete that information. If you are a parent or legal guardian and think your child has given us their personal information, you can email us at privacy@swarm.space or contact us using the information listed in the “Contact Us” section below.

8. Data Retention

We will retain your personal information for only as long as necessary to fulfill the purposes for which it has been collected or any longer retention period required by law.

9. Third-Party Websites

We are not responsible for the practices employed by any websites or services linked to or from our website, including the information or content contained within them. Your usage and browsing on any such website is subject to that website's own policies, including that third party's privacy policy. Please review the privacy notices posted on other websites that you may access through our website. We may provide you with additional or different privacy notices in specific instances which describe how your personal information is collected and used for a specific service.

10. Contact Us

You may contact us using the following details:

Email: privacy@swarm.space

Postal address: Swarm Technologies Inc., Attn: Privacy/Legal, 1 Rocket Road, Hawthorne, CA 90250

CALIFORNIA PRIVACY NOTICE

Last updated December 15, 2022

The privacy laws of California, including the California Consumer Protection Act of 2018 (“CCPA”), require us to provide some information about our data processing practices to California residents. This Notice supplements our Swarm Privacy Policy by explaining your privacy rights if you are a California resident. However, this Privacy Notice does not reflect our collection, use or disclosure of California residents’ personal information where an exception under the CCPA applies.

1. Your Personal Information: Right to Know, Request Deletion or Correction, and Opt-Out

As a California resident, you have the right to request that we disclose what personal information we collect, use, share, and disclose about you specifically (“**right to know**”), the right to correct inaccuracies, and the right to ask that it be deleted. To submit a request to exercise the right to know, correct, or delete, please submit a request, with the details you would like to know, correct, or delete, by email to privacy@swarm.space and include “California Request to Know or Delete” in the subject line, or by mail to Swarm Technologies Inc., Attn: Privacy/Legal, 1 Rocket Road, Hawthorne, CA 90250.

We may need to verify your identity, and/or ask you to confirm your request. We may request additional information to complete the verification process. If we deny your request, we will explain why.

You also have the right to opt-out of the sale or sharing of your personal information by a business. We do not sell or share personal information, so there is no need to opt-out of the sale or sharing of your personal information. We do not have actual knowledge that we sell or share the personal information of minors under 16 years of age.

2. Right to Non-Discrimination for the Exercise of a Consumer’s Privacy Rights

You have a right not to receive discriminatory treatment by us for the exercise of your privacy rights under the CCPA.

3. Right to Be Informed of Financial Incentives

We do not currently offer any financial incentives in exchange for the retention or sale of California residents’ personal information.

4. Authorized Agent

You can designate an authorized agent to submit a request under the CCPA on your behalf if your authorized agent is a natural person or a business entity registered with the Secretary of State of California, and you sign a written declaration that you authorize the authorized agent to act on your behalf.

If you use an authorized agent to submit a request under the CCPA, please have the authorized agent take the following steps in addition to the steps described in Section 1 above: (1) Mail a notarized copy of your written declaration authorizing the agent to act on your behalf to the address listed below (we will reimburse you for the costs of notarizing the declaration and mailing it to us if you provide a receipt showing the costs paid and they are reasonable); and (2) Provide any information we request from you to verify your identity and that you provided the authorized agent permission to submit a request under the CCPA on your behalf.

5. What we Collect

Collection of Personal Information

We have set out below the categories of personal information we have collected about California residents in the past 12 months as well as the sources, business or commercial purposes, and categories of third parties with whom we shared the personal information. We collect this information directly from California residents who use our website or subscribe for our services.

Category of personal information	Corresponding reference to category of personal information under CCPA definition of personal information (Cal. Civ. Code § 1798.140(o)(1))	Business or commercial purposes for which information was collected	Category of third parties with whom we shared the personal information	Retention Period
<ul style="list-style-type: none"> • Name • Title • Username or similar identifier • Account Password • Delivery/service address • Email Address • Telephone number • Details or products and services customers have purchased from us • Customer service requests, interests, preferences, feedback and survey responses 	<p>(A) Name</p> <p>(A) Unique personal identifier</p> <p>(B) Signature</p> <p>(A) Postal address</p> <p>(A) Email address</p> <p>(B) Telephone number</p> <p>(D) Records of products or services purchased</p> <p>(D) Commercial information</p> <p>(D) Tendencies</p> <p>(H) Electronic information</p>	<ul style="list-style-type: none"> • To process and deliver customer orders • To manage payments, fees and charges • To manage our relationship with customers, such as communicating with them about our goods and services, providing customer service, and notifying them of changes to our terms or privacy policy • To administer and protect our business and services, including troubleshooting, and performing data analysis, testing, system maintenance, support, reporting and hosting of data • To detect, prevent or otherwise address fraud, security or technical issues, appropriate use policies and privacy policies 	<p>Service providers that process personal information solely on our behalf and which are subject to data security measures</p>	<p>For the life of your account plus two years.</p>

		<ul style="list-style-type: none"> • To defend our interests in the event of a dispute • To comply in good faith with applicable laws, legal processes, and lawful government requests • To understand what may be of interest to a customer • To deliver relevant news, offers and other content to a customer and measure and understand the effectiveness of the content • To ask and enable a customer to take a survey 		
<ul style="list-style-type: none"> • Billing address • Payment card details 	<p>(B) Financial information</p> <p>(B) Credit card number, debit card number</p>	<ul style="list-style-type: none"> • To process and deliver customer orders • To manage payments, fees and charges • To manage our relationship with our customers • To administer and protect our business and services • To detect, prevent or otherwise address fraud or security issues • To defend our interests in the event of a dispute • To comply in good faith with applicable laws, legal process, and lawful government requests 	Same as above	For the life of your account plus two years.

<ul style="list-style-type: none"> Website technical data, which includes the following information about users of our online website and services: Internet Protocol (IP) address, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and the ways in which the user uses or interacts with our online website and services 	<p>(A) Internet Protocol address</p> <p>(F) Internet or other electronic network activity information</p>	<ul style="list-style-type: none"> Same as above; and To use data analytics to debug, optimize, and improve our products and services, marketing, customer relationships and experiences 	<p>Same as above</p>	<p>For the length of your browsing session.</p>
<ul style="list-style-type: none"> Professional or employment-related information for applicants, including name, address, information in resume/CV, and other information needed to determine viability of application 	<p>(I) Professional or employment-related information</p>	<ul style="list-style-type: none"> To manage the job application and hiring process To communicate with you regarding the job application and hiring process To administer and protect or business services, and legal rights To detect, prevent or otherwise address fraud or security issues To defend our interests in the event of a dispute To comply in good faith with applicable laws, legal process, and lawful government requests 	<p>Same as above</p>	<p>If the applicant becomes an employee, the information will become a part of that individual's employment file.</p> <p>For those individuals that do not become employees, this information will be maintained in accordance with our legal retention requirements.</p>

While our standard practice is to retain personal information for the retention periods stated in the above chart, there may be scenarios where we need to retain certain personal information for longer periods of time. For example, we may need to retain personal information for longer periods of time if we have a legal right or obligation to continue to retain your information, such as in the event of a potential dispute or to ensure proper enforcement of our terms and agreements.

6. Contact for More Information

If you have questions or concerns regarding our privacy policy or practices, you may contact us:

Email: privacy@swarm.space

Postal Mail: Swarm Technologies, Inc., Attn: Privacy/Legal, 1 Rocket Road, Hawthorne, CA 90250

EEA+ PRIVACY NOTICE

Last Updated December 15, 2022

If you are located in the **European Economic Area, the United Kingdom, or Switzerland (EEA+)**, and access our website, this EEA+ Privacy Notice applies to you.

The data protection laws of the EEA+, including the General Data Protection Regulation and the UK GDPR (together, “**GDPR**”), require us to provide information about our data processing practices of certain people in the EEA+.

1. Who Is the Data Controller?

Swarm Technologies, Inc. is the controller and responsible for your personal data.

Our representative in the European Union for data protection matters, pursuant to Article 27 of the GDPR is VeraSafe Ireland, Ltd.

Our representative in the United Kingdom for data protection matters, pursuant to Article 27 of the UK GDPR is VeraSafe United Kingdom, Ltd.

For information about how to contact us or our representatives, please see Section 7 of this EEA+ Privacy Notice.

2. What Are Our Legal Bases for Processing Personal Data?

We rely on the following legal bases to process your personal data, as appropriate:

- necessary for us to perform a contract with you or take steps at your request prior to entering into a contract (“**Contract Performance Legal Basis**”), to comply with an applicable legal obligation (“**Legal Obligations Legal Basis**”), or to realize a legitimate interest based on an assessment of that interest and your privacy and other fundamental interests (“**Legitimate Interest Legal Basis**”); and
- is performed according to your consent (“**Consent Legal Basis**”).

More information is provided below. Please contact us if you need details.

Purpose of Use or Disclosure	Legal Basis
To manage our relationship with you which will include: (a) Communicating with you about our services, including notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	<ul style="list-style-type: none">• If we are legally obligated to respond to your request or inquiry, Legal Obligations Legal Basis.• In all other cases, Legitimate Interest Legal Basis, including to maintain the quality of and keep our records updated, and understand how customers use our website so that we can improve them for you and others.

<p>To process and deliver your order including:</p> <p>(a) Manage payments, fees and charges</p> <p>(b) Collect and recover money owed to us</p>	<ul style="list-style-type: none"> • Contract Performance Legal Basis based on our Terms of Service, Terms of Sale or other applicable contract. • If the processing of your personal data is necessary for us to collect amounts owed to us, Legitimate Interest Legal Basis based on this legitimate interest.
<p>To administer and protect our business and this website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)</p>	<ul style="list-style-type: none"> • If the processing is necessary to comply with an applicable contractual obligation with you, Contract Performance Legal basis per the applicable contract. • If the processing is necessary to comply with an applicable legal obligation, such as under data security laws, Legal Obligations Legal Basis. • In all other cases, Legitimate Interest Legal Basis, including as necessary to run our business, provide administration and IT services, maintain network security, and prevent fraud.
<p>To understand what may be of interest to you, deliver relevant website content to you and measure or understand the effectiveness of the content we serve to you, in accordance with applicable law</p>	<ul style="list-style-type: none"> • We process your personal data and contact you for direct marketing purposes on Consent Legal Basis as required by applicable law. • In all other cases, Legitimate Interest Legal Basis as necessary to understand how customers use our products and services, to develop and improve them for you and others, to remain a competitive business, and to inform our marketing strategy.
<p>To use data analytics to improve our website, products/services, marketing, customer relationships and experiences</p>	<ul style="list-style-type: none"> • Legitimate Interest Legal Basis as necessary to define types of customers for our products and services, to keep our website updated and relevant, to develop our business, and to inform our marketing strategy.
<p>To comply with legal obligations that apply to us, monitor and ensure compliance with our terms, and defend our legal interests in the event of a potential dispute</p>	<ul style="list-style-type: none"> • Contract Performance Legal Basis based on our Terms of Service, Terms of Sale or other applicable contract. • If necessary to comply with applicable laws, Legal Obligations Legal Basis per applicable laws. • In all other cases, Legitimate Interest Legal Basis to prevent fraud, danger or other unlawful conduct, and to defend our legitimate legal interests.
<p>Disclose your personal data to our service providers (i.e., processors) as necessary to achieve the above purposes</p>	<ul style="list-style-type: none"> • The lawful bases listed above apply to any disclosure necessary to further the corresponding purpose.

<p>Disclose your personal data to a prospective or actual purchaser or seller in the context of a merger, acquisition, or other reorganization or sale of our business or assets</p>	<ul style="list-style-type: none"> • If the confidential processing of your personal data is necessary for us to evaluate or execute such a transaction while protecting our trade secrets or sensitive business information and your privacy interests do not override such interests, Legitimate Interest Legal Basis based on the pursuit of such legitimate interests. • Otherwise, we will obtain your consent and rely on Consent Legal Basis.
<p>Disclose your personal data to courts, law enforcement or regulatory authorities as permitted or required by applicable law</p>	<ul style="list-style-type: none"> • If necessary to comply with applicable laws, Legal Obligations Legal Basis per applicable laws. • In all other cases, Legitimate Interest Legal Basis to prevent fraud, danger or other unlawful conduct, and to defend our legitimate legal interests.

3. How Do We Protect Personal Data If We Transfer It Internationally?

We may transfer your personal data to service providers and business partners outside of the EEA and/or UK.

Some of these recipients are located in countries in respect of which either the European Commission and/or UK Government (as and where applicable) has issued adequacy decisions, in which case, the recipient's country is recognized as providing an adequate level of data protection under UK and/or European data protection laws (as applicable) and the transfer is therefore permitted under Article 45 of the GDPR.

Some recipients of your personal data may be located in countries outside the EEA and/or the UK for which the European Commission or UK Government (as and where applicable) has not issued adequacy decisions in respect of the level of data protection in such countries ("**Restricted Countries**"). For example, the United States is a Restricted Country. Where we transfer your personal data to a recipient in a Restricted Country, we will either:

- enter into appropriate data transfer agreements based on so-called Standard Contractual Clauses approved from time-to-time under GDPR Art. 46 by the European Commission, the UK Information Commissioner's Office or UK Government (as and where applicable); or
- rely on other appropriate means permitted by GDPR Ch. V, which establish that such recipients will provide an adequate level of data protection and that appropriate technical and organizational security measures are in place to protect personal data against accidental or unlawful destruction, loss or alteration, unauthorized disclosure or access, and against all other unlawful forms of processing.

You may ask for a copy of such appropriate data transfer agreements by contacting us using the contact details below.

4. How Long Do We Keep Personal Data?

We will only keep personal data for as long as reasonably necessary to fulfil the purposes we collected it for. We may keep your personal data for a longer period to comply with our legal obligations or in the event of a complaint or litigation.

5. Your Rights

Regarding your personal data, You may have the right to:

- **Request access** (commonly known as a "data subject access request") - enables you to receive a copy of the personal data we hold about you and information about how it is processed.
- **Request correction** - enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- **Request erasure** - enables you to ask us to delete or remove personal data where there is no lawful reason for us continuing to store or process it, where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons that will be notified to you, if applicable, at the time of your request.
- **Object to processing** - where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation that makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms.
- **Request restriction of processing** - enables you to ask us to suspend the processing of your personal data if, (i) you want us to establish the data's accuracy; (ii) where our use of the data is unlawful but you do not want us to erase it; (iii) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (iv) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer of your personal data** to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- **Withdraw consent at any time** where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent.

To exercise these rights, please contact us using the contact details below.

Although we urge you to contact us first to find a solution for every concern you may have, you always have the right to lodge a complaint with your competent data protection authority.

6. Your Choices

You are not required to provide personal data to us but if you do not provide any personal data to us, you may not be able to use our website or we may not be able to authenticate and assist you with yo

orders, inquiries or requests, and we generally will not be able to provide you with our products and services.

7. Contact Us

You may contact us using the following details:

Email: privacy@swarm.space

Postal Mail: ATTN: Privacy/Legal, Swarm Technologies Inc., 1 Rocket Road, Hawthorne, CA 90250

You may contact our representative in the EU using the following details:

Email: privacy@swarm.space

Postal Mail: VeraSafe Ireland, Ltd., Unit 3D North Point House, North Point Business Park, New Mallow Road, Cork T23AT2P, Ireland

Telephone: +420 228 881 031

You may contact our representative in the UK using the following details:

Email: privacy@swarm.space

Postal Mail: VeraSafe United Kingdom, Ltd., 37 Albert Embankment, London, SE1 7TL, United Kingdom

Telephone: +44 (20) 4532 2003