

## MontyCloud Privacy Policy

MontyCloud knows that you care about how your information is used and shared. Your privacy is very important to us and we take your privacy seriously.

We have created this Privacy Policy to explain how we collect, use, disclose, and protect your information, including any personal information. Personal Information means information or data that can be used to contact or identify you.

This Privacy Policy is integrated into and supplements our [Subscription Terms and Conditions](#) (“Terms”).

This Policy applies to information we collect when you use our MontyCloud Platform, and providing us with your Personal Information, you acknowledge and agree to the practices described in this Privacy Policy and Terms referenced above and to any updates to these policies posted here from time to time. If you are coming to our Services from the European Union (EU), European Economic Area (EEA), or United Kingdom (UK), or certain U.S. States, you may be entitled to certain individual rights under applicable Data Protection Laws. Please see the **Notice to Certain Residents of Data Subject Rights** herein for more information.

### How Do We Gather Personal Information?

When you register for our services, we collect a variety of information, which may include your name, address, company name, phone number, email address, and company payment information.

- When you invite other people to access your MontyCloud account we may collect information about those people such as their names, and email addresses.
- When you register cloud accounts that you wish us to retrieve data from, we collect a variety of information about those accounts including the name of the account holder, company name, username & access keys. We take a temporary key and secret, which live in application memory and are never stored or logged.

Sensitive Personal Information. We may need to collect or process Personal Information that is deemed “sensitive information” or “sensitive data” under certain laws. We may process the following categories of sensitive Personal information when you use our Services:

- Geolocation information, such as your physical location if you have enabled location services on your device;
- Authentication data such as account personal information and log in credentials, including unique identifiers, such as username, account number, and password; and
- Payment and transaction information including credit or bank card information in combination with any required security or access code collected for purpose of processing payment for our products or Services

When required by applicable law, MontyCloud will collect consent prior to processing certain categories of sensitive Personal Information.

### Personal Information That We May Automatically Collect About You

Our services may automatically collect certain Personal Information about you. This Personal Information may be used by MontyCloud for the operation of the services, to maintain quality of

the services, and to provide general statistics regarding use of the services. This Personal Information may include:

- IP address, which is the number associated with the service through which you access the Internet, like your ISP (Internet service provider);
- Location from which you visit or use our Services;
- Date and time of your visit or use of our Services;
- Domain server from which you are using our Services;
- Type of computer, web browsers, search engine used, operating system, or platform you use;
- Your movement and activity within the Services, which is aggregated with other information; and
- Mobile device information, including the type of device you use, operating system version, and the device identifier (or “UDID”).

## **How We Use Your Personal Information**

We use and process your Personal Information for things that may include, but are not limited to, the following:

- To provide you with the Services and information you request;
- To respond to your comments, inquiries, and questions and provide customer service;
- To tailor promotions or other offerings for you and to reach new customers;
- For general marketing and advertising purposes, including sending you promotional material or special offers on our behalf or on behalf of our marketing partners and/or their respective affiliates and subsidiaries and other third parties, provided that you have not already opted-out of receiving such communications;
- To manage, improve and foster relationships with third-party service providers, including vendors, suppliers, and parents, affiliates, subsidiaries, and business partners;
- To maintain, improve, customize, or administer the Services, perform business analyses, or other internal purposes to improve the quality of our business, the Services, resolve technical problems, or improve security or develop other products and services, which may include the use of artificial intelligence (“AI”), machine learning, and related automated analytics tool;
- To provide generative AI features, including chatbots and other AI-powered functionalities, and to collect and use your information, such as your inputs, messages, and device-related data, for the operation, enhancement, and improvement of these features, their underlying models, and the Services;
- To comply with our Terms of Service or comply with other contracts we have with you;
- Analytics for business purposes and business intelligence, including internal audits;
- To comply with any applicable laws and regulations and respond to lawful requests; and/or
- For any other purposes disclosed to you at the time we collect your Information and/or pursuant to your consent.

## **Cookies and Other Technologies**

MontyCloud’s websites, products, services, and content use “cookies” and other technologies such as Web Beacons and pixel tags. These technologies are used to deliver our services as well as to help us better understand user behavior.

“Cookies” are alphanumeric identifiers in the form of data files that are inserted and stored by your Web browser on your computer’s hard drive. We may set and access cookies on your computer to monitor usage history and to store your preferences and login information. Most Internet browsers will allow you to stop cookies from being stored on your computer and to delete cookies stored on your computer. However, if you choose to eliminate cookies, the functionality of the Service could be significantly impaired and it may not operate properly.

We, or third-party service providers acting on our behalf, may use Web beacons (or Pixel Tags) to collect certain usage information. Web beacons are images embedded in a web page or email for the purpose of measuring and analyzing website usage and activity.

We use this information to provide, enhance and improve our products, services and content as well as to monitor and analyze its usage by our user base. Web beacons may also be used for the technical administration of our services, to better tailor our websites to user needs, to generate and derive useful data and information concerning the interests, characteristics and usage behavior of our users, and to verify that our users meet the criteria required to access the services.

Pixel tags are also used to enable us to send email messages in a format a customer can read. They also tell us whether email has been opened. We may use this information to reduce, tailor, or eliminate messages sent to our user base.

In some of our email messages we use a “click-through URL” linked to web pages on our websites. When recipients click on these URLs a separate web server records their click before arriving at the destination. We use click-through data to help us determine the interest in particular content or topics. If you prefer not to be tracked in this way you should not click on textual or graphic links contained in our emails.

As is true of most websites, we gather some information automatically and store it in log files. This information includes Internet Protocol (IP) addresses, browser type and language, Internet service provider (ISP), referring and exit pages, operating system, date/time stamp, and clickstream data. We use this information to analyze trends, to administer our websites, to learn about user behavior.

Our use of online tracking technologies may be considered a “sale” or “sharing” under certain laws. To the extent that disclosing information to these online tracking technologies is deemed to be a “sale” or “sharing” under certain laws, you can opt out of these online tracking technologies by broadcasting an opt-out preference signal, such as the Global Privacy Controls (GPC). Please note that some features of our website may not be available to you as a result of these choices. We do not intentionally sell or share your Personal Information.

## **MontyCloud's AI-drive Platform Console – Consent and Disclaimers**

Our Services may provide interactive features, including voluntary option to chat or text with our AI-driven Platform Console. This interactive feature is powered by artificial intelligence. MontyCloud provides this tool to provide users with conversational access to information, insights, and support related to their cloud environment and use of the platform.

By accessing and using our AI-driven Platform Console, you agree that we may record and retain a transcript of all communications with you via this interactive tool, and/or may record or recreate your activity while using the Services, in order to provide our services, enhance your Services experience, and for quality and customer services purposes. Chat transcripts and related information may be processed by third-party service providers that support our AI technology, hosting, analytics, or customer service functions. These providers are contractually required to maintain appropriate safeguards and process information in accordance with applicable law.

Please do not share personal information (such as name, address, or date of birth) or sensitive personal information (such as your Social Security number or credit card information) with the Platform Console.

By clicking electing to use the AI-driven Platform Console, you:

- Acknowledge that you are interacting with an AI system;
- Consent to the recording and retention of chat transcripts; and

- Consent to the processing of your information as described above and in this Privacy Policy.

If you do not agree, please do not use the AI-driven Platform Console.

Your use of our AI-driven Platform Console and any other AI tools on our Services is governed by this section, this Privacy Policy, and our Terms & Conditions.

### **Personal Information We May Receive from Third Parties**

We may collect additional Personal Information about you from third-party websites, social media platforms, such as, but not limited, to LinkedIn (“Social Media Platforms”), and/or sources providing publicly available information (e.g., from the U.S. postal service) to help us provide services to you, help prevent fraud, and for marketing and advertising purposes. Personal Information we may access about you, with your consent, may include, but is not limited to, your basic Social Media Platform information, your location data, your list of contacts, friends or followers and certain information about your activities on the Social Media Platform. Please keep in mind that when you provide Personal Information to us on a third-party website or platform (for example, via a survey or application), the Personal Information you provide may be separately collected by the third-party website or the Social Media Platform.

The Personal Information we collect is covered by this Privacy Policy, and the Personal Information the third-party website or Social Media Platform collects is subject to the third-party website or platform’s privacy practices. We encourage you to be aware when you leave our

Services and to read the privacy policies of other sites that may collect your Personal Information. You should contact such third parties directly to determine their respective privacy policies. Links to any other websites or content do not constitute or imply an endorsement or recommendation by us of the linked website, Social Media Platform, and/or content.

## **Sharing Your Personal Information**

We may share your Personal Information as set forth in this Privacy Policy and in the following circumstances:

- Third-Party Service Providers. We may share your Personal Information with third-party service providers that perform certain functions or services on our behalf (such as to host the Services, assist with fraud and cybersecurity, manage databases, perform analyses, provide customer service, or send communications for us). These third-party service providers are authorized to use your Personal Information only as necessary to provide these services to us. In some instances, we may aggregate Personal Information we collect so third parties do not have access to your identifiable Personal Information to identify you individually. Note, certain of these third-party service providers may use machine learning, AI, and related analytics tools
- Disclosure of Personal Information for Legal, Administrative and Regulatory Reasons. We may disclose your Personal Information without notice: (i) when required by law or to comply with a court order, subpoena, search warrant, or other legal process; (ii) to cooperate with or undertake an internal or external investigation or audit; (iii) to comply with legal, regulatory, or administrative requirements of governmental authorities (including, without limitation, requests from the governmental authorities to view your Information); (iv) to protect and defend the rights, property or safety of us, our subsidiaries and affiliates, and any of our or their officers, directors, employees, attorneys, agents, contractors and partners, and the Services users; (v) to enforce or apply our Terms of Service; and (vi) to verify the identity of the user of our Services.
- Business Transfers. Your Personal Information may be shared, transferred, sold, or otherwise conveyed (“Conveyed”) to a third party in connection with, or during the negotiation of: (i) a merger with or acquisition by another business entity; (ii) a financing; (iii) a sale of all or substantially all our assets; (iv) an adjudication of bankruptcy; or (v) a liquidation or other You agree to any and all such Conveyances of your Information.
- Personal Information Shared with our Subsidiaries and Affiliates. We may share your Personal Information with our subsidiaries and affiliates, including but not limited to entities and brands within MontyCloud.
- De-Identified or Aggregated Data. We may aggregate, anonymize, and/or de-identify any Information collected from you so that such Information can no longer be linked to you or your device. We may use aggregated, de-identified or anonymized Information for any purpose, including without limitation for research and marketing purposes, and may also share such data with any third parties, including advertisers, promotional partners, and sponsors, in our discretion.
- With Your Consent. We may share Personal Information consistent with this Privacy Policy with your consent.

## **NOTICE TO CERTAIN RESIDENTS OF DATA SUBJECT RIGHTS**

### **Notice of Privacy Rights for Residents of Certain U.S. States**

Residents of certain U.S. states may have rights and choices regarding their Personal Information. These rights may apply in the following states: California, Colorado, Connecticut, Delaware, Iowa, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Tennessee, Texas, Utah, and Virginia

To the extent any data protection law applies to our collection of your Personal Information, this supplemental section of our Privacy Policy outlines the individual rights you may be entitled to and how to exercise those rights.

Depending on where you live and subject to certain exceptions, you may have some or all of the following rights.

- **Right to Know and Access.** You may have the right to request that we confirm whether we process your Personal Information, and to request information about our collection and use of your Personal Information, including whether we sell or share your Personal Information. You also have the right to request access to Personal Information we may process about you.
- **Right to Data Portability.** Where the processing is carried out by automated means, and subject to certain exceptions, you may have the right to request and obtain a copy of your Personal Information that you previously provided to us in a portable format. In addition, to the extent technically feasible, you may have the right to obtain your Personal Information in a readily usable format that allows you to transmit the Personal Information to another data controller without hindrance.
- **Right to Request Correction of Inaccurate Personal Information.** To the extent that we may maintain inaccurate Personal Information, you may have the right to request that we correct such inaccurate Personal Information, taking into account the nature of the Personal Information and the purposes of the processing of the Personal Information.
- **Right to Request Deletion.** You may have the right to request that we delete certain Personal Information or records provided by or obtained about you, with certain exceptions and limitations as allowed under law.
- **Right to Opt-Out of the Sale and Sharing of Personal Information.** You may have the right to opt out of the processing of your Personal Information for the purpose of selling or sharing your personal information for cross-context behavioral advertising. We do not sell or share your Personal Information.
- **Right to Opt-Out of the Use of Personal Information for Targeted Advertising and Profiling.** You may have the right to opt out of the processing of your Personal Information for purposes of targeted advertising or profiling in furtherance of decisions that produce legal or similarly significant effects concerning you. We do not use your Personal Information for targeted advertising or profiling purposes.
- **Right to Limit Use and Disclosure of Sensitive Personal Information.** You may have the right to request that we limit the ways we use and disclose your sensitive Personal Information to uses which are necessary for us to perform the Services, or deliver the goods reasonably expected by you, or as authorized by law.
- **Right to Non-Discrimination.** You may have a right to not be discriminated against in the Services or quality of Services you receive from us for exercising your rights. We will not discriminate against you for exercising any of your rights in this section including denying goods or Services, charging different prices or rates for goods or Services, or providing a different level of quality of goods and Services. However, we may offer a different price, rate, level, quality, or selection of goods or Services, including offering goods or Services for no fee, if you have exercised your right to opt-out.
- **Right to Disclosure of Third-Parties.** You may have a right to know the categories and names/addresses of third parties that we have disclosed your Personal Information to under this Policy.

- Right to Disclosure of Direct Marketers. You may have a right to know the categories and names/addresses of third parties that have received Personal Information for their direct marketing purposes upon simple request, and free of charge.
- Right to Appeal. You may have the right to appeal our denial of any request you make under this section. To exercise your right to appeal, please submit an appeal request via the information in the How to Contact Us section below or using the Your Privacy Choices form. Within the certain timeframe of receipt of your appeal, as proscribed by the applicable law we will inform you in writing of any action taken or not taken in response to your appeal, including a written explanation of the reasons for the decisions. If we deny your appeal, you may contact the Attorney General or another authority which we will help you identify.

To learn more about whether you are guaranteed certain rights, or to submit a request to exercise your rights, please contact us using any of the methods in the How to Contact Us section or using the Your Privacy Choices form.

## **Notice to Individuals in the European Economic Area and the UK**

This section applies only to individuals coming to our Services from within the European Union (EU), the European Economic Area (EEA), and the United Kingdom (UK), and only if we collect through the Services any Information from you that is considered “Personal Data,” as defined in the General Data Protection Regulation (GDPR) and the UK Data Protection Act 2018.

Unless otherwise stated, we are the Data Controller for the Information we process.

### Your Data Protection Rights

To the extent the GDPR and Data Protection Act 2018 apply, and we hold your Personal Information in our capacity as a Data Controller as defined under those laws, you may request that we:

- Restrict the way we process and share your Personal Information;
- Transfer your Personal Information to a third party;
- Provide you with access to your Personal Information;
- Remove your Personal Information if no longer necessary for the purposes collected;
- Update your Personal Information so it is correct and not out of date; and/or
- Object to our processing of your Personal Information.

You may also revoke your consent for processing of your Personal Information. If you wish to object to the use and processing of your Personal Information or withdraw consent to this Privacy Policy, you can contact us using the information in the Contact Us section.

The requests above will be considered and responded to in the time-period stated by applicable law. Note, certain Personal Information may be exempt from such requests. We may require additional Personal Information from you to confirm your identity in responding to such requests.

You have the right to lodge a complaint with the supervisory authorities applicable to you and your situation, although we invite you to contact us with any concern as we are happy to try and resolve it directly.

### Lawful Basis for Processing Your Personal Information

Depending on what Personal Information we collect from you and how we collect it, we may also rely on various grounds for processing your Personal Information, including the following reasons:

- Processing on the basis of legitimate business interests. When we process Personal Information on the basis that the processing is necessary for our legitimate business interests, such interests include: (i) providing, improving, and promoting our Services; (ii) communicating with current and potential customers, other business partners, and their individual points of contact; (iii) managing our relationships with our customers and other business partners, and their individual points of contact; (iv) other business development purposes; (v) sharing information within the Company, as well as with service providers and other third parties; and (vi) maintaining the safety and security of our products, Services, and employees, including fraud protection.
- Processing on the basis of performance of a contract. Examples of situations in which we process Personal Information as necessary for performance of a contract include e-commerce transactions in which you purchase a service from us.
- Processing on the basis of consent. Examples of processing activities for which we may use consent as its legal basis include: (i) collecting and processing precise location information from your mobile device; (ii) sending promotional emails when consent is required under applicable law; and (iii) processing Personal Information on Company Services through cookies and similar technologies when consent is required by applicable law.
- Processing because we are under a legal obligation to do so. Examples of situations in which we must process Personal Information to comply with our legal obligations include: (i) providing your Personal Information to law enforcement agencies and other governmental bodies when required by applicable laws; (ii) retaining business records required to be retained by applicable laws; and (iii) complying with court orders or other legal process.

If the processing of your Personal Information is based on your consent, the GDPR and Data Protection Act 2018 also allow users the right to access, revoke, or modify your consent at any time. Please see the How to Contact Us section, below, to review or modify your consents.

### Consent to Transfer

We are operated in the United States, and we may use service providers based in the United States to operate our business and our relationship with you. Please be aware that Personal Information that we collect will be transferred to, stored, and processed in the United States, a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen. We maintain measures to address the transfer of your Personal Information between our group companies and between us and our third-party providers in accordance with applicable data protection laws and regulations.

### **Exercising Your Data Subject Rights**

To exercise any of the rights described above, please submit a verifiable consumer request to us via the methods described below. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Information, or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

To help protect your privacy and maintain security, if you request access to or deletion of your Personal Information, we will take steps and may require you to provide certain information to

verify your identity before granting you access to your Information or complying with your request. In addition, if you ask us to provide you with specific pieces of Personal Information, we may require you to sign a declaration under penalty of perjury that you are the consumer whose Information is the subject of the request.

If permitted by the applicable data protection law, you may use an authorized agent to submit requests on your behalf provided that the authorized agent is a natural person or a business entity that you have authorized to act on your behalf. If you use an authorized agent, we will require: (1) proof of written permission for the authorized agent to make requests on your behalf, and identity verification from you; or (2) proof of power of attorney pursuant under applicable law. Only you or your authorized agent may make a verifiable consumer request related to your Information. We may deny a request from an authorized agent that does not submit proper verification proof. You may also make a verifiable consumer request on behalf of your minor child.

### **Access to Personal Information**

We do our best to keep your personal information up to date, to the extent that you provide us with the information needed to do that. You can review, update, and correct the personal information you provide us by logging into your account (<https://app.montycloud.com>). For other personal information we possess, we will provide you with access for purposes of correcting or deleting the data if law or other legitimate business purposes do not require us to retain it.

We may choose to decline an access request if it jeopardizes the privacy of others, is extreme in its practicality, or for which access is not required by local law. You may make access, correction, or deletion requests by contacting us at [support@MontyCloud.com](mailto:support@MontyCloud.com)

We only store data about you for as long as it's reasonably required to fulfil the purposes under which it was first provided by you unless a longer retention period is required or permitted by law.

### **Protection of Personal Information**

We use commercially reasonable measures to provide our Services. However, you should assume that no data transmitted over the Internet or stored or maintained by us or our third-party service providers can be 100% secure. Therefore, although we believe the measures implemented by us reduce the likelihood of security problems to a level appropriate to the type of data involved, we do not promise or guarantee, and you should not expect, that your Information or private communications will always remain private or secure. We do not guarantee that your Information will not be misused by third parties. We are not responsible for the circumvention of any privacy settings or security features. You agree that we will not have any liability for misuse, access, acquisition, deletion, or disclosure of your Information. If you believe that your Information has been accessed or acquired by an unauthorized person, you shall promptly How to Contact Us so that necessary measures can quickly be taken..

### **Third Party Sites and Services**

Our websites and content may contain links to other websites. As such, MontyCloud does not endorse and is not responsible for the privacy practices or the content of these third-party websites. We exercise no control over how your information is stored, maintained or displayed by third parties or on third-party sites.

## **DATA RETENTION**

We will retain your Personal Information for as long as needed to provide you Services. We will retain and may continue to process your Information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. In accordance with our routine record keeping, we may delete certain records that contain Information you have submitted to us. We are under no obligation to store such Information indefinitely and disclaim any liability arising out of, or related to, the destruction of such Information.

## **Children**

The Service is not directed to children. We do not knowingly collect personally identifiable information from children. If you, as a parent or guardian, become aware that your child has provided us with Personal Information without your consent, please contact us. If we become aware that a user is under the age of 13 and has provided us with Personal Information without verifiable parental consent, we will delete such information from our files.

## **Difficulty Accessing Our Privacy Policy**

Individuals with disabilities who are unable to usefully access our Privacy Policy online may contact us to inquire how they can obtain a copy of our policy in another, more easily readable format.

## **Updating and Modifications**

MontyCloud reserves the right to change this Privacy Policy or any portion of it at any time, without prior notice.

## **Contact Information**

If you have any questions regarding this Privacy Policy, please contact us at:  
[privacy@montycloud.com](mailto:privacy@montycloud.com)