

PRIVACY POLICY FOR CUBBI TECHNOLOGIES INC.

Last Updated: January 2023

OVERVIEW

Cubbi Technologies Inc. (“Cubbi”, “we”, “us”) exists to connect companies and their employees with healthy, delicious, locally-made meals conveniently served in the workplace through Cubbi’s innovative food pods. In short, to build the workplace of the future with amenities that companies and their employees love. At Cubbi, we are committed to trust, integrity and transparency. A fundamental part of earning your trust means being clear about how we use your information and how we protect your privacy.

This privacy policy (the “Privacy Policy”) constitutes a legally binding agreement between you and Cubbi governing your access to, and use of the Cubbi Platform (described below) and describes how Cubbi and its affiliates process personal information that we collect through our website, which can be found at ([“www.cub.bi”](http://www.cub.bi) & [“www.cubbicatering.com”](http://www.cubbicatering.com)), our progressive web application, and our mobile applications for iOS and Android (together, the “Cubbi Platform”).

CHANGES TO THIS PRIVACY POLICY

We reserve the right to modify this Privacy Policy at any time in accordance with applicable law. If we do so, we will post the revised Privacy Policy and update the “Last Updated” date at the top. Any and all such modifications are effective immediately upon posting and apply to all access and continued use of the Cubbi Platform. You agree to periodically review this Privacy Policy to be aware of such modifications. Your continued access to or use of the Cubbi Platform shall constitute your acceptance of the then-current Privacy Policy.

IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, YOU MUST NOT ACCESS OR USE THE CUBBI PLATFORM.

PERSONAL INFORMATION WE COLLECT

Collection & Use of Personal Information

In order to deliver our services and when you sign up for an account (“Cubbi Account”), we may collect the following personal information:

- **Contact Information, Account and Profile Information** such as name, email address, work address, work postal code, mobile number, date of birth and profile photo.
- **Demographic information** such as age, gender, and food preferences.
- **Payment Transaction Information** when we use the services of the Payments Data Controller to process, route and deliver funds under applicable laws for the purposes of supplying the payment services.

Information Generated from your Use of the Cubbi Platform

As is true of most websites and mobile applications, we automatically gather certain information about your computer or mobile device such as the precise or approximate location determined from your IP address or mobile device's GPS, depending on your device settings. We may also gather usage information such as the pages or content you view and other actions on the Cubbi Platform. We may also collect log data and device information such as details about how you've used the Cubbi Platform, IP address, access dates and times, hardware and software information, device information, device event information, unique identifiers, crash data, and cookie data. We may collect this information even if you haven't created a Cubbi Account or logged in.

Information You Voluntarily Provide

Cubbi collects the information you choose to provide to us in the course of your use of the Cubbi Platform, including as described below:

- **Communications with Cubbi** and the information from such communications, including any information you provide us may be collected.
- **Cubbi Account Information/Profile** you may choose to provide or make publicly visible to other users on the Cubbi Platform (such as name, location).
- **Other information** when you submit user content such as reviews, ratings, or other public feedback, respond to surveys, post to community or discussion forums, blog, social media post, participate in promotions, share your experience with us, or use other features of the Cubbi Platform.

Information you share publicly on the Cubbi Platform may be indexed through third-party search engines.

HOW CUBBI USES THE INFORMATION WE COLLECT

We use the information we collect to deliver our services to you. More specifically, we use this information to:

- Enable you to access the Cubbi Platform.
- Enable you to place orders, including selecting your delivery location, timing of delivery, and options for delivery.
- Perform analytics, debug and conduct research.
- Provide customer service.
- Send you messages, updates, security alerts, and account notifications.
- Personalize and customize your experience based on your interactions with the Cubbi Platform, your profile information and preferences, and other content you provide.

In order to create and maintain a trusted and safe environment, we use personal information to:

- Detect and prevent fraud, spam, abuse, security and safety incidents, and other harmful activity for Cubbi and our partners.
- Conduct security investigations and risk assessments.

- Comply with our legal obligations, protect the health and well-being of our users and our partners, employees, and members of the public to the extent possible.
- Resolve disputes.
- Comply with the law, respond to legal requests, prevent harm and protect our rights.
- Enforce our Terms of Service and other policies.

In order to provide, personalize, measure and improve our advertising and marketing, we may use personal information to:

- Send you promotional messages, marketing, advertising, and other information based on your preferences and social media advertising through social media platforms.
- Personalize, measure and improve our advertising.
- Administer referral programs, surveys, contests, or other promotional activities or events sponsored or managed by Cubbi or its third-parties.
- Analyze characteristics and preferences to send you promotional messages, marketing, advertising and other information that we think might be of interest to you.
- Invite you to events and relevant opportunities based on your preferences.

Sharing Information

We may share the personal information we collect in connection with our services with third parties, as described below:

Complying with Applicable Laws, Legal Requests, Preventing Harm & Protecting our Rights

We may disclose your information to courts, law enforcement, governmental or public authorities, tax authorities, or authorized third parties, if and to the extent we are required or permitted to do so by law or where disclosure is reasonably necessary:

- you have given us permission to share your information, as described at the time of permission;
- we are required to do so by law, or in response to a subpoena or court order;
- we believe in our sole discretion that disclosure is reasonably necessary to protect against fraud, or to protect our property or other rights, or those of third parties, or the public at large; or
- we believe that you have abused the services by using the services to attack or gain unauthorized access to a system or to engage in spamming, or in any other manner that violates applicable laws or any applicable terms of service.

Payment Information and Services

We use the services of Stripe, Inc. and its affiliates, including Stripe Payments Canada, Ltd. (the "Payments Data Controller") to process, route and deliver funds under applicable laws for the purposes of supplying the payment services.

You acknowledge and agree that we may use the Payments Data Controller and certain third-party vendors and service providers to process payments and manage your payment method and other personal information, as required by the Payments Data Controller.

Other than as is necessary to create an Cubbi Account, we do not collect or store any personal information related to the payments services. All personal information required to facilitate the payment services is collected, stored and managed by the Payments Data Controller, which has its own worldwide global privacy policy. To access the information regarding the policies of the Payments Data Controller, please visit the following link: <https://stripe.com/en-CA/privacy>.

Service Providers

We may share personal information with affiliated and unaffiliated service providers to help us run our business, including service providers that help us: (i) conduct fraud prevention, (ii) perform product development, maintenance and debugging, (iii) allow the provision of the Cubbi services through third-party platforms and software tools (e.g. through the integration with our APIs), (iv) provide customer service, advertising, or payments services. These providers are contractually bound to protect your personal information and only have access to your personal information to perform these tasks.

Our Affiliates

We may share some or all of your information with our subsidiaries and corporate affiliates, joint ventures, or other companies that are or may become under common control with us. We will require these entities to comply with the terms of this Privacy Policy with regard to their use of your personal information.

Third-Party Analytics Providers

We may share personal information with our advertising and analytics partners, such as Google Analytics. The privacy policies of these third-party companies apply to their collection, use and disclosure of your information. These third parties may combine your information with the information of other consumers for purposes of conducting studies and/or analytics. For more information about Google Analytics, including how to opt out, please go to: <https://tools.google.com/dlpage/gaoptout>.

Transfer or Assignment in Connection with Business Transfers or Bankruptcy

If Cubbi undertakes or is involved in any merger, acquisition, reorganization, sale of

assets, bankruptcy, or insolvency event, then we may sell, transfer or share some or all of our assets, including your information in connection with such transaction or in contemplation of such transaction (e.g., due diligence). Other than to the extent ordered by a bankruptcy or other court, or as otherwise agreed to by you, the use and disclosure of all transferred user information will be subject to this Privacy Policy. However, any information you submit or that is collected after this type of transfer may be subject to a new privacy policy adopted by the successor entity.

Aggregate Information

We may share aggregated or de-identified information without restriction.

OTHER IMPORTANT INFORMATION

Analyzing Your Communications

We may review, scan, or analyze your communications on the Cubbi Platform for reasons outlined in the “**HOW CUBBI USES THE INFORMATION WE COLLECT**” section of this policy, including fraud prevention, risk assessment, regulatory compliance, investigation, product development, research, analytics, enforcing our Terms of Service, and customer support purposes. In some cases, we may also scan, review, or analyze messages to debug, improve, and/or expand our product offerings. Occasionally we may need to manually review communications, such as for fraud investigations and customer support, or to assess and improve the functionality of our tools.

Third-Party Partners & Integrations

Parts of the Cubbi Platform may link to other third-party services, not owned or controlled by Cubbi, such as the Payments Data Controller. Use of these services is subject to the privacy policies of those providers. Cubbi does not own or control these third parties and when you interact with them you are providing your information to them.

YOUR RIGHTS

You can exercise any of the rights described in this section consistent with applicable law. Please note that we may ask you to verify your identity and request before taking further action on your request.

Managing Your Information

You can access and update your personal information in the Cubbi Platform. You are responsible for keeping your personal information up to date.

Data Access and Portability

In some jurisdictions, applicable laws may entitle you to: (a) request certain copies of your personal information or, (b) information about how we handle your personal information, or (c) request copies of personal information that you have provided to us in a structured, commonly used, and machine-readable format, and/or request that we transmit this information to another service provider (where technically and commercially feasible).

Data Retention

We will retain your personal information for as long as your Cubbi Account is active or as needed to provide you services and to maintain a record of your transactions for financial reporting purposes. We will also retain and use your personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may retain aggregate or anonymized data indefinitely.

Data Anonymization

In certain jurisdictions, you can request that your personal information be removed.

Please note that if you request the anonymization of your personal information:

- We may retain your personal information as necessary for our legitimate business interests, such as prevention of money laundering, fraud detection and prevention, and enhancing safety. For example, if we suspend a Cubbi Account for fraud or safety reasons, we may retain information from that account to prevent that user from opening a new Cubbi Account in the future.
- We may retain and use your personal information to the extent necessary to comply with our legal obligations. For example, Cubbi may keep information for tax, legal reporting and auditing obligations up to 7 years after use.
- Information you have shared with others (e.g., reviews, forum postings) will continue to be publicly visible on the Cubbi Platform if we offer that functionality, even after your account is cancelled. However, attribution of such information to you will be made anonymous. Some copies of your information (e.g. log records) will remain in our database, but are disassociated from personal identifiers.
- Because we take measures to protect data from accidental or malicious loss and destruction, residual copies of your personal information may not be removed from our backup systems for a limited period of time.

SECURITY

While no organization can guarantee perfect security, we are continuously implementing and updating administrative, technical, and physical security measures to help protect your information against unauthorized access, loss, destruction, or alteration. If you know or have reason to believe that your Cubbi Account credentials have been lost, stolen, misappropriated, or otherwise compromised or in case of any actual or suspected unauthorized use of your Cubbi Account, please contact us.

TO CONTACT US

For questions or complaints about this Privacy Policy or Cubbi's handling of personal information please contact privacy@cub.bi.