

## DATA SUBJECT RIGHTS REQUEST FORM

FlexFactor Operations Inc. (“Flex”, “we”, “us” or “our”), values privacy rights. As required under applicable law, and specifically the California Consumer Privacy Act of 2018 as amended and revised by the California Privacy Rights Act of 2020 (collectively “CCPA”), the Virginia Consumer Data Protection Act of 2021 (“VCDPA”), the Colorado Consumer Protection Act (“CPA”), the Connecticut Data Privacy Act (“CTDPA”) and the Utah Consumer Privacy Act (“UCPA”) (which collectively shall be referred herein as “Data Protection Laws”), individual consumers are permitted to make certain requests and exercise certain rights regarding their Personal Data or Personal Information (as such term is defined under the applicable Data Protection Laws) depending on their jurisdiction.

In order to submit a request to exercise individual rights pursuant to the Data Protection Laws, please complete this form and send it to: [legal@flexfactor.io](mailto:legal@flexfactor.io)

Upon receipt of your completed request, we will process it and respond within the timelines required under applicable Data Protection Laws. If additional information is necessary, we will contact you using the contact information you provided in this form. Information provided in connection with this request will be processed only for the purpose of processing and responding to your request and will be deleted immediately thereafter. For more information, please review our [Privacy Policy](#).

### 1) CONTACT INFORMATION:

Full Name:

Email Address:

If applicable, US State:

### 2) WHAT IS YOUR RELATIONSHIP WITH US?

- Merchant
- End-User
- Prospect/Website Visitor
- Vendor
- Other: \_\_\_\_\_

### 3) YOUR REQUEST:

Detailed below are various rights and requests you may submit depending on your residence. Please check the applicable right you are requesting to execute.

#### A. CALIFORNIA:

Note: Under the CCPA your rights only apply to the Personal Information collected 12 months prior to the request and you are not entitled to submit more than 2 requests in a 12 months period.

Please check the applicable right you are requesting to execute:

- Right to Know or Access;
- Right to Deletion;

- Right to Data Portability;
- Right to Non-Discrimination;
- Right to Rectification;
- Right to Limit the Use and Disclosure of Sensitive Personal Information;
- Right to Opt-Out of Sale;
- Right to Opt-Out of Share for Cross-Contextual Behavioral Advertising; or
- Opt-Out of the Use of Automated Decision Making.

**CCPA Opt-Out Rights:**

To the extent applicable, the right to opt-out of sale; opt-out of sharing for cross-contextual behavioral advertising; can be executed without filling the form:

- a) Through Device-Level Choices: If you do not want to receive interest-based advertisements, you can limit the collection of certain information through your device settings.
- b) Use the [Global Privacy Control](#) (“GPC”) signals.

Please know that opting out of interest-based advertising does not mean that you will not receive advertising. You may still receive ads, but those ads may be less relevant to your interests.

**Authorized Agency:**

You may submit the request by an authorized agency as detailed in the CCPA Notice available [here](#).

We will aim to complete CCPA verifiable consumer requests as soon as reasonably practicable and consistent the 45-days timeframe mandated by the CCPA. If we require additional 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.

**B. VIRGINIA:**

- Right to Confirm if the Data is Being Processed and to Access That Personal Data;
- Right to Deletion;
- Right to Data Portability;
- Right to Correct Inaccuracies;
- Right to Opt-Out of the Processing of the Personal Data for Purposes of Targeted Advertising, the Sale of Personal Data, or Profiling in Furtherance of Decisions that Produce Legal or Similarly Significant Effects Concerning the Consumer; or

- Other.

The opt-out right can be done without filling this form as detailed under section A above ["CALIFORNIA"](#).

We will aim to complete all VCDPA authenticated consumer request as soon as reasonably practicable and consistent the 45-days timeframe mandated by the VCDPA. If you have an account with us, we may require you to use the account to submit the request. If we are unable to authenticate your request using commercially reasonable efforts, we may request additional information reasonably necessary to authenticate you and your request. If we cannot authenticate you and your request we will not be able to grant your request.

If we refuse to take action on a request, you may appeal our decision within a reasonable period time by contacting us and specifying you wish to appeal. Within 60 days of our receipt of your appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, you may submit a complaint to the Virginia Attorney General at <https://www.oag.state.va.us/consumercomplaintform>.

If we are unable to authenticate your request using commercially reasonable efforts, we may request additional information reasonably necessary to authenticate you and your request. If we cannot authenticate you and your request we will not be able to grant your request.

**C. COLORADO:**

- Right of Access;
- Right to Correction;
- Right to Deletion of Personal Data;
- Right to Data Portability – to obtain a portable copy of the data;
- Right to Opt-out of the Processing of Personal Data for the Purposes of: Targeted advertising; Sale for personal data; or Profiling used for decisions that produce legal or similarly significant effects on a consumer; or
- Other.

The opt-out right can be done without filling this form as detailed under section A above ["CALIFORNIA"](#).

We will aim to complete CPA consumer request as soon as reasonably practicable and consistent the 45-days timeframe mandated by the CPA. We reserve the right to extend the response time by additional 45-days when reasonably necessary and provided consumer notification of the extension is made within the first 45-days.

If we refuse to take action on your request, you may appeal our refusal within a reasonable period after you have received notice of the refusal by contacting us and specifying you wish to appeal. Within 60-days of our receipt of your appeal, we will inform you in writing of any action taken or not taken in

response to the appeal, including a written explanation of the reasons for the decisions. You may also contact the Colorado Attorney General if you have concerns about the result of the appeal as follows: Colorado AG at <https://coag.gov/file-complaint/>.

If you have an account with us, we may deliver our written response to that account or via email at our sole discretion. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. You do not need to create an account for submitting a request.

Any disclosures we provide will only cover the 12-month period preceding our receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

**D. CONNECTICUT:**

- Right to Confirm if the Data is Being Processed;
- Right to Correction;
- Right to Deletion of Personal Data;
- Right to Data Portability – to obtain a portable copy of the data;
- Right to Opt-out of the Processing of Personal Data for the Purposes of Targeted advertising; Sale for personal data; or Profiling used for decisions that produce legal or similarly significant effects on a consumer; or
- Other.

Note, where your consent is required, however revoked, we will cease processing the applicable data set as soon as practicable, but not later than fifteen days after the receipt of your request.

• **Opt-Out Right and Authorized Agency:**

The opt-out right can be done without filling this form as detailed under section A above "[CALIFORNIA](#)", except for the option to opt-out using universal opt-out mechanisms which will be recognized by us for Connecticut's consumer's requests on January 1, 2025.

Please note you may designate an authorized agent on your behalf to exercise your right to opt out detailed above. You may designate such authorized agent by way of, among other things, a technology, including, but not limited to, an Internet link or a browser setting, browser extension or global device setting, indicating your intent to opt out of such processing, all as detailed under section A above "[CALIFORNIA](#)".

We shall respond to your VCDPA requests within 45 days of receipt. The response period may be extended once by 45 additional days when reasonably necessary, taking into account the complexity and number of requests and we inform you of such extension within the initial 45 days response period, together with the reason for the extension.

If we decline to take action on your request, we shall so inform you without undue delay, within 45 days of receipt of your request. The notification will include a justification for declining to take action and instructions on how you may appeal. Within 60 days of our receipt of your appeal, we will inform you in writing of any action taken or not taken in response to the appeal, including a written explanation of the reasons for the decisions. If the appeal is denied, you may submit a complaint to the Connecticut Attorney General at link: <https://www.dir.ct.gov/ag/complaint/> or (860) 808-5318.

If we are unable to authenticate your request using commercially reasonable efforts, we may request additional information reasonably necessary to authenticate you and your request. If we cannot authenticate you and your request, we will not be able to grant your request.

#### **E. UTAH**

*\*Effective January 2024*

- Right to Confirm if the Data is Being Processed;
- Right to Access;
- Right to Deletion of Personal Data;
- Right to Data Portability – to obtain a portable copy of the data;
- Right to Opt-out of the Processing of Personal Data for the Purposes of Targeted advertising; or the Sale for personal data; or
- Other.

The opt-out right can be done without filling this form as detailed under section A above "[CALIFORNIA](#)".

We shall respond to your UCPA requests within 45 days of receipt. The response period may be extended once by 45 additional days when reasonably necessary, taking into account the complexity and number of requests and we inform you of such extension within the initial 45 days response period, together with the reason for the extension.

If we decline to take action on your request, we shall so inform you without undue delay, within 45 days of receipt of your request. The notification will include a justification for declining to take action.

If we are unable to authenticate your request using commercially reasonable efforts, we may request additional information reasonably necessary to authenticate you and your request. If we cannot authenticate you and your request, we will not be able to grant your request.

#### **F. Notice:**

**Deletion Rights under US data protection regulations, is not absolute** - we may deny your deletion request, in full or in part, if retaining the information is necessary for us or our service provider(s) for any of the following reasons: (1) complete the transaction for which we collected the Personal Data,

provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you; (2) detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities; (3) debug products to identify and repair errors that impair existing intended functionality; (4) exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law; (5) Comply with the law or legal obligation; (6) engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information’s deletion may likely render impossible or seriously impair the research’s achievement, if you previously provided informed consent; (7) enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us; (8) make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We will delete or de-identify personal information not subject to one of these exceptions from our records and will direct our processors to take similar action.

#### **4) VALIDATION**

The verifiable request must provide enough information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.

We cannot respond to your request if we cannot verify your identity or authority to make the request and confirm the Personal Information or Personal Data is relates to you.

Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

**Substantiate the request - please provide additional information about your request:**

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*Thank you for filling in the form, please send it to: [legal@flexfactor.io](mailto:legal@flexfactor.io). We will process the request within the time frame under the applicable Data Protection Law, we reserve the right to extend the aforementioned period by the time specified in the Data Protection Laws if the request is complex or numerous or we require additional information.*

*The processing of the request is free of charge; however, we may want to reserve the right to charge a reasonable fee to cover certain administrative costs (such as providing additional copies of the data) or for handling manifestly unfounded or excessive requests.*

*Note that, you might not be eligible to exercise all or part of the rights detailed above – this depends on your jurisdiction and the applicable Data Protections Law, our relationship, and our rights to refuse*

*or retain data under applicable Data Protection Law. Where we are not able to provide you with the information for which you have asked or otherwise fulfil your request, we will endeavor to explain the reasoning for this and inform you of your rights.*