Privacy Notice for California Residents

This privacy notice for California residents (“Notice”) supplements Capsule’s Privacy Policy ([http://www.capsule.com/privacy](http://www.capsule.com/privacy)) and applies solely to visitors to the publicly available portions of our products and services (the “Services”) who reside in the State of California (“you” or “Visitors”). This notice is intended to document Capsule’s compliance with the California Consumer Privacy Act of 2018 (the “CCPA”). Any terms defined in the CCPA have the same meaning when used in this Notice.

1. Categories of Personal Information We Collect

Through your use of our Services, we may collect personal information as defined in the CCPA. Specifically, we may collect the following categories of personal information: identifiers, protected characteristics, and customer records information. The purposes for which this information is used is detailed below in Section 2.

The personal information that our website has collected from Visitors and used or disclosed for business purposes during the last twelve (12) months is:

- Name, address, email address, phone number and other information that you provide to us in connection with your use of our Services;
- IP address, which Capsule cannot link to a particular consumer or household, and which is obtained indirectly through your use of the Services; and
- Any information you have directly provided to us, such as when you contact us for support or to get additional information.

Note that personal information doesn’t include public information or deidentified or aggregated information. Under the CCPA personal information also excludes health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) - for such information, provided generally by registered Capsule users, Capsule’s HIPAA policy, [http://www.capsule.com/hipaa](http://www.capsule.com/hipaa), applies rather than this Notice.

2. Use or Disclosure of Personal Information

Capsule does not sell personal information, and has not sold any personal information in the last twelve (12) months.

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To supervise, administer, monitor, provide, personalize, develop, improve, and support the Services and their effectiveness
- To market the Services to you
• To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations
• To provide you with responses to direct inquiries

We may only disclose personal information to third parties for one of the above business purposes (except in the case of responding to law enforcement requests or otherwise required by law) pursuant to an agreement that describes the purposes and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share the minimum necessary personal information with service providers that provide audit, legal, operational, technical or other services for us, such as:
  • Monitoring website activity
  • Reporting and analytics
  • Marketing and advertising
  • Data aggregators

3. Your Rights and Choices

The CCPA provides Visitors with specific rights regarding their personal information.

Right to Know. You have the right to request details of the personal information about you that we have collected and used. Once we receive and confirm your verifiable consumer request, we will disclose to you:

  • The categories of personal information we collected about you
  • The categories of sources for the personal information we collected about you
  • Our business or commercial purpose for collecting that personal information
  • The categories of third parties with whom we shared that personal information
  • The specific pieces of personal information we collected about you
  • If we disclosed your personal information for a business purpose a list disclosing: disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Right to Request Deletion. Subject to certain limitations, under the CCPA you have the right to request that Capsule deletes any of your personal information that we retained. Once we receive your request and verify who you are, we will delete, and direct our service providers to delete, your personal information from our records, unless an exception applies (of which we will notify you when we review your request). However, we may deny your deletion request if retaining your personal information is necessary for us to: complete the transaction for which we collected the personal information; provide a service that you requested; take actions reasonably anticipated within the context of our ongoing business relationship with you; or comply with a legal obligation.
Right to Opt Out of Sale. Capsule does not sell personal information and will not sell personal information without providing a future right to opt-out of such a sale (or a right to opt in if you are under the age of 16).

4. Exercising Your Rights

To exercise your rights under the CCPA, please call us toll-free at (888) 910-1808, send a request to privacy@capsule.com or to Capsule's Privacy Officer in writing at 255 Greenwich Street, 4th Floor, New York, NY 10007 (Attention: Privacy Officer and Legal Department). Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a request related to your personal information. You may also make a request on behalf of your minor child.

5. Requests for Access

Under the CCPA, you may make a request for access to your personal information. You may only make a request for access twice within a 12-month period.

In order for us to process your request, it must:

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

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We will only use personal information provided in a request to verify your identity or authority to make the request.

Consumer requests will be handled within the timeframes set forth in the CCPA.

6. Non-Discrimination

We will not discriminate against you for exercising any of your rights under the CCPA.

Effective Date: December 1, 2020