Non-Student User Privacy Policy

Effective date: September 18, 2020

At Tynker, we take your privacy seriously. Please read this Non-Student User Privacy Policy to learn how we treat your personal data if you are note a Student User (defined below), such as parent or guardian, teacher or school administrator (collectively, "Non-Student Users").

If you're a student user of the Tynker's Services under the age of 16 ("Student User"), your use of Tynker's Services and our collection and processing of Student User's Personal Data is governed by the <u>Student User Privacy Policy</u>, and the <u>Additional Terms for Student Data from Educational Institution</u>. Both Non-Student Users, and Student Users are encouraged to review the Student User Privacy Policy and the Additional Terms for Student Institution to learn how we treat Personal Data of Student Users.

By using or accessing our Services in any manner, you acknowledge that you accept the practices and policies outlined below, and you hereby consent that we will collect, use and share Personal Data of you, as a Non-Student User, as described in this Privacy Policy.

Remember that your use of Tynker's Services is at all times subject to our <u>Terms of Use</u>, which incorporates this Privacy Policy. Any terms we use in this Policy without defining them have the definitions given to them in the Terms of Use.

You may print a copy of this Privacy Policy by clicking here.

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What this Non-Student User Privacy Policy Covers

This Non-Student User Privacy Policy covers how we treat Personal Data that we gather when Non-Student Users access or use our Services. As a Non-Student User, you represent and warrant that you are of legal age to form a binding contract with Tynker. "Personal Data" means any information that identifies or relates to a particular individual and also includes information referred to as "personally identifiable information" or "personal information" under applicable data privacy laws, rules or regulations. This Privacy Policy does not cover the practices of companies we don't own or control or people we don't manage. For the avoidance of doubt, when we use the term "Personal Data" in this Non-Student User Privacy Policy, we are referring to personally identifiable information of Non-Student Users, and we use the term "Student User's Personal Data" or "Personal Data of Student User" to refer to personally identifiable information of Student Users under 16 years old. As explained above, our collection and processing of Student User's Personal Data is governed by the <u>Student User Privacy Policy</u>, and the <u>Additional Terms for Student Data from Educational Institution</u>.

How is Student User's Personal Data Treated?

The Children's Online Privacy Protection Act ("COPPA") requires that online service providers obtain parental consent before they knowingly collect personally identifiable information online from children who are under 13 years of age. We do not knowingly or intentionally collect or solicit personally identifiable information from a child under 13 without obtaining verifiable consent from that child's parent or guardian ("Parental Consent"), except for the limited amount of personally identifiable information we need to collect in order to obtain Parental Consent ("Required Information"). Until we have received Parental Consent, we will only use Required Information for the purpose of obtaining Parental Consent. If you are a child under 13 years of age, please do not attempt to send any Personal Data about yourself to us before we obtain Parental Consent, except for the Required Information in the context of the Parental Consent process. If you are 13 years old or under, you may only use Tynker Services and disclose Personal Data (except for Required Information) to us with Parental Consent.

If you believe that a child under 13 years of age has provided us with Personal Data (beyond the Required Information) without our obtaining Parental Consent, please contact us at <u>support@tynker.com</u>. We do not condition participation in our Services on disclosure of more Personal Data from a child under 13 years of age than is reasonably necessary for that participation, and we do not retain Personal Data from children under 13 years of age longer than is reasonably necessary in order to fulfill the purpose for which it was disclosed.

If you are a parent or guardian of a user of our Services who is under 13 years of age, you may contact us at any time to ask that (a) we stop collecting Personal Data from such Student User, (b) we delete any Personal Data already collected from such Student User (although note that we may further retain information in an anonymous or aggregated form where that information would not identify such Student User personally), or (c) we stop disclosing Personal Data collected from such Student User to third parties, but continue to allow for collection and use of Personal Data collected from such Student User in connection with the Services.

If you're above the age of 13 but under the age of 16, you represent and warrant that you've received your parent's or guardian's permission to use the Services and gotten your parent or guardian to agree to our Terms of Use on your behalf and also to agree on their own behalf.

For Student User, no matter whether you're under the age of 13 or above, your parent or guardian, teacher, or school administrator can view all information within or associated with your Tynker account, including, without limitation, messages between you and your teacher, your work assignments and results, comments you received on your assignments, and your projects saved in your account.

As noted above, our collection and processing of Student User's Personal Data is governed by the <u>Student</u> <u>User Privacy Policy</u>, and the <u>Additional Terms for Student Data from Educational Institution</u>. Please review those for more details.

Personal Data

Categories of Personal Data We Collect

This chart details the categories of Personal Data that we collect and have collected from Non-Student User's over the past 12 months:

Category of Personal Data	Examples of Personal Data We Collect	Categories of Third Parties With Whom We Share this Personal Data:
Profile or Contact Data	 First and last name Phone number User name Email 	 Service Partners Parties You Authorize, Access or Authenticate
Payment Data	 Payment card type Last 4 digits of payment card Billing address, phone number, and email 	 Service Providers (specifically our payment processing partners, currently Stripe, Inc., PayPal, and Apple Pay)
Commercial Data	 Purchase orders and invoice history Consumer profiles 	 Service Providers (specifically for financial services processing, payment tracking, accounting and licensing for school accounts, currently Conga, CRM, Salesforce and Xero.) Parties You Authorize, Access or Authenticate
Device/IP Data Note: This category of data is collected automatically from the website if a user is not logged in and if you are a Non-Student User. We do not knowingly collect this category data through our website or application from Student Users.	 IP Address Device ID Domain server Type of device/operating system/browser used to access the Services 	 Service Providers Advertising Partners (specifically Google Analytics, Facebook Pixel, and Microsoft/Bing)
Social Network Data	 Email Phone number User name (third party log in information such as Google, Microsoft, Facebook (parent users only) and Clever (school administration users only)) IP address Device ID 	 Service Providers Advertising Partners (specifically Google Analytics, Facebook Pixel, and Microsoft/Bing) Parties You Authorize, Access or Authenticate
Web Analytics	 Web page interactions Referring webpage/source through which you accessed the Services Non-identifiable request IDs Statistics associated with the interaction between device or browser and the Services 	 Service Providers Advertising Partners (specifically Google Analytics, Facebook Pixel, and Microsoft/Bing)

Consumer Demographic Data	• Age (only to identify children under the age of 13 for parental consent verification as required by COPPA)	• None
Non-Public Education Data	 Work assignments, results, and comments Messages and chat logs between Student Users and teachers 	 Service Providers (specifically our email and mailing communications processors) Parties You Authorize, Access or Authenticate
Other Identifying Information Collected	 Identification information shared in email or mailing communications Students' programming projects, experience and interests 	 Service Providers Parties You Authorize, Access or Authenticate

Categories of Sources of Personal Data

We collect Personal Data about you from the following categories of sources:

- You
 - When you provide such information directly to us.
 - When you create an account or use our interactive tools and Services.
 - When you voluntarily provide information in free-form text boxes through the Services or through responses to surveys or questionnaires. We do not have control over what personally identifiable information you may include in freeform text boxes, so please use caution not to include personally identifiable information of you, your child, your student, or any other person.
 - When you send us an email or otherwise contact us.
 - When you use the Services and such information is collected automatically.
 - Through Cookies (defined in the "Tracking Tools, Advertising and Opt-Out" section below).
 - If you download our mobile application or use a location-enabled browser, we may receive information about your location and mobile device, as applicable.
 - If you download and install certain applications and software we make available, we may receive and collect information transmitted from your computing device for the purpose of providing you the relevant Services, such as information regarding when you are logged on and available to receive updates or alert notices.

• Third Parties

- o <u>Service Providers</u>
 - We may use analytics providers to analyze how you interact and engage with the Services, or third parties may help us provide you with customer support.
- o Advertising Partners
 - We receive information about you from some of our vendors who assist us with marketing or promotional services related to how you interact with our websites, applications, products, Services, advertisements or communications.
- o Social Networks
 - If you provide your social network account credentials to us or otherwise sign in to the Services through a third-party site or service, some content and/or information in those accounts may be transmitted into your account with us.

Our Commercial or Business Purposes for Collecting Personal Data

• Providing, Customizing and Improving the Services

- Creating and managing your account or other user profiles.
- Processing orders or other transactions; billing.
- Providing you with the products, services or information you request.
- Meeting or fulfilling the reason you provided the information to us.
- Providing support and assistance for the Services.
- Improving the Services, including testing, research, internal analytics and product development.
- Personalizing the Services, website content and communications based on your preferences.
- Doing fraud protection, security and debugging.
- Carrying out other business purposes stated when collecting your Personal Data or as otherwise set forth in applicable data privacy laws, such as the California Consumer Privacy Act (the "CCPA").

• Marketing the Services

- Marketing and selling the Services.
- Showing you advertisements, including interest-based or online behavioral advertising.

• Corresponding with You

- Responding to correspondence that we receive from you, contacting you when necessary or requested, and sending you information about Tynker or the Services.
- Sending emails and other communications according to your preferences or that display content that we think will interest you.

• Educational Purposes

- For Non-Student User who is a teacher or school administrator affiliated with an Educational Institutions, carrying out educational purposes as directed by you, such as sharing with the parent or guardian of a Student User of project progress, work results, and teacher comments through courses assigned with the Student User's Educational Institution.
- Supporting educational/school purposes as authorized by Educational Institutions and/or the parent or guardian of a Student User. For example, the Tynker Services track a Student User's academic process, and create a profile for each Student User associated with the progress of such Student as they complete learning modules through the Tynker Services. Such profile and related features are solely for educational/school purposes, and for clarity, we do not build any personal profile of a Student User for marketing purposes.

• Meeting Legal Requirements and Enforcing Legal Terms

- Fulfilling our legal obligations under applicable law, regulation, court order or other legal process, such as preventing, detecting and investigating security incidents and potentially illegal or prohibited activities.
- Protecting the rights, property or safety of you, Tynker or another party.
- Enforcing any agreements with you.
- Responding to claims that any posting or other content violates third-party rights.
- Resolving disputes.

We will not collect additional categories of Personal Data or use the Personal Data we collected for materially different, unrelated or incompatible purposes without providing you notice.

How We Share Your Personal Data

We disclose your Personal Data to the categories of service providers and other parties listed in this section. For more information, please refer to the state-specific sections below.

- **Service Providers.** These parties help us provide the Services or perform business functions on our behalf. They include:
 - Hosting, technology and communication providers.
 - Security and fraud prevention consultants.
 - Support and customer service vendors.
 - Payment processors.
 - Our payment processing partners Stripe, Inc. ("Stripe"), PayPal, Inc. ("PayPal") and Apple Pay (offered by Apple, Inc.) ("Apple Pay") collect your voluntarilyprovided payment card information necessary to process your payment.
 - Please see Stripe's, PayPal's or Apple Pay's terms of service and privacy policy for information on their use and storage of your Personal Data.
- Advertising Partners. These parties help us market our services and provide you with other offers that may be of interest to you. Please refer to section "Tracking Tools, Advertising and Opt-Out" section below for more details. They include:
 - Ad networks.
 - Marketing providers.
- Analytics Partners. These parties provide analytics on web traffic or usage of the Services. Please refer to section "Tracking Tools, Advertising and Opt-Out" section below for more details. They include:
 - Companies that track how users found or were referred to the Services.
 - Companies that track how users interact with the Services.
- **Business Partners.** These parties partner with us in offering various services. They include:
 - Businesses that you have a relationship with.
 - Companies that we partner with to offer joint promotional offers or opportunities.
 - Schools who partner with us to offer and use our Services.
- Parties You Authorize, Access or Authenticate
 - Third parties you access through the services.
 - Social media services.
 - Other users.

Legal Obligations

We may share any Personal Data that we collect with third parties in conjunction with any of the activities set forth under "Meeting Legal Requirements and Enforcing Legal Terms" in the "Our Commercial or Business Purposes for Collecting Personal Data" section above.

Business Transfers

All of your Personal Data that we collect may be transferred to a third party if we undergo a merger, acquisition, bankruptcy or other transaction in which that third party assumes control of our business (in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

Data that is Not Personal Data

We may create aggregated, de-identified or anonymized data from the Personal Data we collect, including by removing information that makes the data personally identifiable to a particular user. We may use such aggregated, de-identified or anonymized data and share it with third parties for our lawful business purposes, including to analyze, build and improve the Services and promote our business, provided that we will not share such data in a manner that could identify you.

Tracking Tools, Advertising and Opt-Out

The Services use cookies and similar technologies for Non-Student Users such as pixel tags, web beacons, clear GIFs and JavaScript (collectively, "Cookies") to enable our servers to recognize your web browser, tell us how and when you visit and use our Services, analyze trends, learn about our Non-Student User base and operate and improve our Services. Cookies are small pieces of data– usually text files – placed on your computer, tablet, phone or similar device when you use that device to access our Services. For clarity, the Services do not use <u>Retargeting/Advertising</u> Cookies (defined below) on the home page (where both Student Users and Non-Student Users can access) or any student-targeted pages on our website or application (e.g., student coding areas including coding games, minecraft and code jam pages). The Services do use cookies to track Non-Student Users such as parents, teachers and school administrators on our parent and educator targeted pages on our website (e.g., plans and pricing, Tynker for schools and curriculum pages) after a Non-Student User visits such portion of our websites. We may also supplement the information we collect from a Non-Student User with information received from third parties, including third parties that have placed their own Cookies on your device(s). Please note that because of our use of Cookies, the Services do not support "Do Not Track" requests sent from a browser at this time.

We use the following types of Cookies:

- <u>Essential Cookies</u>. Essential Cookies are required for providing you with features or services that you have requested. For example, certain Cookies enable you to log into secure areas of our Services. Disabling these Cookies may make certain features and services unavailable.
- <u>Functional Cookies</u>. Functional Cookies are used to record your choices and settings regarding our Services, maintain your preferences over time and recognize you when you return to our Services. These Cookies help us to personalize our content for you, greet you by name and remember your preferences (for example, your choice of language or region).
- <u>Performance/Analytical Cookies</u>. Performance/Analytical Cookies allow us to understand how visitors use our Services. They do this by collecting information about the number of visitors to the Services, what pages visitors view on our Services and how long visitors are viewing pages on the Services. Performance/Analytical Cookies also help us measure the performance of our advertising campaigns in order to help us improve our campaigns and the Services' content for those who engage with our advertising. For example:
 - We use Google Analytics cookies to collect information about how visitors use our websites. These cookies collect information in the aggregate to give us insight into how our website is being used. Google Inc. ("Google") uses cookies in connection with its Google Analytics services. Google's ability to use and share information collected by Google Analytics about your visits to the Services is subject to the Google Analytics Terms of Use and the Google Privacy Policy. You have the option to opt-out of Google's use of Cookies by visiting the Google

advertising opt-out page at <u>www.google.com/privacy_ads.html</u> or the Google Analytics Optout Browser Add-on at <u>https://tools.google.com/dlpage/gaoptout/</u>.

- We use Hotjar in order to better understand our users' needs and to optimize the Service and user experience. Hotjar is a technology service that helps us better understand our users' experience (e.g. how much time they spend on which pages, which links they choose to click, what users do and don't like, etc.) and this enables us to build and maintain our Service with user feedback. Hotjar uses cookies and other technologies to collect data on our users' behavior and their devices. This includes a device's IP address (processed during your session and stored in a de-identified form), device screen size, device type (unique device identifiers), browser information, geographic location (country only), and the preferred language used to display our website. Hotjar stores this information on our behalf in a pseudonymized user profile. Hotjar is contractually forbidden to sell any of the data collected on our behalf. For further details, please see the 'about Hotjar' section of Hotjar's support site at https://help.hotjar.com/hc/en-us/categories/115001323967-About-Hotjar.
- <u>Retargeting/Advertising Cookies</u>. Retargeting/Advertising Cookies collect data about Non-Student Users' online activity and identify their interests so that we can provide advertising that we believe is relevant to them. For more information about this, please see the section below titled "Information about Interest-Based Advertisements."

You can decide whether or not to accept Cookies through your internet browser's settings. Most browsers have an option for turning off the Cookie feature, which will prevent your browser from accepting new Cookies, as well as (depending on the sophistication of your browser software) allow you to decide on acceptance of each new Cookie in a variety of ways. You can also delete all Cookies that are already on your device. If you do this, however, you may have to manually adjust some preferences every time you visit our website and some of the Services and functionalities may not work.

To explore what Cookie settings are available to you, look in the "preferences" or "options" section of your browser's menu. To find out more information about Cookies, including information about how to manage and delete Cookies, please visit http://www.allaboutcookies.org/.

Information about Interest-Based Advertisements:

We may serve advertisements, and also allow third-party ad networks, including third-party ad servers, ad agencies, ad technology vendors and research firms, to serve advertisements through the Services to Non-Student Users. These advertisements may be targeted to Non-Student Users who fit certain general profile categories or display certain preferences or behaviors ("Interest-Based Ads"). Information for Interest-Based Ads (including Personal Data) may be provided to us by you, or derived from the usage patterns of particular Non-Student Users on the Services and/or services of third parties. Such information may be gathered through tracking Non-Student Users' activities across time and unaffiliated properties, including when they leave the Services. To accomplish this, we or our service providers may deliver Cookies, including a file (known as a "web beacon") from an ad network to you through the Services. Web beacons allow ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to serve targeted advertisements to you when you visit other websites. Web beacons allow ad networks to view, edit or set their own Cookies on your browser, just as if you had requested a web page from their site.

We comply with the Digital Advertising Alliance ("DAA") Self-Regulatory Principles for Online Behavioral Advertising. Through the DAA and Network Advertising Initiative ("NAI"), several media and marketing

associations have developed an industry self-regulatory program to give consumers a better understanding of, and greater control over, ads that are customized based a consumer's online behavior across different websites and properties. To make choices about Interest-Based Ads from participating third parties, including to opt-out of receiving behaviorally targeted advertisements from participating organizations, please visit the DAA's or NAI's consumer opt-out pages, which are located at http://www.networkadvertising.org/choices/ or www.aboutads.info/choices.

Data Security and Retention

We seek to protect your Personal Data from unauthorized access, use and disclosure using appropriate physical, technical, organizational and administrative security measures based on the type of Personal Data and how we are processing that data. You should also help protect your data by appropriately selecting and protecting your password and/or other sign-on mechanism; limiting access to your computer or device and browser; and signing off after you have finished accessing your account. Although we work to protect the security of your account and other data that we hold in our records, please be aware that no method of transmitting data over the internet or storing data is completely secure.

We retain Personal Data about you for as long as you have an open account with us or as otherwise necessary to provide you with our Services. In some cases we retain Personal Data for longer, if doing so is necessary to comply with our legal obligations, resolve disputes or collect fees owed, or is otherwise permitted or required by applicable law, rule or regulation. We may further retain information in an anonymous or aggregated form where that information would not identify you personally.

California Resident Rights

If you are a California resident, you have the rights set forth in this section. Please see the "Exercising Your Rights" section below for instructions regarding how to exercise these rights. Please note that we may process Personal Data of our customers' end users or employees in connection with our provision of certain services to our customers. If we are processing your Personal Data as a service provider, you should contact the entity that collected your Personal Data in the first instance to address your rights with respect to such data.

If there are any conflicts between this section and any other provision of this Privacy Policy and you are a California resident, the portion that is more protective of Personal Data shall control to the extent of such conflict. If you have any questions about this section or whether any of the following rights apply to you, please contact us at support@tynker.com.

<u>Access</u>

You have the right to request certain information about our collection and use of your Personal Data over the past 12 months. In response, we will provide you with the following information:

- The categories of Personal Data that we have collected about you.
- The categories of sources from which that Personal Data was collected.
- The business or commercial purpose for collecting or selling your Personal Data.
- The categories of third parties with whom we have shared your Personal Data.
- The specific pieces of Personal Data that we have collected about you.

If we have disclosed your Personal Data to any third parties for a business purpose over the past 12 months, we will identify the categories of Personal Data shared with each category of third party recipient.

<u>Deletion</u>

You have the right to request that we delete the Personal Data that we have collected about you. Under the CCPA, this right is subject to certain exceptions: for example, we may need to retain your Personal Data to provide you with the Services or complete a transaction or other action you have requested. If your deletion request is subject to one of these exceptions, we may deny your deletion request.

Exercising Your Rights

To exercise the rights described above, you or your Authorized Agent (defined below) must send us a request that (1) provides sufficient information to allow us to verify that you are the person about whom we have collected Personal Data, and (2) describes your request in sufficient detail to allow us to understand, evaluate and respond to it. Each request that meets both of these criteria will be considered a "Valid Request." We may not respond to requests that do not meet these criteria. We will only use Personal Data provided in a Valid Request to verify your identity and complete your request. You do not need an account to submit a Valid Request.

We will work to respond to your Valid Request within 45 days of receipt. We will not charge you a fee for making a Valid Request unless your Valid Request(s) is excessive, repetitive or manifestly unfounded. If we determine that your Valid Request warrants a fee, we will notify you of the fee and explain that decision before completing your request.

You may submit a Valid Request using the following methods:

- Email us at: support@tynker.com
- Submit a form at this address: <u>https://tynker.com/about/contact</u>

You may also authorize an agent (an "Authorized Agent") to exercise your rights on your behalf. To do this, you must provide your Authorized Agent with written permission to exercise your rights on your behalf, and we may request a copy of this written permission from your Authorized Agent when they make a request on your behalf.

Personal Data Sales Opt-Out and Opt-In

We will not sell your Personal Data, and have not done so over the last 12 months. To our knowledge, we do not sell the Personal Data of users under 16 years of age.

In this section, we use the term "sell" as it is defined in the CCPA. As described in the "Tracking Tools, Advertising and Opt-Out" section above, we have incorporated Cookies from certain third parties into our Services. These Cookies allow those third parties to receive information about your activity on our Services that is associated with your browser or device. Those third parties may use that data to serve you relevant ads on our Services or on other websites you visit. Under the CCPA, sharing your data through third party Cookies for online advertising may be considered a "sale" of information. For California residents, we have enabled the Restricted Data Processing for Google Analytics, and Limited Data Use for Facebook Pixel, and we do not use any other Analytics Cookies or Retargeting Cookies that

we think would constitute "sale" under the CCPA. With such settings, Google and Facebook act as our service provider, and they will ensure that our sharing of your Personal Data with them does not constitute "sale" under the CCPA. For more information regarding such settings, please review the details for Google Analytics: <u>https://support.google.com/google-ads/answer/9614122?hl=en</u>, and for Facebook Pixel: <u>https://www.facebook.com/legal/terms/state-specific</u>.

We Will Not Discriminate Against You for Exercising Your Rights Under the CCPA

We will not discriminate against you for exercising your rights under the CCPA. We will not deny you our goods or services, charge you different prices or rates, or provide you a lower quality of goods and services if you exercise your rights under the CCPA. However, we may offer different tiers of our Services as allowed by applicable data privacy laws (including the CCPA) with varying prices, rates or levels of quality of the goods or services you receive related to the value of Personal Data that we receive from you.

Other State Law Privacy Rights

California Resident Rights

Under California Civil Code Sections 1798.83-1798.84, California residents are entitled to contact us to prevent disclosure of Personal Data to third parties for such third parties' direct marketing purposes; in order to submit such a request, please contact us at support@tynker.com.

Nevada Resident Rights

If you are a resident of Nevada, you have the right to opt-out of the sale of certain Personal Data to third parties who intend to license or sell that Personal Data. For clarity, we do not engage in such activities of "sale" of your Personal Data to third parties as defined under Nevada law.

Changes to this Privacy Policy

We're constantly trying to improve our Services, so we may need to change this Privacy Policy from time to time, but we will alert you to any such changes by placing a notice on the Tynker website, by sending you an email and/or by some other means. Please note that if you've opted not to receive legal notice emails from us (or you haven't provided us with your email address), those legal notices will still govern your use of the Services, and you are still responsible for reading and understanding them. If you use the Services after any changes to the Privacy Policy have been posted, that means you agree to all of the changes. Use of information we collect is subject to the Privacy Policy in effect at the time such information is collected.

Contact Information:

If you have any questions or comments about this Non-Student Privacy Policy, the ways in which we collect and use Non-Student Users' Personal Data or your choices and rights regarding such collection and use, please do not hesitate to contact us at:

- https://www.tynker.com/
- <u>support@tynker.com</u>

• 280 Hope St, Mountain View, CA 94040