

# Gasology Privacy Policy

Last modified: January 20, 2021 – Effective: February 1, 2021

## 1. Introduction

Gasology, LLC (“Gasology”) believes that protecting your private information is a top priority when you use any of the Gasology websites, web-based apps, mobile apps, marketplace technology or the combination thereof and collectively referred to as the “**Gasology Platform**”. This notice describes the personal data we collect, how it is used and shared, and your choices regarding this data. We recommend that you read this along with our privacy overview, which highlights key points about our privacy practices.

## 2. Overview

### (a) Scope

This notice applies to Users of the Gasology Platform and describes how Gasology and its affiliates collect and use personal data. This notice specifically applies to:

- (i) Users: any Person that has completed or caused to have been completed the Gasology User registration process, accepted and agreed to the Gasology End User Terms of Service Agreement, available at [www.gasology.com/legal](http://www.gasology.com/legal), and having an Active Account with Gasology;
- (ii) Consumers: a registered Gasology business or an individual User that makes a purchase of Product(s) from a Gasology Merchant using the Gasology Platform;
- (iii) Business Consumers: companies that have entered into the Gasology Business Consumer Agreement and have established a Gasology Business Consumer corporate account using the Gasology Platform; and
- (iv) Merchants: independent, third-party motor fuel seller or reseller companies that have entered into the Gasology Merchant Agreement and have established a Gasology Merchant corporate account using the Gasology Platform.

This notice also governs Gasology’s other collections of personal data in connection with the Gasology Platform. For example, we may collect the contact information of individuals who use accounts owned by Gasology Business Consumers or of owners or employees of Gasology Merchant corporate accounts, or we may collect other personal data in connection with our mapping technology and features.

All those subject to this notice are referred to as “**Users**” in this notice.

Our data practices are subject to applicable laws in the places in which we operate. This means that we engage in the practices described in this notice in a particular country or region only if permitted under the laws of those places. Please contact us through the addresses below with any questions regarding our practices in a particular country or region.

(b) Data controller and transfer

Gasology, LLC is the data controller for the personal data collected in connection with use of Gasology's Platform.

**3. Data Collections and Uses**

(a) The data we collect

Gasology collects:

- Data provided by Users to Gasology, such as during account creation
- Data created during use of our services, such as location, app usage, and device data
- Data from other sources, such as Gasology partners and third parties that use Gasology APIs

The following data is collected by or on behalf of Gasology:

(i) Data provided by Users. This includes:

**User profile:** We collect data when Users create or update their Gasology accounts. This may include their name, email, phone number, login name and password, address, profile picture and payment or banking information (including related payment verification information). This also includes vehicle and vessel information and User settings.

**Demographic data:** We may collect demographic data about Users, including through User surveys.

**User content:** We collect the information Users submit when they contact Gasology customer support provides ratings or compliments for other Users or Merchant registered on the Gasology Platform. This may include feedback, photographs or other recordings collected by Users.

(ii) Data created during use of our services. This includes:

**Location data:** We collect precise or approximate location data from a User's mobile device if enabled by the User to do so. In addition, the location data collected from a User's device during a motor fuel pickup from a pump will be linked to the User's or Business Consumer's account, even if they have not enabled location data to be collected from their device, including for purposes of receipt generation, customer support, fraud detection, insurance, and litigation.

**Transaction information:** We collect transaction information related to the use of our Platform, including the products, delivery periods, origin and destination, prices, delivery fees, taxes, fees, delivery information, date and time the transactions were conducted, amount charged and payment method.

**Usage data:** We collect data about how Users interact with our Platform. This includes data such as access dates and times, app features or pages viewed, app crashes and other system activity, type of browser, and third-party sites or services used before interacting with our services. In some cases, we collect this data

through cookies, pixels, tags, and similar tracking technologies that create and maintain unique identifiers.

**Device data:** We may collect data about the devices used to access our services, including the hardware models, device IP address, operating systems and versions, software, preferred languages, unique device identifiers, advertising identifiers, serial numbers, device motion data, and mobile network data.

**Communications data:** We enable Users to communicate with each other and Gasology through Gasology’s mobile apps and websites. For example, we enable Merchants and Consumers and Merchants and Merchants to invite or email each other (generally without disclosing their email addresses to each other). To provide this service, Gasology receives some data regarding the emails or on Platform messages, including the date and time of the communications and the content of the communications. Gasology may also use this data for customer support services (including to resolve disputes between Users), for safety and security purposes, to improve our products and services, and for analytics.

(b) Data from other sources. This includes:

- User feedback, such as ratings, feedback, or compliments.
- Users participating in our Invitation programs. For example, when a User invites another person, we receive the invited person’s personal data from that User.
- Users or others providing information in connection with claims or disputes.
- Vendors who help us verify Users’ identity and background information for regulatory, safety, and security purposes.
- Publicly available sources.
- Marketing service providers.

Gasology may combine the data collected from these sources with other data in its possession.

**4. How we use personal data**

Gasology collects and uses data to enable reliable and convenient fuel transactions, transportation, delivery, and other products and services. We also use the data we collect:

- To enhance the safety and security of our Users and services
- For customer support
- For research and development
- To enable communications between Users
- To send marketing and non-marketing communications to Users
- In connection with legal proceedings

Gasology does not sell or share User personal data with third parties for their direct marketing, except with Users’ consent. Gasology uses the data it collects for purposes including:

(a) Providing services and features. Gasology uses the data we collect to provide, personalize, maintain, and improve our products and services. This includes using the data to:

- Create and update Users’ accounts.
- Verify Users and corporate account identify, credit, identity and background history.

- Offer, process, or facilitate payments for our services.
  - Offer, obtain, provide, or facilitate insurance, invoicing, or financing solutions in connection with our services.
  - Track and share the progress of deliveries, pickups and receipts products transacted on our Platform.
  - Enable features that allow Users to share information with other people, such as when User submits a compliment about a Merchant, when products are delivered and Users provide feedback for a Merchant or invite a friend, supplier or customer to Gasology,.
  - Enable features to personalize Users' Gasology accounts, such as creating bookmarks for favorite places, and to enable quick access to favorite supplier locations.
  - Perform internal operations necessary to provide our services, including to troubleshoot software bugs and operational problems; to conduct data analysis, testing, and research; and to monitor and analyze usage and activity trends.
- (b) Safety and security. We use personal data to help maintain the safety, security, and integrity of our services and Users. This includes:
- Using device, location, profile, usage, and other data to prevent, detect, and combat fraud or unsafe activities.
  - Using Gasology ratings and feedback as grounds for Merchants or Users with low ratings.
- (c) User support. Gasology uses the information we collect (including recordings of support calls with notice to and the consent of the User) to provide User support, including to:
- Direct questions to the appropriate customer success person
  - Investigate and address User concerns
  - Monitor and improve our customer support responses and processes
- (d) Research and development. We may use the data we collect for testing, research, analysis, product development, and machine learning to improve the User experience. This helps us to improve and enhance the safety and security of our services, improve our ability to prevent the use of our services for illegal or improper purposes, develop new features and products, and facilitate flexibility products and solutions in connection with our services.
- (e) Marketing. Gasology may use the data we collect to market our services to our Users. This includes sending Users communications about Gasology services, features, promotions, studies, surveys, news, updates, and events. We may use the data we collect to personalize the marketing communications (including advertisements) that we send, including based on User location, past use of Gasology's services, and User preferences and settings.
- (f) Non-marketing communications. Gasology may use the data we collect to generate and provide Users with receipts; inform them of changes to our terms, services, or policies; or send other communications that aren't for the purpose of marketing the services or products of Gasology or its Merchants.
- (g) Legal proceedings and requirements. We may use the personal data we collect to investigate or address claims or disputes relating to use of Gasology's services, or as otherwise allowed by applicable law, or as requested by regulators, government entities, and official inquiries.

(h) Automated decision-making. We use personal data to make automated decisions relating to use of our services. This includes:

- Enabling dynamic problem resolutions for Users based on the potential pickup or delivery problems anticipated by potential disruptions in product availability, power, or other factors that could create a potential problem for the Users.
- Determining User and Merchant ratings, and deactivating Users, Customers, or Merchants with low ratings.
- Deactivating Users who are identified as having engaged in fraud or activities that may otherwise harm Gasology, its Users, and others.

## 5. **Cookies and third-party technologies**

Gasology uses cookies and other identification technologies on our apps, websites, emails, and online ads for purposes described in this notice. Cookies are small text files that are stored on browsers or devices by websites, apps, online media, and advertisements. Gasology uses cookies and similar technologies for purposes such as:

- Authenticating Users
- Remembering User preferences and settings
- Determining the popularity of content
- Delivering and measuring the effectiveness of advertising campaigns
- Analyzing site traffic and trends, and generally understanding the online behaviors and interests of people who interact with our services
- We may also allow others to provide audience measurement and analytics services for us, to serve advertisements on our behalf across the Internet, and to track and report on the performance of those advertisements. These entities may use cookies, web beacons, SDKs, and other technologies to identify the devices used by visitors to our websites, as well as when they visit other online sites and services.

## 6. **Data sharing and disclosure**

Some of Gasology's applications require that we share data with other Users or at a User's request. We may also share data with our affiliates, subsidiaries, and Merchants, for legal reasons or in connection with claims or disputes. Gasology may share the data we collect:

(a) With other Users. This includes sharing:

- Users' first name, last name, email, and company name related to connectivity invitations to connect or join the Gasology Platform.
- Delivery recipients' first name, delivery address, and order information with their shipper firm involved in providing the delivery of product to the User.

(b) At the User's request. This includes sharing data with:

- Other people at the User's request.
- Gasology business partners. For example, if a User requests a service through a partnership or promotional offering made by a third party, Gasology may share certain data with those third parties. This may include, for example, other services, platforms, apps or websites that integrate with our APIs; delivery suppliers or services; those with an API or service with which we integrate; or other Gasology business partners and their Users in connection with promotions, contests, or specialized services.

(c) With the general public.

Questions or comments from Users submitted through public forums such as Gasology blogs and Gasology social media pages may be viewable by the public, including any personal data included in the questions or comments submitted by a User.

(d) With the Gasology account owner

If a User purchases or accepts delivery of motor fuel products using an account owned by another party, we may share their order or delivery information, including real-time location data, with the owner of that account. This occurs, for example, when:

- A User uses their employer's Gasology Business Consumer account
- A Users picks up motor fuel or under a family account

(e) With Gasology subsidiaries and affiliates

We share data with our subsidiaries and affiliates to help us provide our services or conduct data processing on our behalf.

(f) With Gasology service providers and business partners

Gasology provides data to vendors, consultants, marketing partners, research firms, and other service providers or business partners. These include:

- Payment processors and facilitators
- Background check and identity verification providers
- Cloud storage providers
- Marketing partners and marketing platform providers, including social media advertising services
- Data analytics providers
- Research partners
- Vendors that assist Gasology to enhance the safety and security of its apps
- Consultants, lawyers, accountants, and other professional service providers
- Insurance and financing partners

(g) For legal reasons or in the event of a dispute

Gasology may share Users' personal data if we believe it's required by applicable law, regulation, operating license or agreement, legal process or governmental request, or where the disclosure is otherwise appropriate due to safety or similar concerns. This includes sharing personal data with law enforcement officials, public health officials, other government authorities, or other third parties as necessary to enforce our Terms of Service, User agreements, or other policies; to protect Gasology's rights or property or the rights, safety, or property of others; or in the event of a claim or dispute relating to the use of our services. If you use another person's credit card, we may be required by law to share your personal data, including trip or order information, with the owner of that credit card.

This also includes sharing personal data with others in connection with, or during negotiations of, any merger, sale of company assets, consolidation or restructuring, financing, or acquisition of all or a portion of our business by or into another company.

(h) With consent

Gasology may share a User's personal data other than as described in this notice if we notify the User and they consent to the sharing.

## 7. **Data retention and deletion**

Gasology retains User profile, transaction, and other personal data for as long as a User maintains their Gasology account. Gasology may retain certain User data after receiving an account deletion request if necessary, such as to comply with legal requirements.

Gasology retains User profile, transaction, and other information for as long as a User maintains their Gasology account. For business accounts, Gasology also retains credit and background check information (to the extent permitted by law) for as long as they maintain their Gasology account. Gasology may also retain certain information if necessary, for purposes of safety, security, and fraud prevention.

All Gasology services are deployed regionally and Gasology will specify the region into which the service will be deployed. Examples of such cloud-based services include virtual machines, storage, and databases.

- Gasology may copy customer data between Regions within a given Geo for data redundancy or other operational purposes. For example, Gasology storage replicates Blob, File, Queue and Table data between two regions within the same Geo for enhanced data durability in case of a major datacenter disaster.
- Gasology does not store customer data outside the platform-specified Geo.

## 8. **Data Security**

Gasology takes reasonable precautions to protect personal data from loss, misuse, unauthorized access, disclosure, alteration, and destruction. Unfortunately, while we work hard to ensure the security of your personal data while it is on our systems, no security measures are perfect, and data transmitted over the Internet cannot be guaranteed to be 100% secure. We cannot and do not ensure or warrant the security of any personal data you transmit, and you do so at your own risk.

## 9. **Grounds for processing**

We only collect and use personal data where we have lawful grounds to do so. These include processing User personal data to provide requested services and features, for purposes of Gasology's legitimate interests or those of other parties, to fulfill our legal obligations, or based on consent.

We collect and use personal data only where we have one or more lawful grounds for doing so. Such grounds may vary depending on where our Users are located, but generally include processing personal data:

### (a) To provide requested services and features

In order to provide our services, we must collect and use certain personal data. This includes:

- User profile data, which we use to establish and maintain User accounts; verify User identity; communicate with Users about their transactions and accounts; and enable Users to make payments or receive proceeds.
- Background fueling? pickup? Location? Transaction? information, which is used to verify an applicant’s eligibility to be a User or to establish a business account.
- User location data, which we use to track search locations, pickup proximity and assist with navigation
- Usage data, which is necessary to maintain, optimize, and enhance Gasology’s services,
- Transaction information
- Information relating to customer support

(b) For purposes of the legitimate interests of Gasology or other parties

This includes using personal data to maintain and enhance our Users’ safety and security. This also includes purposes such as combating fraud; improving our services, direct marketing, research, and development; and enforcing Gasology’s Terms of Service. In addition, it includes using personal data to the extent necessary for the interests of other people or the general public, such as in connection with legal or insurance claims, and to protect the rights and safety of others.

(c) To fulfill Gasology’s legal obligations

Gasology may also share data with law enforcement regarding criminal acts or threats to public safety, or requests by third parties pursuant to legal processes.

(d) With consent

Gasology may collect and use personal data based on the User’s consent. A User who has provided consent to a collection or use of their personal data can revoke it at any time. However, the User will not be able to use any service or feature that requires collection or use of that personal data.

**10. Choice and transparency**

Gasology enables Users to access and control the data that Gasology collects, including through:

- In-app settings
- Device permissions
- In-app ratings pages
- Marketing opt-outs

Gasology also enables Users to request access to or copies of their data, changes or updates to their accounts, deletion of their accounts, or that Gasology restrict its processing of User personal data.

(a) Privacy settings

Settings menus in the Gasology mobile app for Users give them the ability to set or update their location-sharing preferences and their preferences for receiving mobile notifications from Gasology. Information about these settings, how to set or change these settings, and the effect of turning off these settings is described below.

- (i) **Location data.** Gasology uses User’s device location services to make it easier to find fuel whenever they need fuel. Location data helps improve our services, including finding fuel, pickups, navigation, and customer support. Users may enable

or disallow Gasology to collect location data from their mobile devices through the Settings > Privacy menus in the Gasology mobile app. Users can enable or disallow such collections through the settings on their mobile device.

- (ii) **Notifications: account and delivery/pickup updates.** Gasology provides Users with account status notifications and updates related to activity on their account. These notifications are a necessary part of using the Gasology app and cannot be disabled. However, Users may choose the method by which they receive these notifications through the Settings > Privacy menus in the Gasology mobile app.
- (iii) **Notifications: discounts and news.** Users may enable Gasology to send push notifications about discounts and news from Gasology Merchants. Push notifications may be enabled or disabled through the Settings > Privacy menus in the Gasology app.

(b) Device permissions

Most mobile device platforms (iOS, Android, etc.) have defined certain types of device data that apps cannot access without the device owner's permission, and these platforms have different methods for how that permission can be obtained. iOS devices notify Users the first time the Gasology app requests permission to access certain types of data and gives Users the option to grant or refuse permission. Android devices notify Users of the permissions that the Gasology app seeks before their first use of the app and use of the app constitutes a grant of such permission.

(c) Ratings look-up

After every transaction has been completed, Users are able to rate each other on a scale from 1 to 5. An average of those ratings is associated with a User's account and is displayed to other Users for whom they provide or receive services. This 2-way system holds everyone accountable for their behavior.

(d) Marketing opt-outs

Users may opt out of receiving marketing-related emails and other messages from Gasology by following the unsubscribe instructions in those messages. We may still send Users who have opted out non-promotional communications, such as receipts for transactions, agreement amendment notifications or information about their account.

**11. Updates to this notice**

We may periodically update this notice in accordance with Gasology's Update Procedures. Use of our services after the effective date of such an update constitutes consent to the updated notice to the extent permitted by law.

We may occasionally update this notice. If we make significant changes, we will notify Users in advance of the changes through the Gasology apps or through other means, such as email. We encourage Users to periodically review this notice for the latest information on our privacy practices.