

## PRIVACY POLICY

**THIS PRIVACY POLICY COMPLIES WITH THE REQUIREMENTS OF INDIAN LAW AND APPLIES TO PERSONS WHO ARE CITIZENS OF INDIA AND ARE RESIDENT IN INDIA OR ENTITIES WHICH ARE INCORPORATED IN INDIA. IF YOU ARE LOCATED IN ANY OTHER JURISDICTION AND DO NOT COMPLY WITH THE REQUIREMENTS SET OUT ABOVE. YOU MAY NOT SHARE PERSONAL INFORMATION OR USE THE SERVICES EXCEPT WITH THE PRIOR WRITTEN CONSENT OF THE COMPANY IN WRITING.**

This Privacy Policy (“**Privacy Policy**”) describes the use and processing of information by **Hexo Inc.** (“**Company**”). This Privacy Policy applies to information Company collects when User uses the website and mobile app and other services that link to this Privacy Policy. The Company is committed to ensuring that any use or sharing of your information with anyone shall be one only in accordance with the procedures described in this Privacy Policy.

The capitalized terms used in this Privacy Policy, but not defined in this Privacy Policy, shall have the meaning given to such terms in the Terms and Conditions (*defined hereinafter*).

Please read this Privacy Policy before using the website and mobile app or submitting any personal information. Where any person (“**User**”) uses or accesses the website and mobile app of the Company or uses any products or services of the Company or otherwise provides any User Information (including information in relation to other persons), the User consents to the collection, storage, use and dissemination of the information the User discloses on the website and mobile app or in the use of the services in accordance with this Privacy Policy.

Please also note that the Privacy Policy will also apply to information of Users supplied by other Users. In case of information of Users supplied by other Users, the User providing the information confirms and warrants that the User has the authority to provide the necessary User Information.

### 1. **Other applicable terms**

This Privacy Policy is a part of and incorporated within, and is to be read along with the Terms and Conditions available at [●] (the “**Terms**”).

### 2. **Policy changes**

The Company may change and update this Privacy Policy from time to time. Such changes may be made without prior notice, but any changes will only apply to activities and information on a going forward and not retroactive basis, unless specified otherwise. The User are encouraged to review this Privacy Policy before accessing any services provided by the Company to make sure that the User understand how any personal information provided by the User will be used.

### 3. **Links to Third Party website and mobile apps**

The procedures and practices set forth in this Privacy Policy describe the use and disclosure of User Information collected by the Company. The website and mobile app and/or other platforms of the Company, as available (“**website and mobile app**”) may contain links to other website and mobile apps. Any personal information about the User collected which such User visits such website and mobile apps is not governed by this Privacy Policy. The User is encouraged to exercise caution and review the privacy policies applicable to such website and mobile apps before accessing them. The User acknowledges that the Company shall not be responsible for and has no control over the practices and content of any website and mobile app accessed using the links contained on the website and mobile app.

#### 4. Competency to contract

By agreeing to this Privacy Policy, a User (which such User is a natural Person) represents that the User is at least the age of majority i.e. 18 years, and is competent to contract. Additionally, where the User is registering on behalf of, and is the authorized representative of, a company, partnership or any other legal entity, such User has been duly authorized by such entity and is permitted under applicable laws to accept these Terms. In case the User is a natural person who is not of the age of majority or is not competent to contract, the User may not use the services of the Company, the website and mobile app or provide any information to the Company.

#### 5. Collection of information

The Company collects two basic types of information from a User in conjunction with a User's use of the website and mobile app i.e. personal information, which is any information that exclusively identifies a User (e.g., the User's name, email address, telephone number, postal address amongst others) and non-personal information, which is information that does not exclusively identify a User but is related to you nonetheless such as, information about a User's interests, demographics and use of the sites. The Company may also receive personal information regarding a User as shared by third parties who maybe our clients or otherwise avail service from the Company. Please note that in such instances, the Company is acting on the instructions provided by such User and the Company does not separately verify the right of the User to provide User Information to the Company. In case you are not the intended recipient of the services and website and mobile app, you should contact the Company at the earliest.

Towards the provision of the services by the Company and the use of the website and mobile app, the Company shall in addition to the information described above, collect the following information from a User ("**User Information**"):

Location	Information about the location of the User's device used to access the services from the Company. This is used for the provision of the services, pricing related information, for maintenance of records for audit purposes and other matters.
Access information	Passwords and other details required to access or use the services provided by the Company.
Personal information	Information about the name, email address, contact information and details of official documents. This is used for the provision of the services and for maintenance of records for audit purposes.
Contacts	Information of contacts and accounts information to detect references and accounts information to autofill data during a User's requests for services.
Other applications	The User's use of other website and mobile apps or software or applications which are linked to the website and mobile app or used in the provision of the services e.g. any third party sites though which a User may have accessed the services.
Transaction information	Transaction related information for transactions conducted by Users through the services. Transaction information includes price, quantity, and any associated or supporting data related to purchase. Transaction information is used to provide the services, facilitate the Transactions, provide support, and to operate, maintain and improve the services.
Billing Information	To the extent permitted and required under applicable laws, billing and payment information of Users which may include a subscription number, an account number, credit card number, expiration date, billing

	zip code, bitcoin-related information, exchange market information, instructions for wire transfers.
Automated collection	Details of the User's device, computer and device information, activity on the website and mobile app and other similar information. The Company collects this information for analytics, improvement of the services and for review purposes.
Others	As may be explicitly required & requested from time to time.

## 6. Usage of User Information

User Information will be used by the Company for the purposes which the Company considers necessary for achieving a seamless, efficient and safe experience, customized to a User's needs and use the personal information to provide services to a User, enhance the operation of the services and improve the Company's marketing and promotional efforts. The processing of the User's Information is for the purposes of:

- (a) to provide, maintain and enhance a User experience in relation to the website and mobile app;
- (b) to provide and deliver the services requested by the User, process transaction, and send User related information including confirmations and invoices;
- (c) to send technical notices, updates, security alerts, and support and administrative messages to the User;
- (d) to take up and investigate any complaints/ claim/ disputes;
- (e) to respond to your queries or feedback submitted by the User;
- (f) to monitor and analyze trends, usage, and activities in connection with the services;
- (g) to link or combine with information the Company receives from others to understand User's needs and provide better service;
- (h) to carry out any other purpose for which the information was collected; and
- (i) to share the data such as back testing, user action and processed data for internal and external services with the third parties without User's consent.

## 7. Information collected by Cookies and other tracking technologies

- (a) The Company shall use various technologies to collect information, including cookies and web beacons. Cookies are small data files that are typically stored on User's computer's hard drive or in device memory that help us improve our services and User's experience, see which areas and features of the services are popular and count visits, manage the registration process for accounts, remember User's site preferences, retain certain information to process orders for exchange transactions, and retain information to provide User with support.
- (b) The Company also use cookies stored in emails to help us confirm User's receipt of, and response to such emails. Web beacons are electronic images that may be used in the services or emails and help deliver cookies, count visits, and understand usage and campaign effectiveness.

- (c) Information collected from cookies is used by the Company to evaluate the effectiveness of the website and mobile app, analyse trends, probe into the difficulties that the visitors may experience in accessing the website and mobile app, and administer the website and mobile app.

## **8. Storage of User Information**

User Information in the possession and control of the Company is stored in accordance with applicable laws. Storage and transfer of User Information is carried out in compliance with all applicable laws, including without limitation, the Information Technology Act, 2000 and the Information Technology (Reasonable security practices and procedures and sensitive personal data or information) Rules, 2011. Please note that the services have reasonable security measures, including as mentioned in Information Technology Act, 2000 in place to protect the loss or misuse of the User Information. Whenever a User changes or access the User's account information, the Company offers the use of a secure server. However, the User acknowledges that transacting over the internet has inherent risks which can only be avoided by the User following reasonable security practices, such as not revealing account/login related information to any other person and informing the Company's customer care team about any suspicious activity or where the User's account has/may have been compromised.

Please note that the Company does not guarantee that there will be no unintended disclosures of the User Information and data provided by a User on account of a data breach, unauthorized access, security failure etc. the Company cannot guarantee, give no warranties, and shall not be liable for breach of the security of User Information through the services of the Company due to malicious attacks, errors, commission or omissions not wilfully initiated by the Company and any transmission is at the risk of the User.

## **9. Dissemination of User Information**

Where any service requested by a User involves a third party, such information as is reasonably necessary by the Company to carry out the User's service request maybe shared with such third party and the Company may also obtain details and information from the third party on usage. The Company may also engage with other companies/ persons to complete services, processing payments, and providing customer service. The User understand that they have access to personal information needed to perform their functions. However, the payment and transaction details shall not be shared with other users or third parties under any circumstances.

Additionally, User Information may be shared by the Company with a third-party business entity in case of any proposed merger, acquisition or re-organization, amalgamation, restructuring of business.

The Company may be required to disclose any information that is lawfully sought from it by a judicial or other competent body pursuant to applicable laws.

The Company may anonymize and/or de-identify information collected from the Users. The Company's use and disclosure of aggregated and/or de-identified information is not restricted by this Privacy Policy and it may be used and disclosed to others without limitation.

## **10. Retention of User Information**

The Company shall retain the personal information of the User as long as it serves the purpose(s) for which it was initially collected as stated in the Privacy Policy or subsequently authorized. The Company may continue processing User's personal information for a period beyond such period only for the time and to the extent such processing reasonably serves the purposes of archiving, and subject to the protection of this Privacy Policy. After the expiry of

this time period, the Company may either delete User's personal information or retain it in a form such that it does not identify the User personally.

#### **11. Communication policy**

When the User sets up an account or receives any request pursuant to the provision of the services, the User explicitly consents to receive emails and messages from the Company and its service providers in connection with the provision of the services as well as any marketing and promotional agencies. While you may opt out of promotional messages, you cannot opt out of receiving certain administrative, financial, technical and legal information from the Company in connection with the services.

#### **12. Alteration of User Information**

In case the User requests any change or deletion of User Information of the User, or permanently delete the User's, the User must contact the Company at [hexoaitech@gmail.com](mailto:hexoaitech@gmail.com) or contact the Data Protection and Grievance Officer. Do note that the Company is not obligated to alter or vary or delete any User Information which it is required to maintain under applicable laws or pursuant to contractual requirements of the Company.

#### **13. Data breach and disclosure notification**

In case of a data breach or an unauthorized disclosure of User Information which is likely to result in a high risk to the rights and freedoms of the User, unless the Company has appropriately mitigated the risk arising from such incident, the Company shall, within notify the affected Users of such breach with the details of the breach or incident, the consequences of such breach and the contact personnel of the Company in case of any queries by the User pertaining to such breach.

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In case any governmental or regulatory authority requires the Company to provide any User Information, unless specifically directed by the governmental or regulatory authority, the Company shall disclose to the User, the details of the request for the User Information.

#### **14. Contact details**

In case a User has any queries or any discrepancies / grievances with respect to the User Information provided by a User, please contact the Company's Data Protection and Grievance Officer by writing at:

Name: Kunal Bhatia  
Email: [feedback@hexo.ai](mailto:feedback@hexo.ai)  
Address: 4677 Old Ironsides Dr, Ste 170, Santa Clara, CA 95054

#### **15. Updates to the Privacy Policy**

The Company reserves the right, at any time, to add to, change, update, or modify this Privacy Policy. The latest Privacy Policy will be available on this page.