

# Privacy Policy

*Last Modified Date:* June 15, 2021

This Privacy Policy (“Policy”) addresses how Scuttlebutt, LLC (“Scuttlebutt,” “us,” “we,” “our”) collects, uses, and discloses information from users (“you” or “your”) of our mobile application (the “App”). Specifically, this Policy describes the types of information that we collect and our practices for collecting, maintaining, protecting, and disclosing that information when you install and register to use our App. This Policy applies only to information we collect in this App and in email, text, and other electronic communications sent through or in connection with this App.

Please read this Policy carefully to understand our policies and practices regarding our information practices. If you do not agree with this Policy, do not download, register for, or use this App. We reserve the right to update this Policy at any time. Your continued use of the App after we revise this Policy shall constitute your acceptance to those changes, so we recommend that you regularly check this Policy for updates.

## **Information from Children**

The App is not intended for children. You must be at least eighteen (18) years of age to use the App. We do not knowingly collect personal information from children under the age of eighteen (18). If we learn that we have collected or received personal information from a child under the age of eighteen (18), we will delete that information. If you are the parent or legal guardian of a child under the age of eighteen (18) and believe we might have any information from or about your child, please contact us using the contact information provided at the end of this Policy.

## **What Information Does Scuttlebutt Collect?**

We collect information from and about users of the App:

- (1) Directly from you when you provide us information in response to a query or form in the App.
- (2) Automatically when you use the App pursuant to the Mobile Application End User License Agreement.

## Information You Provide to Us

When you choose to download, register an account with, or use the App, we will ask you to provide us with information:

- If you register for an account on the App, we collect your first name, last name, email address, and a password (collectively, “Account Registration Information”).

- In connection with your creation of a user account, we will also invite you to provide us with information about your boat, including the boat’s name, make, model, year, length, engine, type, and the date that it was first on the water (collectively, “Boat Information”).
- When you launch the App, we request your email address and password to log into your account (“Account Credentials”).
- After successfully verifying your Account Credentials, we will request your permission to use your location. If you only allow us to use your location information once, we will also ask for your geographic location in connection with each new post that you create and each time that you use the maps feature (collectively “Location Information”).
- In connection with your use of your user account, we will collect the records and copies of any correspondence that you engage in through the App, such as your email address and account name, if you choose to contact us (“Correspondence Information”).

You also have the option to provide information for publication or display through the App. If you choose to like or share a user’s post from your social media feed from within the App, or should you choose to comment on another user’s post, or to create a new post to share with users who follow your account, we will collect the content of your comment (collectively, “User Contributions”) for purposes of publication or display (each, a “Post”) on areas of the App that can be viewed by other users. Your User Contributions are posted and transmitted to others at your own risk. Please note that we cannot control the actions of third parties with whom you may choose to share your User Contributions. We cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

#### *Information Automatically Collected From You*

When you download, access, and use the App, we use technology that will automatically collect:

- **Details on App Usage** – When you access and use our App, we automatically collect certain details regarding your access to and use of the App, including log data and other communication data and resources that you access and use on or through the App.
- **Computing Device Information** – We collect information about your mobile device and internet connection, including the device’s unique device identifier, internet protocol address, operating system, browser type, mobile network information, and the device’s telephone number.
- **Stored Information** – The App also accesses metadata and other information associated with other files stored on your device. This data includes, for example, photographs and videos.
- **Location Information** – With your consent, the App collects real-time information about the location of your device in connection with your use of the map and weather functions.

If you do not want us to collect the foregoing categories of information, do not download the App, if you have done so you must delete it from your device. Your computing device's settings may permit you to pick and choose the information that we are permitted to collect, but please note that opting out of the App's collection of information will disable certain features, including those that rely on location services (i.e. maps and weather).

If you opt-in to doing so, we will also use the foregoing technologies to collect information about your activities over time and across third-party websites, apps, or other online services (collectively, "Behavioral Tracking Information").

### *Information Collection and Tracking Technologies*

The technologies utilized for automatic information collection in connection with your use of the App, includes the following:

- **Mobile Cookies** – A cookie is a small data file deployed to your computing device (i.e. smartphone or tablet). Depending upon the type of computing device that you use to access the App, it may be possible to refuse to accept or reject mobile cookies by changing the settings on your computing device. If you choose to refuse or reject cookies, you will be unable to access certain functions in the App.
- **Web Beacons** – Pages of the App contain small electronic files called web beacons, which are also often referred to as clear gifs, pixel tags, and single-pixel gifs. Web beacons enable us to count the number of users who have visited a particular web page and to collect statistical information on the use of our App, such as the popularity of certain content and functions of the App. We also use this information to verify our system and server integrity.

### **How Does Scuttlebutt Use the Information it Collects?**

We use the information that we collect about you and that you provide to us, including personal information, as set forth below. We use:

- Account Registration Information, Boat Information, and Account Credentials to create an account for you on the App when you register for an account.
- Account Credentials in connection with verifying and granting you access to the App's content, features, and function, each time you log into the App.
- Location Information to enable you to use the weather and mapping features in the App. We also provide you with the capability to include your location in your Posts.
- Correspondence Information in order to respond to your particular inquiry to us.
- User Contributions that you create to publish your Post in the App and to make it available to other users.

We use the information we automatically collect as follows:

- To understand how users use our App and the content and features that are most popular. This enables us to estimate audience size, use patterns, and speed up searches through the App.
- To identify the most popular countries, computing devices, operating systems, browser types, and other similar information being utilized by our users in order to best optimize and improve the App and our users' experience with navigating through our App.
- With respect to photos, videos, we use the metadata for purposes of publishing your User Contribution in the form of a Post.
- We use the information collected from mobile cookies and web beacons to store information about your preferences so we may customize your experience.

We do not disclose personal information of users to third parties for direct marketing purpose unless you opt-in to such a usage. We also do not use your information for targeted-advertising from our advertiser's on the App unless you have opted-in to allow us to do this. You may change your preferences at any time from within the App.

### **Does Scuttlebutt Share Information with Third Parties?**

In connection with making our App available to you, we utilize a number of third party service providers, including data and web hosting, mobile application design, software, marketing, advertising, and administrative service providers (collectively, "Service Providers"). These Service Providers are only permitted to use your information to the extent necessary for the Service Providers to render their services to Scuttlebutt.

In addition, we will also disclose your information as follows:

- To a buyer or other successor in the event that Scuttlebutt or substantially all of Scuttlebutt's assets are purchased by or transferred to another entity, or in the event of a merger, divestiture, restructuring, or reorganization, whether as a going concern or as part of bankruptcy, litigation, or a similar proceeding (collectively, "Transaction"), then the personal information about our users of the App will be among the assets transferred as part of the Transaction.
- To other users in the form of User Contributions when you choose to comment on another user's post or if you choose to create a new Post.
- To comply with a subpoena, court order, law, legal process, or demand by a government agency or regulator imposed on Scuttlebutt.
- To third parties to market their products or services to you where you have opted-in for us to make such disclosures.
- To enforce our rights arising from the End User License Agreement between you and use for the App.

- Where we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Scuttlebutt, our customers or others.

### **What Choices Do You Have Regarding Our Collection, Use, and Disclosure of Your Information?**

- **Location Information** – You have the option to not allow the App to collect and use real-time information about your computing device’s physical geographical settings by either denying the request when prompted for access to this information from within the App or by changing the settings for location information with your computing device. If you block the use of location information, parts of the App, including the maps and weather will not function properly. You will also be unable to include your location in any User Contribution and Post.
- **Tracking Technologies** – You have the option to set your browser to refuse all or some browser cookies or to alert you whenever a cookie is deployed to your browser or device. You may choose to reject cookies, but please note that not all functions of the App will work or display properly for you.
- **Targeted Advertising Information** – If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers’ preferences, you have the option of not opting-in to this activity. If you have previously opted-in to permit us to use your information for targeted marketing, you may opt-out by changing your preferences within the App.
- **Third-Party Advertising and Marketing Information** – We will not share your personal information with parties for marketing and advertising purposes unless you opt-in, allowing us to do so. You may change your preferences at any time by changing your information sharing preferences in the App.

### Accessing and Correcting Your Personal Information

You have the option to review, update, or change your personal information, including your name, email address, and password by logging into the App and navigating to the Your Account page of the App. From this page of the App, you have the option to change your notification preferences, change your password, or to delete your account. From your profile screen in the App, you may change your name, email address, location, how long you have been boating, type of boater, and date of birth. You may add a phone number as well.

Alternatively, you may send us an email at [melanie@scuttlebutt.com](mailto:melanie@scuttlebutt.com) to correct, or delete any personal information that you have provided to us. Please note that the only way that we are able to delete your personal information is to delete your account. We reserve the right to refuse to

make any change where we believe it would violate any law or legal requirement, cause the information to be incorrect, or we are unable to verify the authenticity of the request.

If you delete your User Contributions from the App, please be advised that copies of your User Contributions may still remain viewable in cached and archived pages or may have been previously copied or stored by other App users. User Contributions are governed by our End User License Agreement.

### **Your California Privacy Rights**

California's "Shine the Light" law, which is set forth in Cal. Civ. Code Section § 1798.83, permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for those third parties' direct marketing purposes. To make a request as provided under the statute, please send us an email at [melanie@scuttlebutt.com](mailto:melanie@scuttlebutt.com) and include "California Shine the Light Request" in the subject matter of the email message.

### **Changes to Our Privacy Policy**

We reserve the right to update this Policy at any time in our sole discretion. Each time we make a change to this Policy, we will update the "Last Modified Date" that is listed at the top of this page. If we make a material change to how we collect, use, or disclose information, we will provide notice to you within the App or as otherwise required under applicable law. Please note that it is your responsibility to regularly check this Policy for updates as such updates will become effective upon their posting date, except as otherwise required by applicable law. If you do not agree to a revision to this Policy, then you must immediately cease your use of the App.

### **Do Not Track Requests or Signals**

We do not accept Do Not Track Requests or Signals from internet browsers in connection with your use of the App because there is no standard for doing so.

### **European Union ("EU") General Data Protection Regulation ("GDPR") Disclosures**

Pursuant to the EU's GDPR, we are required to provide data subjects with certain disclosures regarding their data rights. References included in the Policy to the terms "controller," "data subject," "personal data," "processor," and "supervisory authority" shall have the meanings set forth in Regulation (EU) 2016/679 of the European Parliament and of the European Council, dated 27 April 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

#### *Identity of the Controller*

Scuttlebutt LLC  
7862 W. Central Ave.  
Unit F  
Toledo, OH. 43617

### *Purposes of Processing*

The personal data that we collect from you is processed for the specific purposes set forth in the preceding sections of this Policy. To the extent that you provide us with personal data in connection with your Account Registration, Boat Information, and Account Credentials, the legal basis for our processing is both by contract in connection with our End User License Agreement and your consent. To the extent you permit us to use your Location Information and Correspondence Information, the legal basis for our processing activities is both by your consent and our legitimate interest in providing the App to our users and rendering excellent customer support.

The legal basis for processing Details on App Usage, Computing Device Information, Stored Information, and Tracking Technologies is both by contract and our legitimate basis in providing and supporting the App to users in connection with our business. The legal basis for our processing of Third-Party Advertising and Marketing Information and Targeted Advertising Information is your consent.

### *Recipients of Personal Data*

We provide your personal data to third parties, including Service Providers, in connection with a Transaction, and to law enforcement, as detailed above in the Section “*Does Scuttlebutt Share Information with Third Parties?*” Where you opt-in to have your information shared with third parties for direct marketing, we provide your personal data to third party marketing and advertising companies.

### *Data Transfers*

The App is presently available for use exclusively in the United States and Canada. Scuttlebutt LLC is located in Toledo, Ohio and within the United States of America. When you provide us with personal data, the information is stored within the United States. While Scuttlebutt has no intention of transferring any personal data outside of the United States, we will comply with all applicable data privacy laws and utilize an approved mechanism for transfer, including the Standard Contractual Clauses approved by the EU Commission. We will also make sure that our subprocessors and service providers are contractually required to comply with the law.

### *Data Retention Policy*

We retain your personal data until you contact us to request deletion of your personal data or you otherwise delete your account.

### *EU Data Rights*

Under the GDPR, data subjects within the EU are afforded the following data rights:

- The right to request access to and rectification of the personal data that we maintain about you.
- The right to request the deletion of your personal data, which is also known as the right to be forgotten.
- The right to object to certain processing activities involving your personal data.
- The right to data portability for your personal data.
- The right to withdraw your consent to our processing of your personal data to the extent that our legal basis for such processing is based on your consent.
- The right to lodge a complaint against us with a supervisory authority.

You may exercise your data rights by contacting us using the methods included at the bottom of the page.

### *Statutory or Contractual Requirement for the Collection of Personal Data*

The personal data we collect from you, including your Account Registration Information and Account Credentials, is required by contract under the End User License Agreement. If you choose not to provide us with this information, you will be unable to register for an account or use the App.

Details on App Usage, Computing Device Information, Stored Information, and Tracking Technologies that relate to the operation of the App are also required by the End User License Agreement. If you choose not to provide us with such information, not all functions of the App will operate or display properly. None of the data that we collect is required by statutory law.

### **Contact Information**

If you have any questions or concerns, or would like to exercise a data right described in this Policy, please contact us utilizing one of the following contact methods:

- **U.S. Mail:** 7862 W. Central Ave., Unit F, Toledo, OH. 43617
- **Email:** [melanie@scuttlebutt.com](mailto:melanie@scuttlebutt.com)