
Privacy Policy

Last updated December ____, 2024. Any prior versions of our Privacy Policy are available at <https://www.kapwork.com/legal/archive/>

Introduction

KapWork is for small and medium sized businesses (“SMBs”) and the factors who partner with them (“Factors”). SMBs who might be facing cashflow challenges due to drawn-out payment terms can sell their invoices to Factors so they can move forward with running their businesses. Factors who facilitate these transactions benefit from KapWork by getting access to SMBs interested in selling their invoices. To facilitate these transactions and speed up the process, we gather information about our Users, their content and preferences.

When you interact with Kapwork, you trust us with your information (“**Personal Data**”). We want to keep that trust by being transparent about our privacy practices regarding the collection, use, storage and sharing of your Personal Data. We also want you to understand the choices you have regarding your Personal Data.

We encourage you to contact us if you have any questions or concerns.

Scope of This Privacy Policy

This Privacy Policy covers the Personal Data Kapwork collects from Users when you access our website at www.kapwork.com, use our applications, enjoy our Services, engage in marketing activities, and communicate with us (together or individually, the “**Offerings**”).

Each person that accesses or uses the platform is a “**User**” and may be required to have an account with us. A User must (i) if you are an SMB, be a valid U.S. formed entity whose owners are at least 18 years of age and residents of the United States and its territories or possessions, and (ii) if you are a Factor, be a corporate entity incorporated in United States, including its territories and possessions; and for both SMB and Factor, agree to this Privacy Policy and the respective Terms of Service for SMBs and Terms of Service for Factors.

We may collect, store and process Personal Data about Users to facilitate the provision of our Offerings. You should read this Privacy Policy carefully. By using the Offerings or submitting your Personal Data, you agree to these terms and you consent to the processing of your Personal Data in accordance with this Privacy Policy.

We collect and temporarily store certain information about your visit for use in site management and security purposes only. We collect and analyze this information because it helps us better design our website to suit your needs.

Your Rights and Preferences

Privacy and data protection laws vary across different geographic regions and give individuals certain rights in relation to their Personal Data. Kapwork is based in and operates its Offerings

from the United States. Kapwork allows you to exercise your privacy rights and manage how we use your Personal Data. We encourage you to contact us to learn more about your privacy rights and how we collect and use your Personal Data.

What Information We Collect and How We Use It

Information you provide. We may collect Personal Data that you provide when you register for and use our Offerings, including your name, email or other business and personal information. We also may collect any correspondence we have if you contact us. We use this Personal Data to authenticate your access to the Offerings, to deliver, improve or personalize the Offerings, and for our internal operations, such as processing, maintaining your account, communicating with you, and for legal or regulatory purposes:

- Email addresses. We may use your email address to send you Offerings-related emails, like confirmations or customer service notices. You cannot opt out of these emails. We may also send you newsletters and information about our services or those of our partners. You can opt out of these promotional emails at any time by clicking on the unsubscribe link in the email.
- Content. We may collect content you share or create while using the Offerings as well as any feedback you may have about the Offerings. We will maintain, use, and process the information to improve our Offerings.

Automatic Information Collection. When you access or use our Offerings, we may automatically collect some usage information. For instance, we use cookies and other tracking technologies to automatically collect technical information, such as URL, cookie data, IP address, device type, unique device IDs, device attributes, network connection type (e.g., WiFi, 3G, LTE, Bluetooth) and provider, network and device performance, browser type, language, operating system, and other functional information.

Analytics. We may use analytics tools to better understand how the Offerings are used and how we may improve or enhance it. We may also gather non-personally identifiable data about usage patterns. We may use the general geographic area of our Users, but this information is not linked to a particular person. These tools may gather information about the type of computer or browser you use, other websites you visited, how you used our Offerings, and the length of time that you use our Offerings. We use this information solely to maintain and improve the User experience with our Offerings.

We may provide SMB personally identifiable information to Factors. Such information may include, but is not limited to, access to your QuickBooks online data, and other publicly available data such as financing statements and annual reports with the secretary of state of your company's state of formation.

How You Can Access, Change, or Delete Personal Data

Users can review and edit certain account information via the Account Settings page in the Offerings. If you would like to change any other account information, or would like to delete your account, please contact us at support@kapwork.com. Please remember that if we delete your account, you will lose access to all content associated with your account. We may still store User Personal Data in our records as required under our information retention policies or for internal business, legal or regulatory purposes.

How We Share User Personal Data

We will not sell your Personal Data to third-parties without your consent. We may disclose or share your Personal Data with authorized third-parties as described elsewhere in this Privacy Policy, including:

- With vendors, consultants or service providers who need access to such information to carry out work on our behalf, including cloud storage firms, application service providers, and website performance analytics providers.
- To enforce the terms of this Privacy Policy or the respective Terms of Service, or to protect the rights, property or safety of Kapwork or its Users.
- In connection with a merger, sale of assets, bankruptcy proceedings, financing, or acquisition of a part or all of our business to another entity, or in anticipation thereof.
- To law enforcement, governmental entities, or regulatory organizations to aid an ongoing investigation or in response to a valid legal request or judicial or regulatory process.

Data Transfers

Kapwork is based in and conducts its business from the United States. We have adopted a broad view on privacy with the intent of providing our customers with strong privacy rights regardless of where they reside geographically. We have attempted to recognize and implement high standards for privacy rights compliance and our use of terminology in this Privacy Policy should be interpreted to reflect that intent. Kapwork has taken appropriate measures to ensure that your Personal Data is safeguarded when it is being transferred, processed, or stored by us or our authorized affiliates.

Where permitted by applicable law, we may transfer, process, or store your Personal Data in any geographic region where we have facilities, business operations, affiliates, or in which we engage service providers. By accessing and using our Offerings, you consent to the transfer of your Personal Data to and the processing and storage of your Personal Data in geographies outside of your place of residence or the point of collection.

Connecting With Third-Parties

In your interactions with Kapwork and our Offerings, it may be necessary for us to sync, link or connect your Personal Data with authorized third-parties, including providing Personal Data necessary to identify or authenticate your requested interactions. Your consent for these interactions will be required by us, by the third-party or by both. We encourage you to review the privacy practices of any third-party with which you choose to share your Personal Data. Kapwork is not responsible for the privacy practices of third-parties.

Kapwork uses social media and other kinds of third-party websites. Kapwork uses third party websites to engage in marketing, advertising and communicating with vendors. Third party websites may be used to advertise new Kapwork content, publicize certain events and engage with vendors for proposed services.

Managing Your Data and Privacy

You may review and change your information, deactivate your account with us, manage the use of information that identifies you, decide what marketing communications you receive, and understand our use of cookies. We may retain certain information, including Personal Data, and you may still receive other non-promotional messages from us.

Managing Marketing Communications From Us

Kapwork will honor your choices when it comes to receiving marketing communications from us. If you have received marketing communications from us that you no longer wish to receive, you may:

- Contact us or adjust your customer account settings to manage your preferences regarding your Personal Data and your interactions with Kapwork.
- If you have received electronic promotional communications from us and no longer wish to receive them, click the “unsubscribe” link in the promotional communication you received.
- For SMS messages, reply “STOP” or follow the instructions in the message or settings to discontinue the communications.
- If you are receiving push notifications from us to your mobile device and no longer wish to receive these types of communications, you may turn them off at the device level.
- Remember that even if you choose not to receive marketing communications from us, we will continue to send you mandatory service or transactional communications, or communications related to the safe use of our Offerings.
- You may contact us if you wish to adjust your Personal Data preferences and your interactions with us.

Cookies and Similar Tracking Technologies

We use cookies or other similar tracking technologies (“**Cookies**”) in delivering our Offerings. Cookies are small text files that we may save to your browser or device. We use cookies to enhance your use of the Offerings, such as by storing an encrypted User ID to authenticate you when you login to the Offerings or by using persistent Cookies to store your username and password, so you can more easily login each time. Persistent Cookies may remain on your computer after you access or use our Offerings and we use those to ensure that our Offerings function properly. We do not use persistent Cookies to track Users across different websites or for advertising or profile building purposes. By using the Offerings, you consent to the use of Cookies and other tracking technologies as described in this Privacy Policy.

Do Not Track

Like most other companies, Kapwork is not currently configured to respond to browser “Do Not Track” signals because, at this time, no formal “Do Not Track” standard has been adopted.

Your Data Access Rights

You may have the right to exercise certain data protection rights regarding your Personal Data. Kapwork will not discriminate against you for exercising your privacy rights.

Data Retention

Kapwork retains and uses your Personal Data in accordance with and as permitted by applicable law and regulations:

- We will retain your information as long as necessary to serve you, to maintain your account for as long as your account is active, or as otherwise needed to operate our business.
- If you decide not to receive promotional communications from Kapwork, your opt out will not apply to information provided by us as a result of a purchase or use of our Offerings, Offerings experience or other transactions.
- We may also continue to use some of your information for our legitimate business purposes and to improve our Offerings or to develop new ones.
- We will retain and use your information as required by applicable regulations and our records and information management practices, comply with our legal and reporting obligations, resolve disputes, enforce our agreements, complete any outstanding transactions, and for the detection and prevention of fraud.

Responses from Kapwork

We respond to all requests from individuals regarding the exercise of their data protection rights in accordance with applicable data protection laws. While your data protection rights may vary depending on your location, they generally include:

- Accessing, correcting, updating, or requesting deletion of your information.
- Objecting to or asking us to restrict the processing of your information.
- Requesting the portability of your information and providing the same in a timely manner and at no charge.
- Electing whether to receive marketing communications from us.
- Withdrawing your consent at any time for us to collect, process, store, or share your information (noting that such withdrawal will not affect the lawfulness of any processing that we conducted prior to your withdrawal, nor will it affect otherwise lawful processing or storage).

We will respond to properly submitted and verified requests for access, disclosure, deletion, correction, portability, or objection regarding your information, including Personal Data, within thirty (30) days.

Please contact us for more information or to exercise a request regarding your data privacy rights. If you are concerned about our compliance with applicable data privacy laws and your

Personal Data, you may also contact the Attorney General's Office for the state in which you reside.

Data Controller

Kapwork is considered to be a "controller" of your information under data privacy regulations. Other entities, such as a company with which you are affiliated, may also act as controllers of your information and you should contact them if you have any questions about how they use your information.

Links to Other Websites

Our Services may contain links to third-party web sites or services that are not owned or controlled by the Company. Such third-party websites and materials are not necessarily affiliated with us and we do not endorse, monitor, or have any control or input over such third-party websites or materials. We are not responsible for examining or evaluating their content or accuracy. The Company does not warrant, and will not have any liability or responsibility for, any websites, materials, products, or services of third-parties. Any use by you of third-party materials is entirely at your own risk and discretion. We encourage you to carefully review the terms, conditions, and policies of any third-parties before you engage in any transactions with them. Complaints, claims, concerns, or questions regarding third-party websites, policies, products, or services should be directed to the third-party and not to the Company.

Analytics

We may use third-party service providers to monitor and analyze the use of our Services.

Google Analytics: A web analytics service offered by Google that tracks and reports website traffic. Google uses the data collected to track and monitor the use of our Services. This data is shared with other Google services and may be used to personalize ads within Google's advertising network. For more information, visit Google Privacy Terms and review Google's policy for safeguarding your data [here](#).

Hotjar: A behavior analytics service that helps us understand how users interact with our website by providing visual heatmaps, session recordings, and survey tools. Hotjar collects anonymized data such as page visits, clicks, and scroll depth to improve the user experience. It uses cookies to analyze user behavior and ensures compliance with GDPR through anonymized IP addresses and data minimization practices. Learn more about their data handling at Hotjar Privacy Policy found [here](#).

Google Search Console: A tool that allows us to monitor and optimize our website's performance in Google Search. It provides insights into search queries, indexing issues, and website visibility, helping us improve the user experience. Data collected includes user queries and site performance metrics. For further details, refer to the Google Privacy Policy.

The Company is authorized to aggregate your data from all system records available to us including but not limited to QuickBooks online, publicly available information such as UCC filings, annual reports filed with secretary of state of the state of formation or other governmental organizations.

Security of Your Information

We use reasonable physical, administrative, and technical measures to protect your Personal Data from unauthorized use or access. We transmit data using a secure socket layer (SSL) and encrypt all information that is stored in cookies. We use reasonable security measures and features in an effort to prevent unauthorized access to your information, including Personal Data, and seek out vendors who do the same. The safety and security of your Personal Data also depends on you. Where we have given you (or where you have chosen) a password for access to our Offerings, you are responsible for keeping this password confidential. You should not share your password with anyone. We urge you to be careful about giving out information in public areas, like message boards or social media.

Unfortunately, the transmission of information via the internet is not completely secure. Although we do our best to protect your Personal Data, we cannot guarantee its security during transmission to us. Any transmission of your information to us is at your own risk. Kapwork is not responsible for circumvention of any privacy settings or security measures.

Changes to this Privacy Policy

Kapwork may revise and update this Privacy Policy at any time and for any reason in its sole discretion. We will provide notice of the most recent version of this Privacy Policy by updating the "Last Updated" date above and you waive any right to receive specific notice otherwise of changes. All changes are effective immediately upon posting and apply to all access to and use of the Offerings thereafter. If you don't like any changes to our Privacy Policy, you may stop using the Offerings. Your continued access to and use of the Offerings signifies your acceptance of the revised and then-current Privacy Policy.

Contact Us

If you have any questions or concerns about this Privacy Policy, our privacy practices, or your choices regarding your Personal Data and information, please contact us at the following:

- A. Email to support@kapwork.com is the fastest and most-preferred way to reach us with your data management or privacy-related questions and concerns.
- B. Via Direct Mail: 24085 Summerhill Ave, Los Altos, CA 94024

Kapwork

By: _____
Attn: Peter Thomas, Privacy Officer