

CargoTel, Inc.

Privacy Policy for Mobile Applications

THE FOLLOWING POLICIES CONCERN YOUR PRIVACY WHEN YOU ACCESS OR OTHERWISE USE OUR MOBILE APPLICATIONS

Your privacy is important to CargoTel and we are committed to ensuring that your privacy and information is protected. This Privacy Policy explains the data collection and privacy practices for users of our mobile applications, known as Universal Driver Wireless, and Driver Wireless (hereafter “Apps”). These Apps are specific to the finished vehicle logistics industry, and the data collected is of a critical nature related to the processing and/or delivery of shipments.

By using the Apps, you agree to abide by the terms and conditions of this Privacy Policy, and you consent to the collection, use and disclosure of your personal information by CargoTel in accordance with the terms and conditions of this Privacy Policy. By using and/or registering with the Apps, the individual person taking such action (i) agrees with, and agrees to comply with, this Privacy Policy and any updates, revisions or modifications to it and (ii) represents and warrants that he or she has the legal right to do so.

IF YOU DO NOT AGREE TO THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY, TERMS OF USE OR SERVICE FOR THE APPS, PLEASE DO NOT PROVIDE THE COMPANY WITH ANY INFORMATION AND DO NOT USE THE APPS.

CARGOTEL WILL NOT SELL, DISTRIBUTE, OR LEASE YOUR INFORMATION UNLESS WE HAVE YOUR PERMISSION OR ARE REQUIRED BY LAW.

Modification

CargoTel reserves the right to change, modify, add, or remove provisions of this Privacy Policy. Any changes to this Privacy Policy will be posted here, and we encourage you to check back from time to time to ensure continuing familiarity with the most current version of our Privacy Policy.

I. What Information We Collect.

- **Non-Personally Identifiable Information.** When you log into the App, information about your device may be collected, including the device type and the device’s operating system information. This information is anonymous, and no personal information is ever transmitted to us in this manner.
- **Personally Identifiable Information.** The App has critical functionality related to the transport of vehicles that is collected and stored. This includes the following:
 - **User’s (Driver) Name.** The primary purpose of this is to record and display the pickup and delivery driver name on shipments and shipment-related documents.
 - **Email Address.** Email address is key in accommodating the login and verification of users of the Apps. It may also be used to send shipping documents generated by the Apps.
 - **Signature.** Imaged signatures are captured, and are used to record the user (driver) participation in the pickup or delivery events on shipments.
 - **Photos associated with vehicle inspections.** Vehicles may have photos submitted via the Apps, especially in cases of damage.
 - **GPS coordinates associated with the device.** Tracking information is tied to shipments for status and location updates. This information may be provided to your company and other parties to the shipment(s).

II. How We Use Information We Collect.

- **Non-Personally Identifiable Information.** We may use non-personally identifiable information to assist in troubleshooting issues with the Apps, particularly those that may be related to the type of device, operating system, or operating system version.
- **Personally Identifiable Information.** In the previous section, we detail what data is captured, and our specific uses for each. You acknowledge and agree that CargoTel may collect, use, display, transmit, monitor, store and disclose Your Information as set forth in this Privacy Policy and in connection with the Our business, products and services and operation of the Apps and that CargoTel does not assume any responsibility or liability for (i) any information you submit to the Apps or (ii) your or third parties' use or misuse of information transmitted or received using the Apps. By providing Your Information, you agree and consent to CargoTel sharing certain of Your Information to:
 - CargoTel employees and contractors within our company.
 - Your Business Partners (typically customer, origin, and destination entities and/or related individuals) as they relate to shipments managed with the Apps
 - Our Business Partners (typically consultants, OEMs, integrators, distributors, and developers) if such partners are involved in the introduction, development, and maintenance of your account.

CargoTel may sell, transfer or otherwise share some or all of its assets, including Your Information, in connection with a merger, acquisition, reorganization, restructuring or sale of assets or in the event of bankruptcy or insolvency. Without limiting the generality of the foregoing, we may use Your Information as follows:

- **Apps:** We may use Your Information to better tailor your App experience to your interests, and to send you information about CargoTel and its services. We may use other personally identifiable information that you provide to us to show you content in which you may be interested and to display the content according to your preferences.
- **Administrative Matters:** CargoTel reserves the right to contact you for service-related matters including in the event of a change in the Apps' Terms of Service ("ToS") and/or this Privacy Policy, or to notify you of other administrative matters in connection with the Apps (e.g., contacting you to facilitate, complete or confirm a transaction or modification or for troubleshooting purposes).
- **CargoTel Employees, Contractors and Agents:** CargoTel may employ other companies and individuals to perform operating features of the Apps, or hosting or maintaining our servers. These other companies may have access to your personal information as necessary to carry out their functions, but, absent your consent, they are not permitted to share that information with any third party (other than as necessary to perform their duties).
- **Compliance with Applicable Law:** CargoTel may also access and disclose Your Information in the event that we believe, in CargoTel's discretion, that such action is reasonably necessary to comply with government requests; to enforce the ToS or other published guidelines; to protect CargoTel, its users or others; to respond to circumstances that we feel constitute an emergency; or as otherwise required or permitted by applicable law.

III. Accessing, Updating or Deleting Information Collected About You.

This Apps also gives you or your Apps Administrator the opportunity to modify or remove Your Information. You may do so by modifying your password-protected registered user information on the Apps. To the extent that such information is stored in our databases, we will respond to your changes immediately, although please understand that although this information, once deleted, is not available on the Apps, that information may remain stored indefinitely in our backup and archival records. However, to the extent that such information is not stored in our databases, we cannot always ensure that these corrections or deletions will immediately reach such other databases.

IV. Disclosure of Personal Data

Although our policy is to maintain the privacy of your Personal Data as described herein, we may disclose your Personal Data if we believe that it is reasonable to do so in certain cases, in our sole and exclusive discretion. Such cases may include, but are not limited to:

- To satisfy any local, state, or Federal laws or regulations
- To respond to requests, such discovery, criminal, civil, or administrative process, subpoenas, court orders, or writs from law enforcement or other governmental or legal bodies
- To bring legal action against a user who has violated the law or violated the terms of use of our Mobile App
- As may be necessary for the operation of our Mobile App
- To generally cooperate with any lawful investigation about our users
- If we suspect any fraudulent activity on our Mobile App or if we have noticed any activity which may violate our terms or other applicable rules

V. Content.

Neither CargoTel nor any third-party licensor shall have any liability for the accuracy or completeness of this service, any information contained therein, or any component thereof or for delays, inauthenticity, omissions, or other defects therein nor for any claims or losses arising therefrom or occasioned thereby, including, without limitation, any lost profits, indirect, special, or consequential damages. You agree not to use or permit anyone to use the information provided through the service for any unlawful or unauthorized purpose.

VI. Legal Construction of this Privacy Policy.

If any provision of this Privacy Policy, or the application thereof to any person or circumstances, is held invalid or for any reason, unenforceable including, but not limited to, the warranty disclaimers and liability limitations, then such provision shall be deemed superseded by a valid, enforceable provision that matches, as closely as possible, the original provision, and the other provisions of this privacy statement shall remain in full force and effect. The failure of either party to insist upon strict performance of any provision of this privacy statement shall not be construed as a waiver of any provision or right. Unless expressly provided otherwise, this Privacy Policy and the ToS presented on the Apps comprise the entire agreement between you and CargoTel with respect to the use of the Apps and shall not be modified except in writing.

VII. Contact Us.

If you have any questions about our company, this Apps or this Privacy Policy, please contact us by clicking on the Contact link on our website, www.cargotel.com