

# GROUND ENERGY SUPPORT, LLC

## ONLINE PRIVACY POLICY

### INTRODUCTION

Ground Energy Support, LLC (hereinafter referred to as “GES”) is committed to respecting the online privacy of users and recognizes their desire for appropriate protection and management of certain Information (as defined below) that GES collects from users of GES’s website (www.groundenergy.com) (the “Website”) and of the monitoring services offered by GES on the Website (the “GES Monitoring Services”).

GES has established this Online Privacy Policy (the “Privacy Policy”) to inform you of its practices and policies regarding the collection, use, maintenance, and disclosure of your Information, and to set forth the manner in which GES safeguards the privacy of its online visitors and customers. This Privacy Policy does not apply to information that may be collected by GES off-line or by third party sites that you may access through the Website (through links or otherwise).

GES gathers Information about users, and this Privacy policy sets forth the terms and conditions pertaining to the capture and use of that information.

### INFORMATION DEFINED

“Information” means any Personal Information (as defined below) and Non-Personal Information (as defined below).

“Non-Personal Information” means any readily available information about a visitor’s use of the Website (including, but not limited to, internet protocol (IP) address, browser software and operating system, referring webpage, and dates and times the Website accessed), and which is not readily used to personally identify the individual or entity using the Website.

“Personal Information” means any information that identifies an individual or entity, including, but not limited to, a first and last name, a home, business or other physical address or telephone number and an e-mail address or other contact information, whether at work, at home, or otherwise. Notwithstanding anything to the contrary in the foregoing, Personal Information does not include any Public Information (as defined below).

“Public Information” means any information (including any information that would otherwise be deemed to be Personal Information) or content (including, without limitation, images, video and other digital content) that: (a) registered users include, through optional, voluntary submissions, on the portions of the Website that are generally available to all visitors (including unregistered users) of the Website, including, without limitation, all information on registered users’ public profile pages, storefronts pages and registry pages; and (b) visitors (including unregistered users) of the Website, through optional, voluntary submissions, include on any portions of the Website that are generally available to the public, including, without limitation, guest books, blogs, and message board postings.

### INFORMATION COLLECTED BY GES

GES gathers and collects Information about users in a number of ways, including but not limited to, the following:

Optional Voluntary Information. Personal Information that users provide through optional, voluntary submissions on the Website (“Optional Voluntary Information”), include, without limitation, Personal Information knowingly provided by users in online forms, registration forms, order forms, surveys, e-mail, the “Contact Us” section of the Website, other inquiries users may make through the Website, and other online avenues (including, but not limited to, information such as demographic, business profile, and personal profile data). As a visitor to the Website you are not required to reveal any Personal Information, including any Optional Voluntary Information. However, access to certain GES Services provided through the Website requires voluntary submission of Personal Information by users. If you choose not to provide the Personal Information requested, you can still visit the

Website, but you may be unable to access certain of the GES Services that GES provides. If you do not wish your Information to be used as set forth in this Privacy Policy, you should not provide the requested Information and/or use the Website.

Readily Available Information. Non-Personal Information GES records through analytic and reporting technologies allows GES to tailor its content to users needs and better understand their audience's preferences thereby improving their online experience. GES may also analyze information that does not contain Personal Information for trends and statistics.

## **MAINTENANCE AND TRANSMISSION OF INFORMATION**

Although GES uses reasonable commercial efforts to maintain the privacy of your Personal Information, due to technological limitations, and the risk of unlawful interceptions and accessing of transmissions and/or data, GES cannot guarantee, and you should not expect, that your Personal Information, and any other electronically communicated information, will be maintained as confidential.

## **CHILDREN**

In compliance with the Federal Children's Online Privacy Protection Act of 1998 (COPPA) none of the Website, any web pages, forums or other forms of electronic communication are directed at children under the age of 13. If you are younger than 13 years of age, you should not provide any Personal Information in connection with your use of the Website.

## **USAGE TRACKING**

GES uses Non-Personal Information to track use of the Website and the GES Services and for other internal purposes, such as to tailor the content to users' needs and better understand their preferences and improve their online experience. GES does not correlate this information with Personal Information about individual users.

## **COOKIES**

GES may place a text file called a "cookie" in the browser files of your computer. "Cookies" are small data files that are written to and stored on your hard drive when you visit a web site. The cookie itself does not contain Personal Information although it will enable GES to relate your use of the Website and GES Services to Personal Information that you have specifically and knowingly provided. Like most sites, GES uses cookies to personalize a user's experience of GES Website and GES Services (e.g., display the most appropriate advertising banners, based on your interest and activities on the Website), to allow registered users to login to their GES accounts and begin use of the GES Services automatically when you visit the Website and to track user traffic patterns.

Most web browsers allow the user to be notified upon the proposed installation of a cookie and the user can decline the cookie. If you decline the cookie, you may continue to visit the Website, but you will not have the ability to use GES Services that require you to login through the Website, and you may not be able to take full advantage of the GES Services.

## **PUBLIC INFORMATION**

Public Information that you store, post or transmit through the Website may be accessed by other users of the Website, including users that you do not know. GES is not responsible for the actions of others, and you should use your own judgment in determining what information you want to share, post or transmit through the Website

## **DELETION OF PERSONAL INFORMATION**

Except as otherwise provided for herein, registered users may have their Personal Information removed from GES's active records stored by the Website by deactivating or canceling their user account through the account management page in their user account or by emailing support@groundenergysupport.com. A registered user's Personal Information will be deleted as soon as a reasonably practicable, typically within thirty (30) days, and may

persist in GES's backup records for an unspecified duration. Some Personal Information may be retained by GES for archiving purposes, in order to enforce agreements with users, collect fees owed if any, prevent fraud, resolve disputes, troubleshoot problems, assist with any investigations, and comply with legal requirements as is permitted by law.

## **UNSUBSCRIBE**

If you are a registered user of the Website and GES Services, GES may use your email address and other Personal Information you voluntarily provided to GES to communicate with you about account rules and regulations, payment, orders or account issues ("[Account Updates](#)"). GES may also use your email address and other Personal Information you voluntarily provided to GES to send you GES promotional communications and GES business updates or opportunities ("[General Updates](#)"). You are able to unsubscribe from General Updates but are not able to unsubscribe from Account Updates without deactivating your user account. If you no longer wish to receive General Updates you can unsubscribe for the General Updates by emailing [support@groundenergysupport.com](mailto:support@groundenergysupport.com)

## **ACCESSING, UPDATING AND EDITING PERSONAL INFORMATION**

GES provides a utility within a registered user's user account on the Website for registered users to self-administer and maintain their own Personal Information, including such data as username and password, email address, contact information, and shipping information. You are responsible for promptly updating your personal information if it changes or is inaccurate.

## **USE OF INFORMATION**

It is GES's policy to utilize any information voluntarily provided by users to, among other things: (1) register user accounts and storefront accounts; (2) facilitate orders and information requests; (3) communicate with users; (4) comply with applicable laws; (5) keep user Personal Information updated; (6) for record keeping and billing; (7) for marketing and promotional purposes; and (8) improve services to understand its users, to enhance their experience on the Website, whether to provide interactive or personalized elements or to improve the content and functionality of the Website and GES Services based on the interests of its users.

GES may also aggregate Personal Information provided by users for purposes of compiling general data regarding use of the Website, including usage patterns, collective characteristics of users, and other information. Personal Information used in this manner will be aggregated and not associated with the individual or entity that provided such information.

Except as set forth in the "Sharing of the Information" or Required Disclosures" Sections below, GES does not, and will not, disclose, rent or share Personal Information with third parties.

## **SHARING OF THE INFORMATION**

Your Personal Information may be disclosed or revealed to third party vendors who GES engages to assist in providing, maintaining and improving the Website and GES Services, such as a third party that may process orders placed through the Website. GES requests that these entities do not use your Personal Information for any purpose other than providing the services requested by GES, and that they maintain the confidentiality, security, and integrity of the Personal Information they obtain from GES in order to facilitate such services, but GES cannot guarantee that such third parties will not disclose your Personal Information.

As with any business, your Personal Information is also an asset of GES and will become part of GES's business records. As such, GES may also disclose your Personal Information to a third party if GES decides to sell a line of business to that third party, so that (among other things) you can continue to receive service and information in connection with that line of business with as little disruption as possible. Similarly, in the event of a merger, acquisition, reorganization, bankruptcy, or other similar event, your Personal Information may be transferred to GES's successor or assign.

## **REQUIRED DISCLOSURES**

GES may disclose Personal Information, with or without prior notice to you: (1) to respond to subpoenas, court orders, or legal process, or to establish or exercise GES's legal rights or defend against legal claims, (2) when GES determines that it is necessary to share information in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of GES's terms and conditions of using the GES Services, or as otherwise required by law, (3) to protect GES's systems or business, or (4) to respond to an emergency. GES also may disclose your Personal Information with your consent.

## **SECURITY AND PAYMENTS**

GES operates secure data networks protected by industry standard firewall and password protection systems. GES's security and privacy policies are periodically reviewed and enhanced, as necessary.

You may be able to access third party websites directly from the Website. This Privacy Policy does not apply when you access third party websites. GES cannot control how third parties may use Personal Information you disclose to them, and you should carefully review the privacy policy, if any, of any third party website you visit before using it or disclosing your Personal Information to such third party.

## **CONSENT**

By using the Website and/or the GES Services, you consent to the collection and use of any Information by GES as set for in this Privacy Policy.

## **CHANGES TO PRIVACY POLICY**

Due to changing technological and other demands, GES reserves the right to change its policies regarding the privacy and use of your Information. If that happens, GES will endeavor to promptly update this Privacy Policy and to notify users of such changes. Users should review this Privacy and Data Ownership Policy periodically for any updates or other changes. Your continued use of the Website and/or the GES Services, any web pages or other online forums or communications following changes to this Privacy Policy will indicate that you accept the changes.

If you have any questions about this Privacy Policy or the practices set forth herein or on this Website, please send an email to: [support@groundenergysupport.com](mailto:support@groundenergysupport.com)