

# Resonata

## Resonata Solutions Privacy Policy

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### Summary

This Resonata Solutions Privacy Policy describes how Resonata, LLC, its subsidiaries and affiliated entities (collectively, "Resonata," "we," "our" or "us") collect, store, use and share consumer data received from its customers in connection with its proprietary product, the Resonata Voice AI Reservations Agent (the "Resonata Solution"). This Resonata Solutions Privacy Policy (the "Solutions Privacy Policy") does not apply to information that we collect and use for our own operational purposes in connection with our corporate website, located at [www.resonata.io](http://www.resonata.io) ("Site"). Please see the Resonata Website Privacy Policy posted on the Site for information on our privacy practices as they relate to the Site.

The Resonata Solution is utilized by our third-party hospitality industry customers ("Resonata Customers") including, in certain instances, as embedded on Resonata Customer websites and mobile applications (collectively, the "Customer Venues"), as well as on other web venues/applications hosted by Resonata. The Resonata Solutions may enable the current and prospective guests of our Resonata Customers (collectively, "Guests") to interact with Resonata Customers, including via Guest-satisfaction surveys, Guest feedback forms, Guest outreach and marketing efforts, and virtual concierge services via Resonata's interactive text messaging platform (collectively, "Guest-Customer Interactions"). In connection with the Guest-Customer Interactions, Resonata Customers may submit or allow Resonata to process Guests' personally identifiable information, such as their names, telephone numbers, email addresses and mailing addresses and other information related to their hospitality preferences, stays and events (collectively, "Submitted Data"). The Submitted Data that is accessed by Resonata ("Resonata Collected Data"): (a) may contain personally identifiable information; or (b) may, in certain circumstances, be maintained in a deidentified format. Certain data related to Guest-Customer Interactions that occur by and through the Resonata Solutions (such as testimonials and feedback) may be linked by Resonata Customers to personally identifiable information contained in the Submitted Data.

### Your California Privacy Rights

Resonata may share your "personal information" with its Resonata Customers for financial gain and marketing purposes. Other than as set forth in the preceding sentence, Resonata will never share, sell, rent, exchange or barter your "personal information" (as defined in the Shine the Light Law, Cal. Civ. Code §1798.83) to or with any other third-party for financial gain or marketing purposes.

Nevertheless, we may, in certain limited instances, share your personal information with third parties who perform administrative functions on our behalf.

If you are a resident of the State of California and would like to learn how your personal information is shared with third parties, what categories of personal information that we have shared with third parties in the preceding year, as well as the names and addresses of those third parties, please email us as at: [support@resonata.io](mailto:support@resonata.io); or send us U.S. Mail to: Resonata, LLC, 2108 N ST STE N Sacramento CA, 95816, USA.

## **Your Nevada Privacy Rights**

If you are a resident of the State of Nevada and would like to opt-out from the sale of your personal information to any third party data broker, please email us at: [support@resonata.io](mailto:support@resonata.io); or send us U.S. Mail to: Resonata, LLC, 2108 N ST STE N Sacramento CA, 95816, USA.

## **Personal Information Collected**

In connection with the Guest-Customer Interactions, Submitted Data may include some or all of the following: (a) full name; (b) mailing address; (c) e-mail address; (d) telephone number; (e) information pertaining to a past, current or prospective stay at a Customer Venue; and (f) any other information collected by and through the Resonata Solutions as determined by each Resonata Customer. In addition, certain data related to Guest-Customer Interactions that occur by and through the Resonata Solutions (such as testimonials and feedback) may be linked by Resonata Customers to personally identifiable information contained in the Submitted Data.

The collection, storage, use, sharing or other data processing of any Submitted Data by Resonata that is provided in connection with a Guest-Customer Interaction shall remain, at all times, subject to the respective privacy policy of the respective Resonata Customer as posted on the subject Customer Venue. Resonata has no ability to control or impact the privacy practices of its Resonata Customers or the content of their respective Customer Venues. We encourage you to review the privacy policies and settings of the Customer Venues with which you interact to help you understand those Resonata Customers' respective privacy practices. If you have questions about the security and privacy practices of any Customer Venue that you use, please refer to the respective Customer Venue's privacy notices.

## **Opt-Out/Unsubscribe**

We do not use Resonata Collected Data to send e-mail or other forms of communications to Guests other than as instructed by Resonata Customers. We process Resonata Collected Data on behalf of our Resonata Customers, who may use the same to contact you directly. If you wish to opt-out of the processing of your Submitted Data by a Resonata Customer, please refer to the opt-out mechanisms set forth in the applicable privacy policy of that Resonata Customer with whom you established a business relationship.

## **Individual Rights: Deleting, Modifying and Updating Your Personal Information**

We will support our Resonata Customers as instructed in order to carry out your data protections rights, as applicable by law, in order to: (a) identify what personal information we have on file for an individual in a machine-readable format; (b) amend the personal information that we have on file when instructed to do so; and/or (c) promptly coordinate with our Resonata Customers to implement the deletion of the personal information we maintain in our servers/databases. When deleting personal information, such deletion will permanently remove the information within Resonata Solutions accessed by or on behalf of Resonata Customers and will further delete your preferences, if any, such as loyalty programs or stay history.

## **Data Retention**

With respect to our retention of Resonata Collected Data, as set forth above, we retain Resonata Collected Data only for as long as we continue to have a business purpose to do so unless a longer period is required by applicable law. Such business purposes may include handling the contractual relationship that we have with our Resonata Customer, optimizing the performance and functionality of the Resonata Solutions, as well as legal, taxation, accounting, risk management and other operational purposes.

## **Use and Sharing of Personal Data**

Our Resonata Customers will have direct access to, and we will share with our Resonata Customers, the Submitted Data provided in connection with the Guest-Customer Interactions. Resonata may further use your Submitted Data to evaluate and analyze your transactions, past commercial interactions, prospective commercial activity and hospitality related needs (“Profile Data”) in order to predict and personalize the services offered to you by Resonata Customers. Resonata may use your Profile Data to optimize marketing efforts undertaken on behalf of its Resonata Customers and share the same with its Resonata Customers in order to better serve you.

In addition to the foregoing, Resonata may transfer, share and/or sell anonymous, aggregate or group data that is compiled from Guests’ data, including Resonata Collected Data, for its legitimate business purposes. We use Submitted Data, Resonata Collected Data and Profile Data to personalize your experience with the Resonata Solutions and to facilitate the provision of the applicable Resonata Solutions to you, including in connection with customer service and to otherwise respond to your inquiries. We may also employ other companies and individuals to perform certain functions on our behalf. The agents performing these limited functions on our behalf may have access to such data only as needed to perform these functions for us, and we do not permit them to use Resonata Collected Data for other purposes.

We may also use Resonata Collected Data for internal business purposes, such as product development, product improvement, analysis and of our service offerings including, without

limitation, the Resonata Solutions.

By submitting your personal information by and through the Resonata Solutions, you agree that such act constitutes an inquiry and/or application for purposes of the Amended Telemarketing Sales Rule (16 CFR §310 et seq.), as amended from time to time (the "Rule") and applicable state do-not-call regulations. As such, notwithstanding that your telephone number may be listed on the Federal Trade Commission's Do-Not-Call List, and/or on applicable state do-not-call lists, we retain the right to contact you via telemarketing in accordance with the Rule and applicable state do-not-call regulations.

Where you provide "prior express consent" within the meaning of the Telephone Consumer Protection Act (47 USC § 227), and its implementing regulations adopted by the Federal Communications Commission (47 CFR § 64.1200), as amended from time-to-time ("TCPA"), you consent to receive telephone calls from Resonata, including artificial voice calls, pre-recorded messages and/or calls (including SMS text messages) delivered via automated technology, to the telephone number(s) that you provided. Please note that you are not required to provide consent under the TCPA in order to obtain access to the Resonata Solutions, and your consent simply allows Resonata to contact you via these means. Please be advised that by agreeing to this Privacy Policy, you are obligated to immediately inform us if and when the telephone number that you have previously provided to us changes. Without limiting the foregoing, if you: (i) have your telephone number reassigned to another person or entity; (ii) give up your telephone number so that it is no longer used by you; (iii) port your telephone number to a landline or vice versa; or (iv) otherwise stop using that telephone number for any reason (collectively "Phone Number Change"), you agree that you shall promptly notify Resonata of the Phone Number Change via e-mail at: support@resonata.io, or by using one of the methods set forth in the "Contact Us" section below.

Resonata may release current or past Resonata Collected Data: (a) if we reasonably determine that such information is required to be released by subpoena or court order; (b) if we are sold, merge with a third-party or are acquired by a third-party (collectively, "M&A Transactions") (including where we share such information in connection with the due diligence process associated with a potential M&A Transaction); (c) if we are the subject of bankruptcy proceedings; (d) as otherwise required or permitted by law; or (e) when we deem it necessary or appropriate. For circumstances involving Resonata in a bankruptcy proceeding, merger, acquisition or sale of all or a portion of its assets, you will be notified via e-mail and/or a prominent notice on the Site of any change in ownership or uses of your personal information, as well as any choices that you may have regarding your personal information.

You hereby consent to the disclosure of any record or communication to any third-party when we, in our sole discretion, determine the disclosure to be required by applicable law, including sharing your e-mail address with third-parties for suppression purposes in compliance with the CAN-SPAM Act of 2003, as amended from time to time, and other e-mail marketing laws. Users should also be aware that courts of equity, such as U.S. Bankruptcy Courts, might have the authority under certain

circumstances to permit personal information to be shared or transferred to third-parties without permission.

## **Automatically Collected Personal Data; Non-Personal Data Collection and Use**

### **IP Addresses/Browser Type**

We may collect certain non-personally identifiable information about you and your desktop computer and/or mobile device when you access a Resonata Solution. For example, this information includes, without limitation, the type of browser that you use (e.g., Safari, Chrome, Internet Explorer), the type of operating system that you use (e.g., Windows or iOS) and the domain name of your Internet service provider (e.g., Verizon, AT&T). We use the non-personally identifiable information that we collect to improve the design and content of the Resonata Solutions and to enable us to improve your Internet experience. We also may use this information in the aggregate to analyze usage and functionality of the Resonata Solutions.

### **Cookies/IP Addresses/Browser Type**

When a Guest accesses a Resonata Solution, we may process IP addresses, user agent strings, cookies and other website tracking technologies to identify users and improve Resonata Solutions. We may send one (1) or more cookies and/or gif files (collectively, "Cookies") to assign a unique identifier to the applicable Guest's computer which we retain and use to store Guest preferences, identify usage trends, help improve Resonata Solutions and otherwise enhance your experience with the Resonata Solutions. To find out more about Cookies, please visit [www.cookiecentral.com](http://www.cookiecentral.com).

Most Internet browsers are initially set up to accept Cookies, but you can reset your browser to refuse all Cookies or to indicate when a Cookie is being sent. To disable and reject certain Cookies, follow the instructions associated with your Internet browser. Even in the case where a Guest rejects a Cookie, she or he may still use the Resonata Solutions; provided, however, that certain Resonata Solutions-related functions may be impaired or rendered inoperable if the use of Cookies is disabled. In general, Guests may also be able to disable some, or all, Internet tracking activity by utilizing the "Do Not Track" setting or similar options within most major Internet browsers.

### **Behavioral Tracking**

The Resonata Solutions do not track Guest activity on, or after Guests leave, the subject Customer Venues.

### **Cross Device Tracking**

The Resonata Solutions do not track Guests across various devices, including personal computers and mobile devices.

## **Aggregate Data**

Resonata may process and transfer and/or sell data that is not personally identifiable information, such as de-identified, aggregate or group data about Guests, including Resonata Collected Data for lawful purposes, such as business needs or product development. Aggregate or group data is data that describes the demographics, usage and other characteristics of Guests as a group, without disclosing personally identifiable information.

## **Security**

We endeavor to safeguard and protect Guest Data, and we have appropriate security measures in place to protect against the unauthorized access, loss, misuse or alteration of such data. To the extent our registration/application process prompts Guests to enter sensitive information (such as credit card information), if any, and if we store and transmit such sensitive information, that personal information will be encrypted with advanced TLS (Transport Layer Security).

Systems access is strictly limited, and we take commercially reasonable measures to prevent unauthorized access to Guest data. Only personnel who have a specific job function that requires it, shall have access to Guest data. Our employees are dedicated to maintaining the security and privacy of such data, and employees not adhering to our firm policies are subject to disciplinary action.

While we take these and many other precautions to protect Guest data, no technology, software or security protocol can be guaranteed to be 100% secure. For these reasons, we cannot warrant that any personal information will be absolutely secure.

## **Third-Party Websites**

The Resonata Solutions may contain links to third-party owned and/or operated websites including, without limitation, websites associated with Resonata Clients and Client Venues. Resonata is not responsible for the privacy practices or the content of such websites. These third-party websites have separate privacy and data collection practices and Resonata has no responsibility or liability relating to them.

## **Transfer of Data Internationally**

If you are accessing a Resonata Solution and/or visiting a Customer Venue from a country other than the United States, your communications with us may result in the transfer of information across international boundaries. Additionally, for data security, redundancy, integrity and business continuity purposes, Resonata Collected Data may be stored, accessed and otherwise processed in a country other than the country in which it was collected.

## **Changes to this Resonata Solutions Privacy Policy**

Resonata reserves the right to change or update this Resonata Solutions Privacy Policy at any time by posting a notice on our Site that we are changing our Resonata Solutions Privacy Policy. We encourage you to visit our privacy page from time to time and to read this notice to learn of our current privacy practices and protections.

## **Contact Us**

If you have any questions about this Resonata Solutions Privacy Policy or our privacy practices in general, you may email us as at: [support@resonata.io](mailto:support@resonata.io). To submit a request to exercise your privacy rights, please send your request to the Resonata Customer with whom you have a relationship. If you are a resident of the European Union, United Kingdom or Switzerland and would like to contact the Resonata Data Protection Officer (DPO) please direct your message to [support@resonata.io](mailto:support@resonata.io).