

## Lithion Technologies Inc. Privacy Policy

**Last updated: 2023-08-10**

Lithion Technologies Inc. (**Lithion**) takes steps intended to meet privacy principles and requirements with respect to personal information under applicable privacy legislation. This Privacy Policy (the **Policy**) applies to products and services offered by Lithion (the **Products and Services**). Lithion cares about your privacy and is committed to protecting it by adhering to the Policy.

This Privacy Policy describes how we collect, use, store and disclose your personal information and how your personal information can be accessed, rectified, and deleted when necessary. This policy also explains how cookies are used on our Website (the **Site**). Your continued use of Lithion's Site, Products and Services means you agree to our Policy, so please take a few minutes to read and understand it. By accepting the Policy, you expressly consent to the collection, use and disclosure of your personal information in accordance with this Policy.

### How we collect information

Personal information includes any information about an identifiable individual.

We use different methods to collect information from and about you including through:

- Information you give us. This is information that you consent to giving us about you by accessing our Site and/or Products and Services, or by corresponding with us (for example by email). It includes information when you register and/or subscribe to our Site and/or Services, make an order for our Products and when you report a problem with our Site and/or Services. If you contact us we will keep a record of that correspondence.
- Information we collect about you and your device. Each time you visit our Site or use our Services we will automatically collect personal information including device, content and usage data. We collect this data using cookies and other similar technologies. As you interact with our Site, we may automatically collect the following information:
  - Technical information, including the Internet protocol (**IP**) address used to connect your computer to the Internet, your login information, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform; and/or
  - Information about your visit, including the full Uniform Resource Locators (**URL**) clickstream to, through and from our Site (including date and time); products you viewed or searched for; page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page and any phone number used to call our customer service number.
  - Information we receive from other sources. We may receive information about you from various third parties and public sources as set out below:
    - Device data from analytics providers, advertising networks, search information providers;

- Contact, financial and transaction data from providers of technical, payment and delivery services; Identity and contact data from data brokers or aggregators; and/or
- Identity and contact data from publicly available sources.

We may also collect, use and share aggregated data such as statistical or demographic data for any purpose. Aggregated data may be derived from your personal information but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate certain of your usage data to calculate the percentage of users accessing a specific Site feature. However, if we combine or connect aggregated data with your personal information so that it can directly or indirectly identify you, we treat the combined data as personal information which will be used in accordance with this Policy.

### **Type of personal information collected and purposes**

In order to deliver our Services, we may request that you provide certain personal information. We only collect personal information that is necessary to provide you with our different services. Where possible, we indicate which fields are required and which fields are optional.

- If you wish to **use our Products and Services**, we may collect your name, business email address, phone number, and other information about your company. Information from your account will be used to facilitate the service(s) you request. Amongst other things, we use your information to troubleshoot problems; customize your experience; detect and protect us against error, fraud, and other criminal activity. We may compare and review your personal information for errors, omissions and for accuracy. In certain cases, we may verify this information to ensure only professionals from a specific field have access to our services.
- If you use the **contact feature** on our Site, we may collect your name, email address, phone number, job title, and other information about your company. We use this information to respond to your request or comment. If you send us emails or letters, we may collect such information in a file specific to you.
- If you **apply for a position at Lithion** with respect to an employment opportunity posted on our Site or as a spontaneous application, we will collect your name, email address, and any other information you provide, including employment history. We use this information to review and respond to your application.
- If you subscribe to a **mailing list**, we will collect your name and email address to send you emails about various news and promotions. Even after subscribing to one or more newsletters and/or opting in to one or more offers to receive marketing and/or promotional communications from us, you may elect to modify their preferences by following the “Unsubscribe” link provided in an email or communication received.
- When you **visit our Site**, we will collect information about your visit through cookies and similar technologies (see our section on *Cookies and other tracking technologies* for more information).

We may also use the personal information we collect to communicate with you, including through tailored marketing messages and transactional emails, about products and services offered by, to conduct,

process and complete transactions with clients, to meet legal, regulatory, insurance, security and processing requirements, and otherwise with your consent, or as permitted or required by law.

Unless otherwise permitted or required by applicable laws or regulations, we will retain your personal information only as long as necessary to fulfill the purposes for which it was collected, including for the purpose of satisfying legal, accounting or auditing requirements. Furthermore, Lithion does not sell your information to third parties.

### **Collection and use of Customer Data**

Certain services or products may require our customers to provide us with their clients' personal information. When we collect and use personal information on the instructions of our customers, we are acting as a service provider/data processor to that client, processing personal information on their behalf, and we refer to this data as "Customer Data". We may also use Customer Data on an aggregated and non-identifiable basis to improve and enhance our product and service offerings.

We rely on our clients to comply with all applicable privacy laws when collecting, using, or disclosing personal information through the services, including by obtaining appropriate consent prior to collecting, using, and disclosing personal information through the services. Where required by law, we sign agreements framing this sharing of personal information.

If you have any questions regarding the personal information we process on behalf of a client, please contact the client directly and/or review their applicable privacy policy.

### **Disclosure of personal information**

Lithion will only disclose your personal information with your consent or if it has legal authority to do so, such as in the following contexts:

- Lithion may transfer personal information to **third-party service providers and third parties involved in the development of our products** (including affiliates acting in this capacity) that perform services on our behalf, such as data hosting and processing, customer services, third-party technology or software developers and to complete transactions. When we disclose your personal information to third parties, we take reasonable measures to ensure that the rules set forth in this Policy are complied with, including through contractual means. These third parties will obtain only the personal information that is necessary for the purpose for which Lithion has employed them.
- We may use and disclose personal information in the context of a **business transaction**, in connection with the proposed or actual financing, securitization, insuring, sale, assignment, or other disposal of all or part of Lithion, or our business or assets, for the purposes of evaluating and/or performing the proposed transaction. Assignees or successors of Lithion, or our business or assets, may use and disclose your personal information for similar purposes as those described in this Policy.
- Lithion may disclose personal information as necessary to **meet legal, regulatory, insurance, audit, and security requirements**, and as otherwise with your consent, or as permitted or required by law (including as required by applicable Canadian and foreign laws applicable to us or our service providers). Therefore, in response to a verified request by law enforcement or other government officials relating to a criminal investigation or alleged illegal activity, we can

(and you authorize us to) disclose your name, city, province, telephone number, email address, and order history without a subpoena. However, in an effort to balance your right to privacy and the ability to keep the community free from bad actors, we will not disclose additional information to law enforcement or other government officials without a subpoena, court order, or substantially similar legal procedure, except when the additional disclosure of information is necessary to prevent imminent physical harm or financial loss.

### **International storing and transfer of personal information**

In order for us to offer our Product and Services, the personal information we collect may be processed by us (or our third-party service providers) outside of your jurisdiction of residence. We ensure that our service providers comply with applicable privacy and data protection laws, and implement contractual clauses that ensure the protection of privacy rights, as applicable.

For users located in the European Economic Area (**EEA**), we may transfer personal data we have collected from you to servers, to Lithion's authorized personnel or to other third parties located outside of the EEA. However, when transferring your information, Lithion will ensure that the country where they are transferred offers an adequate level of data protection. Such can either be achieved if an adequacy decision of the EU Commission according to Art. 45 of the *General Data Protection Regulation* (GDPR) exists or by providing appropriate safeguards according to Art. 46 GDPR. In the absence of an adequacy decision of the EU Commission or of appropriate safeguards we will inform you about the risk of such transfer and will transfer the data only with your consent. We may share information collected with other affiliates companies of Lithion in Canada.

By submitting your personal information or engaging with the Site or one of its subdomains, you consent to such transfer and storage.

### **Cookies and other tracking technologies**

When you visit our Site, we use cookies and similar technologies to collect information about your visit to our Site to remember your preferences and settings when you navigate through our Site. The information collected include: your IP address, the date and time of your visit, the pages you visit, the features you use, the referring URL you came from and which one you go to after, clickstream behaviour (i.e. the pages you view, the links you click, and other actions you take in connection with our Site), your browser type and selected language.

We use this information to do internal research on our users' demographics, interests, and behaviour to better understand, protect and serve you and our community, and to improve our services. We may use both session and persistent cookies. A "session cookie" expires immediately when you end your session (i.e. close your browser). A "persistent cookie" stores information on the hard drive so when you end your session and return to our Site at a later date, the cookie information is still available. The cookies placed by our server are readable only by us, and cookies cannot access, read or modify any other data on a computer.

We also use Google Analytics to better understand who is using our Site, and how people are using it. Google Analytics uses cookies to collect information such as Site pages visited, places where users click, time spent on each Site page, Internet Protocol address, type of operating system used, and location. Please see <http://www.google.com/policies/privacy/partners/> for information about how Google Analytics uses this information. Google may track your activity over time and across websites. Once

again, such information is used to target advertisements and content that may be of interest to you, and also to provide statistical insight through features such as *Google Analytics* and *Google Ads*.

Many web browsers allow you to manage your preferences. You can set your browser to refuse cookies or delete certain cookies. You may be able to manage other technologies in the same way that you manage cookies using your browser's preference. In some instances, tracking tools used by third-party service providers may be disabled. For example, Google allows you to deactivate cookies designed to target ads by accessing its [Opt-Out page](#). *Google Analytics* may also be deactivated, once you download the browser add-on available for that purpose. You may also decline the use of cookies by other third-party vendors by logging on to the *Network Advertising Initiative consumer deactivation page*.

### **Links to other sites**

We may offer links to other websites controlled by other entities. We are not responsible for, nor do we accept any liability for how such other entities collect, use, and disclose personal information. You should consult the privacy policies of these other websites before providing any personal information.

### **Security**

We take reasonable steps to protect the personal information in our custody or control using physical, electronic or procedural security measures, including firewalls and encryption, that are appropriate having regard to the nature and sensitivity of the information. We take reasonable measures to limit access to this data to authorized employees and contractors who need to know that information in order to perform, develop or improve our Products and Services.

However, please note that no security measures can offer absolute security.

### **Accessing, correcting and deleting personal information**

It is important that the personal information we hold about you is accurate and up to date. Please keep us informed if your personal information changes. By law, you have the right to request access to and/or correction of the personal information we hold about you.

If you wish to review, verify, correct, or withdraw your consent to the use of your personal information, you may also send us an email to [Privacyofficer@lithiontechnologies.com](mailto:Privacyofficer@lithiontechnologies.com) to request access, correction, or deletion of any personal information you have provided to us. We may not accept a request to change information if we believe that the change would violate a law or legal requirement or result in incorrect information.

Before providing you with access to your information, we may ask you for specific information to help us confirm your identity and right of access, and to provide you with the personal information we hold about you, or to make the requested changes. In some cases, applicable law requires us to refuse to provide you with access to some or all of the personal information we hold about you, or that we may have destroyed, erased or made anonymous in accordance with our legal record-keeping obligations and privacy best practices.

Please note that if you request deletion of certain information, we may not be able to provide you with certain services. We will explain the consequences of deletion at that time to assist you in your decision. If we are unable to provide you with access to your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions. Such restrictions may include, for example,

information about another individual that would reveal their personal information or confidential business information, or would be prohibitively costly to provide.

### **Privacy rights for California residents**

If you are a California resident, you have certain privacy rights under the *California Consumer Privacy Act (CCPA)* regarding your personal information. These include:

1. the right to request Lithion to disclose what personal information is collected, and how it is used;
2. the right to request to have your information deleted;
3. the right to request Lithion to disclose how it sells your personal information;
4. the right of non-discrimination if you make a request about your personal information; and
5. the right to opt out of having your personal information sold, or opt in having your personal information sold if you are under 16 years old.

You can submit requests about your information to [Privacyofficer@lithiontechnologies.com](mailto:Privacyofficer@lithiontechnologies.com).

You may only make two requests over a 12-month period. Lithion will respond to your request within 45 days of receiving your request, and will provide information from the 12-month period prior to your request.

There are some exceptions to these requests. For example, Lithion can keep your personal information for certain business purposes, such as processing payments for subscription or undertaking internal research for our technological developments. Additionally, the CCPA provides for certain exemptions, such that requests under the CCPA cannot prevent Lithion's ability to:

- comply with federal, state, or local laws;
- comply with certain requests by legal authorities;
- cooperate with enforcement agencies;
- exercise or defend legal claims;
- collect, use, retain, sell, or disclose consumer information that is de-identified or aggregate consumer information; or
- preserve evidentiary privileges.

In some instances, Lithion may refuse to respond to such a request based on an exemption, a legal requirement, or other business or legal policy. Lithion will inform you as to the basis for refusing any such request.

### **Additional Rights**

Applicable laws may give you additional rights that are not described in the Policy.

### **Privacy Policy changes**

This Policy is effective as of the last updated date above and may be revised from time to time. If we intend to use or disclose personal information for purposes materially different than those described in this Policy, we will make reasonable efforts to notify you of this, including by posting the revised Policy on our Site. Your continued provision of personal information or use of our Site following any changes to this Policy constitutes your acceptance of any such changes.



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### **Contact us**

If you have any questions about this Policy or wish to make a complaint, please contact our Privacy Officer by email at: [Privacyofficer@lithiontechnologies.com](mailto:Privacyofficer@lithiontechnologies.com).