

Privacy Policy

Effective as of 5/13/24.

This Privacy Policy describes how Foundation Technology, Inc (“**we**”, “**us**”, “**our**”, or the “**Company**”) handles personal information that we collect through our websites that link to this Privacy Policy, as well as through social media, our marketing activities, and other activities described in this Privacy Policy (collectively, the “**Service**”).

This Privacy Policy does not apply to information that we process on behalf of our business customers (such as businesses and other organizations) while providing the Foundation platform to them. Our use of information that we process on behalf of our business customers may be governed by our agreements with such customers. If you have concerns regarding your personal information that we process on behalf of a business customer, please direct your concerns to that business customer.

Our websites, products and services are designed for business customers and their representatives. We do not offer products or services for use by individuals for their personal, family or household purposes. Accordingly, we treat all personal information we collect as pertaining to individuals in their capacities as representatives of the relevant enterprise and not their individual capacities.

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- **Contact and professional data**, such as your first and last name, salutation, email address, mailing address, professional title and company name, phone number, and information about why you are interested in Foundation.
- **Demographic data**, such as your city, state, country of residence, and postal code.
- **Communications data** based on our exchanges with you, including when you contact us through the Service, social media, or otherwise.

- **Survey data**, including information you share when you complete a survey.
- **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Third-party sources. We may combine personal information we receive from you with personal information we obtain from other sources, such as:

- **Public sources**, such as government agencies, public records, social media platforms, and other publicly available sources.
- **Data providers**, such as information services and data licensors that provide demographic and other information.
- **Homebuilder partners**, who may provide us with data through construction management software or other platforms.
- **Marketing partners**, such as joint marketing partners and event co-sponsors.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications and other online services, such as:

- **Device data**, such as your computer or mobile device’s operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers, language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or general geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Service, navigation paths between pages or screens, information about your activity on a page or screen, access times and duration of access, and whether you have opened our emails or clicked links within them.
- **Communication interaction data** such as your interactions with our email, text or other communications (e.g., whether you open and/or forward emails)

Automatic data collection technologies. Some of the automatic collection described above is facilitated by the following technologies:

- **Cookies**, which are small text files that websites store on user devices and that allow web servers to record users’ web browsing activities and remember their submissions, preferences, and login status as they navigate a site. Cookies used on our sites may include both “session cookies” that are deleted when a session ends, “persistent cookies” that remain longer, “first party” cookies that we place and “third party” cookies that our third-party business partners and service providers place.
- **Local storage technologies**, like HTML5, which allow web servers to record users’ web browsing activities and remember their submissions, preferences and login status as they navigate a site. Such local storage technologies may store information on your device outside of your browser in connection with specific applications.
- **Session-replay technologies**, such as those provided by Sentry, that employ software code to record users’ interactions with the Services in a manner that allows us to watch video replays of those user sessions. The replays include users’ clicks, mobile app touches, mouse movements,

scrolls during those sessions. These replays help us diagnose usability problems and identify areas for improvement. You can learn more about Sentry here: <https://sentry.io/for/session-replay/>.

How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery. We may use your personal information to:

- Provide, operate and improve the Service and our business.
- Communicate with you about the Service, including by sending announcements, updates, security alerts, and support and administrative messages.
- Understand your needs and interests, and personalize your experience with the Service and our communications.
- Provide support for the Service, and respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze and improve the Service and our business. As part of these activities, we may create aggregated, de-identified or other anonymous data from personal information we collect. We make personal information into anonymous data by removing information that makes the data personally identifiable to you. We may use this anonymous data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Marketing. We may send you direct marketing communications. You may opt-out of our marketing communications as described in the Opt-out of marketing section below.

Automatic data collection technologies. In addition to the other uses included in this section, we may use the Automatic data collection technologies described above for the following purposes:

- **Technical operation.** To allow the technical operation of the Service.
- **Functionality.** To enhance the performance and functionality of our services.
- **Analytics.** To help us understand user activity on the Service, including which pages are most and least visited and how visitors move around the Service, as well as user interactions with our emails.

Compliance and protection. We may use your personal information to:

- Comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities.
- Protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims).
- Audit our internal processes for compliance with legal and contractual requirements or our internal policies.
- Enforce the terms and conditions that govern the Service.
- Prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

With your consent. In some cases, we may specifically ask for your consent to collect, use or share your personal information, such as when required by law.

How we share your personal information

We may share your personal information with the following parties and as otherwise described in this Privacy Policy or at the time of collection.

Affiliates. Our affiliates and our corporate parents and subsidiaries (if any), for purposes consistent with this Privacy Policy.

Service providers. Third parties that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, customer support, email delivery, consumer research, marketing, and website analytics).

Third parties designated by you. We may share your personal data with third parties where you have instructed us or provided your consent to do so. We will share personal information that is needed for these other companies to provide the services that you have requested.

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the compliance and protection purposes described above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations of or due diligence for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business or assets of, or equity interests in, the Company, our parent (if any), our affiliates, or our subsidiaries (if any), (including in connection with a bankruptcy or similar proceedings).

Your choices

In this section, we describe the choices available to you.

Opt-out of marketing communications. You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by contacting us. Please note that if you choose to opt-out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.

Declining to provide information. We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

Other sites and services

The Service may contain links to websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions. We encourage you to read the privacy policies of the other websites, mobile applications and online services you use.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies, and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

The Service is not intended for use by anyone under 18 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please contact us. If we learn that we have collected personal information through the Service from a child without the consent of the child's parent or guardian as required by law, we will comply with applicable legal requirements to delete the information.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acceptance of the modified Privacy Policy.

How to contact us

- **Email:** privacy@buildwithfoundation.com
- **Mail:**
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