

Privacy Policy

Effective as of June 12, 2020.

This Privacy Policy describes how AuctionACCESS, LLC (“**AuctionACCESS**”, “**we**”, “**us**” or “**our**”) collects, uses, and shares your personal information if you use the AuctionACCESS dealer credentialing system, the AuctionACCESS individual representative credentialing system, the AuctionACCESS website at www.auctionaccess.com, AuctionACCESS Direct and the mobile application AuctionACCESS Mobile or any of our other websites or online services on which we post or link to this Privacy Policy owned and operated by AuctionACCESS (collectively, the “**Service**”). In certain situations, we may inform you that our use of your personal information is subject to a different privacy policy or different terms, in which case the different privacy policy or term will apply instead of this Privacy Policy.

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How to reach us

If you have any questions, please contact us at customerservice@auctionaccess.com

Personal information we collect

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

- **Application and registration information.** We collect information from you when you open a Service account, such as your name, address, phone number, email address, photo ID, government-issued personal ID number, salesperson license (if required), preferred language, and date of birth, as well as details about the companies you are affiliated with.

- **Vehicle remarketing activity.** Once you have opened a Service account, we collect and maintain updated information about your vehicle remarketing activity, such as your bank information and dealer licenses.
- **Feedback or correspondence.** We may collect information you provide when you contact us with questions, feedback, customer support requests, or otherwise correspond with us.
- **Transaction information.** We may collect the personal bank account or payment card information that you use to purchase products or services from us or our customers, and transaction information relating to those purchases.
- **Service interaction information.** We may collect information associated with content you upload to the Service or otherwise submit to us, and information you provide when you use any interactive features of the Service.
- **Marketing information.** We may collect your preferences for receiving marketing communications, and details about how you engage with them.
- **Other information.** We may collect other information which is not specifically listed here, but which we will use in accordance with this Privacy Policy or as otherwise disclosed at the time of collection.

Information we obtain from other third parties. We may collect information from consumer reporting agencies with your authorization so that we may verify your identity when you open a Service account and periodically thereafter and Customers (defined below) may verify your identity and check your credit. We may also receive personal information about you from other third party sources, such as our corporate affiliates, information services, auction insurers, and publicly available sources. We may combine this information with information we collect from you or the Services.

Information collected by automated means. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and activity occurring on or through the Service. Such information may include your computer or mobile device operating system type and version number, manufacturer and model; device identifier, browser type, screen resolution, and IP address; general location information such as city, state or geographic area; and information about your use of and actions on the Service, such as the website you visited before browsing to the Service, pages or screens you viewed and for how long, navigation paths between pages or screens. Our service providers and business partners may collect this type of information over time and across the Service and third party websites and online services.

On our webpages, this information is collected using cookies, web beacons, and similar technologies. Our emails may also contain a pixel or other technology that enables us to collect certain information about interactions with our emails, including whether the emails are opened or links within them are clicked.

How we use your personal information

We use your personal information for the following purposes and as otherwise described in this Privacy Policy or at the time of collection:

To operate the Service. We use your personal information to:

- open and maintain your Service account
- provide, operate and improve the Service
- communicate with you about the Service, including by sending you 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 and maintenance for the Service
- respond to your requests, questions and feedback

To operate our business. We use the data we collect to operate our business, which includes analyzing our performance, meeting our legal obligations, developing our workforce, and doing research.

For research and development. We analyze use of the Service to improve the Service and to develop new products and services.

To send you marketing communications. We may send you marketing communications as permitted by law. You may opt-out of our marketing communications as described in the **Opt out of marketing communications** section below.

To comply with law. We use and share your personal information as we believe necessary or appropriate to comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas or requests from government authorities.

For compliance, fraud prevention, and safety. We may use your personal information and disclose it to law enforcement, government authorities, and private parties as we believe necessary or appropriate to: (a) protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims); (b) enforce the terms and conditions that govern the Service; and (c) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.

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.

To create anonymous data. We may create aggregated, de-identified or other anonymous data from your personal information and other individuals whose personal information we collect. We make personal information anonymous 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.

In processing personal information for these purposes we use both automated methods, such as artificial intelligence and machine learning, and manual (human) methods. Our automated methods often are related to and supported by our manual methods.

How we share your personal information

We do not share your personal information with third parties without your consent, except in the following circumstances or as described in this Privacy Policy:

AuctionACCESS Customers. We share your personal information with other subscribing customers of the Service with which you or your dealership deals or to which you or any dealership you work for sends your AuctionACCESS number, such as businesses engaged in the automobile dealer or auction industries, and other businesses providing goods or services to such industries (collectively, "**Customers**") in accordance with your authorization.

Affiliates. We may share your personal information with our corporate parent, subsidiaries and other affiliates under the control of our corporate parent for purposes consistent with this Privacy Policy.

Service providers. We may share your personal information with third party companies and individuals that provide services on our behalf or help us operate the Service (such as printing, mailing, customer support, hosting, analytics, email delivery, marketing, payment, order fulfillment, and database management services). These third parties may use your personal information only as authorized under our contracts with them.

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

For compliance, fraud prevention and safety. We may share your personal information to comply with law or for compliance, fraud prevention and safety purposes, as described above in the section titled How we use your personal information.

Business transfers. We may sell, transfer or otherwise share some or all of our business or assets, including your personal information, in connection with a business transaction (or potential business transaction) such as a corporate divestiture, merger, consolidation, acquisition, reorganization or sale of assets, or in the event of bankruptcy or dissolution.

Your choices

Access or update your information. If you have registered for a Service account, you may review and update certain personal information in your account profile. If you identify an inaccuracy in your information or other records in the Services, or you need to make a change to your information, please update it via the Service or contact us at customerservice@auctionaccess.com or (205) 414-2739.

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 at customerservice@auctionaccess.com. You may continue to receive service-related and other non-marketing emails.

Cookies. Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, the Service may not work properly. For more information about cookies, including how to see what cookies have been set on your computer or mobile device and how to manage and delete them, visit www.allaboutcookies.org.

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” or similar signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Choosing not to share your personal information. Where we are required by law to collect your personal information, or where we need your personal information in order to provide the Service to you, if you do not provide this information when requested (or you later ask to delete it), we may not be able to provide you with our services. We will tell you what information you must provide to receive the Service.

Other sites and services

The Service may contain links to other websites and other online services operated by third parties. These links are not an endorsement of, or representation that we are affiliated with, any third party. In addition, our content may be included on web pages or other online services that are not associated

with us. We do not control third party websites or other online services, and we are not responsible for their actions. Other websites and services follow different rules regarding the collection, use and sharing of your personal information. We encourage you to read the privacy policies of the other websites and mobile applications and online services you use.

Security

The security of your personal information is important to us. We employ a number of organizational, technical 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 transfers

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

Children

The Service is not intended for children under [16] years old, they should not use the Service, and we do not knowingly collect personal information from them. If we learn that we have collected personal information of a child under [16] without the consent of the child’s parent or guardian required by law, we will delete it.

Changes to this Privacy Policy

We may modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the effective date of this Privacy Policy and posting the modified Privacy Policy on the Service. We may also provide notification of changes via email if we have your email address, through the Service or in another manner that we believe is reasonably likely to reach you.

Any modifications to this Privacy Policy will be effective when posted (or as otherwise indicated at the time of posting). In all cases, your continued use of the Service after the posting of any modified Privacy Policy indicates your acceptance of the modified Privacy Policy.

Information for California residents

This section describes how we collect, use and share the personal information of California residents both online and offline in operating our business, and the rights that you have with respect to your personal information if you are a California resident. For purposes of this notice, “personal information” has the meaning given in the California Consumer Privacy Act of 2018 (“CCPA”), but does not include information excluded from the scope of the CCPA. Additionally, this section does not apply to information we collect from you in the course of communicating with you in your capacity as an employee, controlling owner, director, officer or contractor of an organization (i.e., company, partnership, sole proprietorship, non-profit or government agency) while we are providing or receiving products or services to or from, or performing due diligence on, that organization.

Your CCPA rights

If you are a California resident, you have the following rights as of January 1, 2020:

- **Information.** To request that we disclose the following information about our collection and use of your personal information during the past 12 months:
 - The categories of personal information that we have collected.
 - The categories of sources from which we collected the personal information.
 - The categories of third parties with whom we share the personal information.
 - The categories of personal information that we sold or disclosed for a business purpose.
 - The categories of third parties to whom the personal information was sold or disclosed for a business purpose.
 - The business or commercial purpose for collecting and/or selling Personal Information.
- **Access.** To request a copy of the personal information that we have collected about you during the past 12 months.
- **Deletion.** To request that we delete personal information about you that we have collected from you.
- **Nondiscrimination.** To exercise your rights described above free from unlawful discrimination.

These rights are not absolute, are subject to exceptions, and we may be permitted by law to decline your request to exercise these rights.

You may exercise the information, access and deletion rights described above by:

- calling us at (205) 414-2739
- emailing privacyrequests@auctionaccess.com

You will be required to submit information sufficient in our reasonable discretion for us to verify your identity and we reserve the right to confirm your California residency. Government-issued identification may be required. If you are submitting a request as an authorized agent of another person, you will be required to submit the information above with respect to the other person and information sufficient in our reasonable discretion to verify your identity and authority, including a valid power of attorney. Agents who are not natural persons must submit proof of registration with the California Secretary of State.

Disclosure regarding third party marketers.

You may also ask companies with whom you have formed a business relationship primarily for personal, family or household purposes for to provide the names of third parties to which they have disclosed certain personal information during the preceding year for their own direct marketing purposes. You may send requests for this information to 2200 Woodcrest Place, Suite 200 Birmingham, AL 35209 Attention: Privacy. For all requests, you must put the statement "Shine the Light Request" in the body of your request, and provide your first and last name, mailing address, and an attestation to the fact that you are a California resident. We reserve the right to require additional information to confirm your identity and California residency. Please also indicate in your request the name of the website or other digital service to which your request applies. Please note that we will not accept requests via the telephone, email, or by facsimile, and we are not responsible for notices that are not labeled or sent properly, or that do not have complete information.

Personal information that we collect, use and share

The chart below summarizes our collection, use and sharing of personal information during the 12 months preceding the last update of this Privacy Policy.

Category (see glossary definition below)	We collected	We disclosed for business/commercial purposes
Identifiers	Yes	Yes
Online identifiers	Yes	Yes
CA Customer Records Categories	Yes	Yes
Protected Classification Characteristics	Yes, but only if you volunteer it to	Yes
Commercial Information	Yes	Yes
Biometric Information	No	No
Internet or Network Information	Yes	Yes
Geolocation Data	Yes	No
Sensory Information	No	No
Professional or Employment Information	Yes	Yes
Education Information	No	No
Inferences	Yes	Yes

As described above in **Personal Information We Collect**, we collect this personal information from you, our corporate affiliates, information services, auction insurers, consumer reporting agencies and publicly available sources. In addition, as described above in **How We Use Your Personal Information**, we may use this Personal Information to operate the Service and our business, for research and development, to send marketing communications, to comply with law, for compliance, fraud prevention and safety, and to create anonymous data. Finally, as described above in **How We Share Your Personal Information**, we share this personal information with AuctionACCESS customers, our corporate affiliates, service providers, professional advisors, government entities and private parties in connection with legal matters and third parties to facilitate corporate transactions. We have not “sold” personal information as defined in the CCPA.

Glossary

Category	Definition/Description (categories may overlap)
Biometric Information	An individual’s physiological, biological or behavioral characteristics, including an individual’s deoxyribonucleic acid (DNA), that can be used, singly or in combination with each other or with other identifying data, to establish individual identity. Biometric information includes, but is not limited to, imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a faceprint, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.

CA Customer Records Categories

Name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.

Commercial Information

Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.

Education Information

Personal information from an educational record, which could include: a student's name, the names of the student's parent or other family members, the address of a student or student's family, a student's personal identifier (e.g., SSN, student number), other indirect identifiers of the student (e.g., date of birth, place of birth, mother's maiden name), other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty, or information requested by a person who the educational agency or institution reasonably believes knows the identity of the student to whom the education record relates.

Geolocation Data

For example, your precise location derived from GPS coordinates or telemetry data

Identifiers	Real name, alias, postal address, unique personal identifier, customer number, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.
Inferences	The derivation of information, data, assumptions, or conclusions from any of the above categories of personal information to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities and aptitudes.
Internet or Network Information	Browsing history, search history, and information regarding a consumer's interaction with an Internet website, application, or advertisement.
Online identifiers	An online identifier or other persistent identifier that can be used to recognize a consumer, family or device, over time and across different services, including but not limited to, a device identifier; an Internet Protocol address; cookies, beacons, pixel tags, mobile ad identifiers, or similar technology; customer number, unique pseudonym, or user alias; telephone numbers, or other forms of persistent or probabilistic identifiers (i.e., the identification of a consumer or a device to a degree of certainty of more probable than not) that can be used to identify a particular consumer or device.
Professional or Employment Information	This term is not defined in the CCPA, but likely includes any information relating to a consumer's current, past or prospective employment or professional experience (e.g., job history, performance evaluations).
Protected Classification Characteristics	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
Sensory Information	Audio, electronic, visual, thermal, olfactory, or similar information.