

## TMS PRIVACY POLICY

The TMS Privacy Policy explains privacy practices of GDC Technology Limited and its subsidiaries (collectively referred to as “GDC”, “we”, “us” or “our”), regarding collection, use and disclosure of information you provide. “You” or “your” refers to the company that is a licensee of our TmsAware (“Company”) and/or any individual as a user of the App, who is duly authorized by and acts on behalf of the Company. By agreeing to this Privacy Policy, you have the full capacity to bind the Company. We may collect information from you if you are users of TMS mobile or tablet application (“App”), and when you contact with us via the App, emails and other communication methods that link to other services provided by GDC (“Services”). By using TmsAware, or by accessing our Services, you agree to this Privacy Policy. In case of any discrepancy between the different language versions, the English version shall prevail.

### 1. TYPES OF INFORMATION

We collect two main types of information about you – Personal Information and Anonymous Information. “Personal Information” means information that identifies you, including your full name (i.e. first and last), email address, and your photo(s). If your Personal Information is combined with Anonymous Information, we will treat such combined information as Personal Information while it remains combined. “Anonymous Information” means information that does not directly or on its own identify you personally as a specific individual, but relates to you and/or the computer or mobile device you use to access our App or Services. Anonymous Information includes but not limited to your locations, time zone, preferences (e.g. language), or other information regarding your access to our Services (e.g. Internet connection, equipment or software you use to access our Services).

### 2. COLLECTION OF INFORMATION

GDC undertakes to collect your information as permitted by law, and that the collection of your information will be reasonable and necessary to operate the App, and to perform our Services. We may collect Personal Information directly from you if you provide it to us voluntarily, when you access our Services, register an account with TmsAware, use our Services, respond to surveys, and when you otherwise communicate or interact with GDC. When you contact us or otherwise interact with us via publicly available sites and/or platforms, we will collect and store information contained in your communications, comments, ratings or reviews.

Please note that others may have access to your devices when your GDC account stays logged-in, and others may share information with us as if they were you. At the same time, others may have access to your information that you have provided to us. To protect your privacy, you should log off from our App or disconnect Services after using any public or shared devices.

### 3. USE OF INFORMATION

We may use your information for operation of our App, provision of related Services, and/or other relevant business (and technical) purposes. We may use your Personal Information to create and administer your GDC account if you register one, and provide you with other customer services.

- We may use your information to respond to your inquiries, requests and comments on the App or our Services. Subject to your rights and choices under Article 7 of this Policy, we (or third-party service providers) may send you via emails newsletters on upcoming events, promotional materials, and latest services offered by GDC;

- From time to time, we (or third-party service providers) may use your Personal Information to send important notices including any changes to this Policy and/or Terms and Conditions, other announcements and administrative messages;
- We (or third-party service providers) may use your information to match your device(s) with your GDC account profile, to understand your interests, preferences or how you use our App or Services, to customize and improve our development, operation, maintenance, services, or content display;
- To protect safety of our business and our users, your information might be used to deter any fraudulent or illegal activities, to comply with legal and regulatory requirements, or to monitor your compliance with our Terms and Conditions.

#### **4. DISCLOSURE TO THIRD PARTIES**

We may disclose Anonymous Information to third parties, and we generally use your Personal Information within GDC. We will not disclose your Personal Information to any third parties, unless necessary for business purposes relating to our App and Services, or as is required by laws and regulations.

- We may engage third party service providers to offer services such as software development (and maintenance), analytics, hosting, content administration, information processing, marketing and communication, joint promotions and programs, managing and enhancing customer data, customer services, assessment of your interests in our products and services, customer research or satisfaction surveys. We may share your Personal Information with foregoing third-party service providers, to the extent that your Personal Information disclosed to third parties is necessary for those third parties to perform services on behalf of GDC. If you separately provide your Personal Information to third parties and we share Anonymous Information with those third parties thereafter, third parties may match Anonymous Information disclosed by us with other Personal Information received from you.
- We may disclose your information by reason of law, legal process, pending or potential litigation or requests from public and governmental bodies, either within or outside your country of residency. We may also disclose your information if such disclosure is necessary to enforce Terms and Conditions, or to protect GDC or other users of the App or Services. In the event of any reorganization, merger, or business transfer, we may at our sole discretion sell, transfer, assign any and all your information to a third party that is a part of or is related to the transaction. Upon completion of such transaction, privacy policy of the said third party will govern its privacy practices regarding your information.

#### **5. SECURITY AND PROTECTION OF INFORMATION**

GDC endeavors to ensure privacy, integrity and security of your information. We take reasonable technical, physical, and procedural safeguards to protect against loss, misuse or any unauthorized access, disclosure, amendment or destruction of your Personal Information.

- To uphold your privacy and the security of your GDC account, we may take identity authentication measures before granting you access, such as requiring your user ID and password. You shall maintain privacy of your GDC account, and restrict access to your device(s) that you use to access GDC account. If you disclose your password to or share your GDC account with any other person, you shall be liable for that other person's acts. Where applicable, you shall log out GDC account or deactivate any public or

shared devices after you finish using our App or Services. Please remember if you forget to log out your GDC account or deactivate your device(s), others may access your information contained in GDC account or your device(s).

- However, in light of current technologies, no data transmission over the Internet or any security system can be guaranteed to be 100% secure. It may be possible for unauthorized third parties to unlawfully obstruct or access transmissions of your information. Therefore, GDC cannot guarantee security of your information or assume any liability for improper use or access to our App or Services. Please note that any data transmission to us is at your own risk, and you may contact us if you find your interaction with us is no longer secure.

## **6. RETENTION OF INFORMATION**

We may retain your information as long as the retention is consistent with the purpose of information collection. To operate, maintain and improve our App or Services, we may retain your information in our logs, backups and audit trails within short-term retention cycles as determined by GDC. After expiry of the cycle(s), we will destroy your information. However, we may retain your information beyond retention cycles as is required by law, court order(s) or any request(s) of law enforcement agencies. Under those circumstances, we may inform you of the retention, unless the law prohibits so. We may also retain your information beyond retention cycles for marketing purposes, unless you opt out under Article 7 of this Policy. While you remain a user of our App or Services, we will keep your information. If you request to deregister your GDC account, or cease to use our App or Services, we will delete your Personal Information upon your request. However, your Anonymous Information will be kept in our database for future operation, maintenance and improvement of our App or Services.

## **7. YOUR RIGHTS AND CHOICES**

Unless otherwise stated in this Policy, you may access, amend, restrict processing or delete any Personal Information contained in your GDC account, via the App or by contacting us. Upon receiving your request to close your GDC account, we will deactivate your account. However, any information we shall retain as required by local laws and regulations will not be deleted.

Occasionally, you may receive free newsletters and other promotional materials via emails on our App or Services. You may indicate preference to unsubscribe those marketing materials via email or by contacting us. However, announcements and administrative reminders may not be opted out, including any updates to this Policy or our Terms and Conditions, electronic communications with you relating to security, privacy or other administrative matters about your GDC account, or your use of the App or our Services.

## **8. CONSENT TO PROCESSING AND TRANSFER OF INFORMATION ABOUT YOU**

Our App and Services are governed by and operated in adherence to the laws of Hong Kong, without regard to its conflict of law provisions. GDC makes no representation whatsoever that the App or our Services are governed by or operated according to the laws of any other jurisdiction. Please be aware that information we collect, including Personal Information may be stored, transferred to, used or handled by GDC worldwide. However, government, courts, or law enforcement authorities, either within our outside your country of residency may have access to your Personal Information.

## **9. UPDATES TO THIS POLICY**

We may update this Privacy Policy in the future, at the sole discretion of GDC. We will inform you of material changes by posting the latest Privacy Policy on our App and/or through our Services. You may determine when the Privacy Policy was last revised in reference to below “Last updated” date. We may take other appropriate measures under the circumstances to announce such changes. You should regularly check our App or consult through our Services for the latest version of this Privacy Policy.

## **10. CONTACT**

We welcome your comments and feedbacks on our App and Services, including this Privacy Policy. Should you have any further queries with respect to this Privacy Policy, please contact us at [legal@gdc-tech.com](mailto:legal@gdc-tech.com) or GDC Technology Limited (ATTN: Legal Department), Units 1-7, 20/F, Kodak House II, 39 Healthy Street East, North Point, Hong Kong. For any questions about the information you provided to GDC, please contact us at [legal@gdc-tech.com](mailto:legal@gdc-tech.com) or GDC Technology Limited (ATTN: Legal Department), Units 1-7, 20/F, Kodak House II, 39 Healthy Street East, North Point, Hong Kong.

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