

## MOTION PRIVACY NOTICE

**Last Updated:** June 20, 2022

Nexusbird, Inc. dba Motion (“**Motion**,” “**we**,” “**our**,” or “**us**”) is committed to protecting your privacy. This Privacy Notice explains how your personal information is collected, used, and disclosed by Motion. This Privacy Notice applies to our websites, including [www.usemotion.com](http://www.usemotion.com) (our “**Sites**”), our mobile apps for iPhone or Android mobile devices (our “**Apps**”), and your use of the services in connection with the Sites and Apps (collectively, our “**Service**”). Please note that this Privacy Notice does not apply to our processing of information about employees or job applicants.

We encourage you to review our [Terms of Use](#) because they contain important information about your use of the Service.

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### 1. WHAT INFORMATION DO WE COLLECT AND FOR WHAT PURPOSE?

We collect personal information in connection with your visits to and use of the Service. This collection includes information that you provide in connection with the Service, information from third parties, and information that is collected automatically, such as through the use of cookies and other technologies.

#### A. Information You Provide to Us Directly

We collect and use personal information you provide in the following ways:

- **Registration and Service Use.** If you register for an account with our Service, we may collect your name and email address. We may also request your company name and work email if you use the services as part of a work account. We may also collect this information if you submit information through the Sites or Apps or otherwise communicate with us. We use this information to administer your account, provide you with the relevant service and information, communicate with you regarding your account and your use of the Service, and for customer support purposes.

- **Payment Information.** If you pay for the Service, we may collect payment information, including credit or debit card number, expiration date, security code, and billing address. Please note we collect and process all financial information, such as credit card numbers, through third-party payment processing providers including Stripe. As such, we do not retain any personally identifiable financial information in connection with your payments, such as credit card numbers. Rather, all such information is provided directly by you to our third-party payment processors or financing providers. Their use of your personal information is governed by their privacy notice. To view Stripe's privacy policy, please click [here](#).
- **Inquiries and Troubleshooting.** If you communicate with us through any form, we may collect your name, email address, or any other personal information you choose to provide to us. We use this information to investigate and respond to your inquiries, and to communicate with you, to enhance the services we offer to our users and to manage and grow our organization. Please note that Motion may, but has no obligation to, monitor, record, and store your interactions with us in order to protect your safety or the safety of other users, to assist with regulatory or law enforcement efforts, or to protect and defend our rights and property.

Where an individual chooses to contact us, we may need additional information to fulfill their request or respond to their inquiry. We may provide additional privacy disclosures where the scope of the inquiry/request or the personal information we require fall outside the scope of this Privacy Notice. In that case, the additional privacy disclosures will govern how we may process the information the individual provides at that time.

## **B. Information We Collect Automatically through Use of the Service**

As is true of most digital platforms, we and our third-party providers may also collect personal information from an individual's device, browsing actions and website usage patterns automatically when visiting or interacting with our Services, which may include **log data** (such as internet protocol (IP) address, operating system, browser type, browser id, the URL entered and the referring page/campaign, date/time of visit, the time spent on our Services and any errors that may occur during the visit to our Services), **analytics data** (such as the electronic path taken to our Services, through our Services and when exiting our Services, as well as usage and activity on our Services such as the pages you view, the links you click, features and functionalities you utilize, how frequently you access the Service, the site from which you came and the site to which you are going when you leave the Services, whether you open emails or click on the links contained in emails, whether you access the services from multiple devices, or other actions you take on the Service. We may also work with third-party partners to employ technologies, including statistical modeling tools, which attempt to recognize you across multiple devices); and **location data** (such as general geographic location based on the log data we or our third-party providers collect).

We and our third-party providers may use (i) cookies or small data files that are stored on an individual's computer and (ii) other, related technologies, such as web beacons, pixels, embedded scripts, location-identifying technologies and logging technologies (collectively, "cookies") to automatically collect this personal information. For example, our Sites use Google Analytics, a web analytics service provided by Google LLC ("Google"), to collect and view reports about the traffic on our Sites. More information about the use of Google Analytics for these analytical and non-advertising purposes can be obtained by visiting Google's privacy policy [here](#) and Google's currently available opt-out options are available [here](#).

To manage cookies, an individual may change their browser settings to: (i) notify them when they receive a cookie, so the individual can choose whether or not to accept it; (ii) disable existing cookies; or (iii) automatically reject cookies. Please note that doing so may negatively impact an individual's experience using our Services, as some features and offerings may not work properly or at all. Depending on an individual's device and operating system, the individual may not be able to delete or block all cookies. In addition, if an individual wants to reject cookies across all browsers and devices, the individual will need to do so on each browser on each device they actively use. An individual may also set their email options

to prevent the automatic downloading of images that may contain technologies that would allow us to know whether they have accessed our email and performed certain functions with it.

For more information on our and third-party partners' data collection and online advertising practices, please see the **Third Party Data Collection and Online Advertising** section of this Privacy Notice.

### C. Information From Third Party Sources

We may receive personal information about you from third parties and combine this information with other information we have.

- **Affiliates.** We may receive personal information from other companies owned or controlled by Nexusbird, Inc., and other companies owning or under common ownership with Nexusbird, Inc. This includes any subsidiaries (i.e., any organization we own or control) or our parent company (i.e., any organization that owns or controls us) and any subsidiaries it owns.
- **Third-Party Integrations.** In order to login or to use certain features of our Service, you may be required to connect certain third-party integrations with your Motion account, which may ask for certain permissions to access data or send information to the Service. For example, you may be required to login using Google or Microsoft. These services will authenticate your identity and provide you the option to share certain data or features to the service with us, such as access to your Google Calendar or Microsoft Calendar. Through the use of the Service, you will have the ability (or we will automatically suggest as part of the Service) to create or change your integrated calendars, assign tasks, and update individual calendar events. As such, the data shared with us will depend on your setting and the information you have included in your calendars, which may include personal information such as your name, email, access tokens, and other information related to your account with the third party service such as email addresses included in your calendars events, or any information or included in your calendar notes or documents that have been attached ("**User Content**"). Note we are not responsible for the practices of third-party integrations, so please carefully review the permissions you grant to third-party applications.
- **Service Providers.** Our service providers that perform services solely on our behalf, such as email marketing providers, cloud providers, IT services, and payment processors, collect personal information and often share some or all of this information with us in connection with the facilitation of our services.
- **Social Media Platforms.** When an individual interacts with us through various social media networks, we may receive some information about the individual that they permit the network to share with third parties. The data we receive is dependent upon an individual's privacy settings with the network. Individuals should review and, if necessary, adjust their privacy settings on third-party websites and networks before sharing information with us or the platform.
- **Information Providers.** We may from time to time obtain information from third-party information providers from whom you have permitted to share your personal information, including marketing providers. We use this information to correct or supplement other personal information we collect. For example, we may obtain updated contact information from third-party information providers to reconnect with individuals.
- **Publicly Available Information.** We may also collect personal information from publicly available sources, such as government records or publicly available websites, to supplement other personal information we collect.

## 2. HOW WE USE YOUR INFORMATION

We use the information we collect for purposes described in this Privacy Notice or as otherwise disclosed to you on our Service or in connection with our Service. For example, we use your information to:

- Set up your account and deliver the Service to you, including automatically suggest meeting entries, assign tasks, and create projects;
- Send you transactional information, including confirmations, invoices, technical notices, product and services information, updates, security alerts, support and administrative messages, and information about your transaction with us;
- Communicate with you such as to respond to your comments and questions, provide customer service or feedback, or respond to employment opportunities for which you've applied, or for any other purposes in connection with the Service;
- For marketing purposes, including, for example, to send you emails or push notifications with news about products and services offered by us, or to display personalized advertising and contents;
- Operate, maintain, test, enhance, update, monitor, diagnose, fix and improve our Service;
- Training and developing machine learning algorithms, and identification of industry trends and developments, and anonymous benchmarking;
- Prevent, investigate or provide notice of fraud or unlawful or criminal activity, unauthorized access to or use of personal information, our data system services, and to meet governmental and institutional policy obligations;
- Enforce and carry out contracts and agreements with our customers;
- Investigate and resolve disputes and security issues and to enforce our [Terms of Use](#);
- Comply with legal obligations; and
- For any other lawful, legitimate business purpose.

We may aggregate, de-identify, and/or anonymize any information collected through the Service so that such information is no longer reasonably capable of being associated with you. We may use aggregated or anonymized information for any purpose, including research and marketing purposes, and we may also share such information for any purpose with any third parties, at our discretion.

For the purposes discussed in this Privacy Notice, we may combine the information that we collect through the Service with information we receive from other sources, both online and offline, and use such combined information in accordance with this Privacy Notice.

### **3. SHARING OF YOUR INFORMATION**

We may share your personal information in the instances described below. For further information on your choices regarding your information, see the "Control Over Your Information" section below.

We may share your personal information with:

- **Affiliates.** We may share personal information with other companies and brands owned or controlled by Nexusbird, Inc. and other companies owned by or under common ownership as Nexusbird, Inc., which also includes our subsidiaries (i.e., any organization we own or control) or

our ultimate holding company (i.e., any organization that owns or controls us) and any subsidiaries it owns. These companies will use your personal information in the same way as we can under this Privacy Notice;

- **Service Providers.** We may share personal information with third-party service providers that perform services on our behalf, as needed to carry out their work for us, which may include identifying and serving targeted advertisements, providing mailing services, providing tax and accounting services, web hosting, or providing analytic services;
- **Payment Processors.** You provide your information directly to our payment processors through our Service. The processors are lawfully permitted to process your information for their own business purposes and legal requirements. We currently use Stripe for payment processing. Please review Stripe's privacy policy if you have any questions about how it processes your personal information <https://stripe.com/privacy>.
- **Business Transfers.** We may disclose personal information with other parties in connection with a company transaction, such as a merger, sale of company assets or shares, reorganization, financing, change of control or acquisition of all or a portion of our business by another company or third party, or in the event of a bankruptcy or related or similar proceedings; and
- **Regulatory or Legal Requirements, Safety and Terms Enforcement.** We may disclose personal information to third parties as required by law or subpoena or if we reasonably believe that such action is necessary to (a) comply with the law and the reasonable requests of law enforcement; (b) to enforce our [Terms of Use](#) or to protect the security or integrity of our Service; and/or (c) to exercise or protect the rights, property, or personal safety of Motion, our visitors, or others. We may also disclose personal information to governmental regulatory authorities as required by law, including for tax or accounting purposes, in response to their requests for such information or to assist in investigations.
- **Consent.** We may disclose personal information with any other entity disclosed to you at the time we collect your information or with your consent.

We may also share information with others in de-identified, aggregated or otherwise anonymized form that does not reasonably identify you directly as an individual.

#### 4. THIRD-PARTY TRACKING AND ONLINE ADVERTISING

We may share, or we may permit third-party online advertising networks, social media companies, and other third-party services, to collect information about your use of our Site over time so that they may play or display ads that may be relevant to your interests on other websites or apps, or on other devices you may use. Typically, though not always, the information we share is provided through cookies or similar tracking technologies, which recognize the device you are using and collect information, including hashed data, clickstream information, browser type, time and date you visited the website and other information. This information is used to display targeted ads on or through our services or on other websites, apps, or services. We or the online advertising networks use this information to make the advertisements you see online more relevant to your interests. We may also display targeted advertising to you through social media platforms, such as LinkedIn, Facebook, TikTok, Twitter, Google, Pinterest, and others. These companies have interest-based advertising programs that allow us to direct advertisements to users who have shown interest in our services or our clients' services while those users are on the social media platform, or to groups of other users who share similar traits, such as likely commercial interests and demographics. These advertisements are governed by the privacy policies of those social media companies that provide them.

**Google Analytics and Advertising.** We may also utilize certain forms of display advertising and other advanced features through Google Analytics. These features enable us to use first-party cookies (such as

the Google Analytics cookie) and third-party cookies (such as the DoubleClick advertising cookie) or other third-party cookies together to inform, optimize, and display ads based on your past visits to our services.

You may control your advertising preferences or opt-out of certain Google advertising products by visiting the Google Ads Preferences Manager, currently available at <https://google.com/ads/preferences>.

To learn more about interest-based advertising and how you may be able to opt-out of some of this advertising, you may wish to visit the Digital Advertising Alliance's (DAA) resources and/or the Network Advertising Initiative's (NAI) online resources, at [www.aboutads.info/choices](http://www.aboutads.info/choices) or <http://www.networkadvertising.org/choices/> and you can opt-out of receiving some interest-based advertisements on mobile apps by visiting <http://www.aboutads.info/appchoices>. You may also be able to limit interest-based advertising through the settings menu on your mobile device by selecting "limit ad tracking" (iOS) or "opt-out of interest-based ads" (Android).

Please note that when you opt out of receiving interest-based advertisements, this does not mean you will no longer see advertisements from us or on our online services. It means that the online ads that you do see from DAA program participants should not be based on your interests. We are not responsible for the effectiveness of, or compliance with, any third-parties' opt-out options or programs or the accuracy of their statements regarding their programs. In addition, third parties may still use cookies to collect information about your use of our online services, including for analytics and fraud prevention as well as any other purpose permitted under the DAA's Principles.

## 5. CONTROL OVER YOUR INFORMATION

**Modifying or Deleting Your Information.** If you have questions about reviewing, changing, or deleting your information, you can contact us directly at [privacy@usemotion.com](mailto:privacy@usemotion.com). We may not be able to modify or delete your information in all circumstances.

**Access to Your Device Information.** You may control the App's access to your device information through your "Settings" app on your device. For instance, you can withdraw permission for the App to access your location, camera roll and camera.

**How to Control Your Email Communications Preferences.** You can stop receiving promotional email communications from us by clicking on the "unsubscribe link" provided in such communications. We make every effort to promptly process all unsubscribe requests. You may not opt out of service-related communications (e.g., account verification, transactional communications, changes/updates to features of the Service, technical and security notices).

## 6. CHILDREN'S PRIVACY

Motion does not knowingly collect or solicit any information from anyone under the age of 13 on this Service. In the event that we learn that we have inadvertently collected personal information from a child under age 13, we will delete that information as quickly as possible. If you believe that we might have any information from a child under 13, please contact us at [privacy@usemotion.com](mailto:privacy@usemotion.com).

## 7. LINKS TO OTHER WEB SITES AND SERVICES

The Service may contain links to and from third-party websites of our business partners, advertisers, and social media sites and our users may post links to third-party websites. If you follow a link to any of these websites, please note that these websites have their own privacy policies and that we do not accept any responsibility or liability for their policies. We strongly recommend that you read their privacy policies and terms and conditions of use to understand how they collect, use, and share information. We are not responsible for the privacy practices or the content on the websites of third-party sites.

## **8. REGION-SPECIFIC DISCLOSURES**

**Nevada:** Chapter 603A of the Nevada Revised Statutes permits a Nevada resident to opt out of future sales of certain covered information that a website operator has collected or will collect about the resident. To submit such a request, please contact us at [privacy@usemotion.com](mailto:privacy@usemotion.com).

## **9. CHANGES TO OUR PRIVACY NOTICE**

We will update this Privacy Notice from time to time. When we make changes to this Privacy Notice, we will change the date at the beginning of this Privacy Notice. If we make material changes to this Privacy Notice, we will notify individuals by email to their registered email address, by prominent posting on our Services, or through other appropriate communication channels. All changes shall be effective from the date of publication unless otherwise provided.

## **10. CONTACT US**

If you have any questions about this Privacy Notice or the Service, please contact us at [privacy@usemotion.com](mailto:privacy@usemotion.com).