

## **Growers Tech Inc. Platform Privacy Policy**

This Privacy Policy (the "**Platform Privacy Policy**") describes the information that Growers Tech Inc. ("**agmatix**", "**we**", "**us**", "**our**") collects and processes from users of our SaaS platform (the "**Platform**").

It also describes our practices for collecting, using, maintaining and processing your information, and the rights and options available to you with respect to data we process via the Platform.

### **DATA COLLECTED**

**We process limited contact information relating to platform users ("Contact Information").**

To identify and contact a user, we collect information that identifies the user (such as their name), provides a means to contact the users (such as a phone number or work email address), tells us the company with which the user is associated (such as the name and address of their company or institute and their role in the entity), or tells us the location of the user when information is provided on the platform. A user also may choose to provide us limited biographical data in free text fields.

**We process data that relates to crops that are grown or the fields in which such crops are grown ("Crop and Field Data").**

For agmatix to perform services, we may collect data about the types of crops grown or experimented with, the yield targets for crops and plant properties. We may also collect data about the field in which crops are grown such as the location of the field or soil or water data. We do not believe Crop and Field Data relate to an individual.

**We process research and related data relating to agronomics. This information is referred to as "Agronomic Data" and may not relate to or identify an individual.**

To provide analytics services, we need to collect, aggregate, standardize and enrich Agronomic Data. We do not believe Agronomic Data relates to an individual. Agronomic Data is generally collected from research materials, experiments, or trials. In some cases, contact information for a user may be collected or obtained. All Agronomic Data is provided in a business-to-business context and not for personal, family or household purposes.

*You do not have a legal obligation to provide us with the abovementioned information; however, if you choose not to provide this information we may not be able to provide you with analytics services.*

**We also collect analytics information about your use of the Platform.**

To improve and maintain the Platform, we record and collect certain information about your interactions with the Platform. This information does not identify an individual and is maintained in aggregated form. , Such information may include, time and date of access, type of browser used, language used, links clicked, and actions taken while using the Platform. We refer to this as "**Analytics Data.**"

### **HOW DATA IS USED**

**We use Contact Information to identify and contact users and to operate the Platform.**

Contact Information is needed to identify persons using the Platform and to contact the users.

**We use Crop and Field Data for analytics purposes as part of providing services through the Platform.**

Crop and Field Data is used to provide analytics services on the Platform but is not shared with entity users other than the entity that provided the Crop and Field Data.

**We use Agronomic Data to operate the Platform and provide services for the Controllers of the Agronomic Data**

Agronomic Data is necessary to provide our services (for example, to process, standardize, and enrich the Agronomic Data) to users of the Platform.

**We will use the Analytics Data for enhancing and developing the Platform.**

We will use the Analytics Data for development and enhancement of the Platform, to improve our capabilities, to provide our services to the user, and to identify and understand trends in the data. We also use the Analytics Data to better understand the market in which agmatix operates in and for managerial reporting and business planning.

## WHO WILL PROCESS DATA

*We will not share data with third parties, except in the events listed below or when directed by the Controller of the data.*

**We will share data with our service providers who help us to operate the Platform and our business.**

We do not provide access to or sell, raw data, including personal information, to third parties.

**We will share data with competent authorities, if you abused your right to use the Platform, or violated any applicable law.**

If you have abused your rights to use the Platform, or violated any applicable law, we may share your information with competent authorities and with third parties (such as legal counsels and advisors), for the purpose of handling of the violation or breach.

**We will share data if we are legally required to do so.**

If we are required to disclose data by a judicial, governmental or regulatory authority.

**We will share data with third-parties in any event of change in agmatix's structure.**

If agmatix's operation is reorganized within a different framework, or through another legal structure or entity (such as due to a merger or acquisition), we will share your information only in aggregated or anonymized form as required to enable the structural change in the operation of agmatix.

**We do not sell personal information.**

We do not sell personal information as submitted to us, nor have we done so in the past.

## COOKIES

**What are cookies?**

Cookies are text files, comprised of small amount of data, that are saved on your computer or other device (e.g. smartphone, tablet, etc.) when you use the internet and visit various websites.

The information that the cookies maintain is read by the website you visit, during the session of your visit to the website (these are called 'session' cookies), and when you return to visit it again (these are called 'persistent' cookies).

We also use techniques called web beacons and web pixels for purposes similar to the use of cookies.

**We use cookies necessary to operate the Platform, for statistics and to remember your preferences.**

We use cookies when you visit our Platform for a number of purposes, as briefly explained below:

**Necessary.** Cookies that are strictly necessary for the functioning of the Platform. The Platform cannot operate properly without these cookies. You can set your device to block or alert you about these cookies, but some parts of the Platform may not function properly.

**Statistics.** Analytics cookies that help us understand how you and other users interact with our Platform by collecting data that does not directly identify you.

**Preferences.** Cookies that remember your choices when you use the Platform and allow the Platform to react by reflecting your preferences.

**Marketing.** Cookies that track your use of the Platform and allow us to improve the performance of the Platform.

## SECURITY AND DATA RETENTION

**We will retain data for as long as we need it to operate the Platform and interact with users, and thereafter as needed for record-keeping purposes.**

We will retain raw data until instructed to delete the raw data by the user that provided such data. Thereafter, we will still retain raw data as necessary to comply with our legal obligations, resolve disputes, establish and defend legal claims and enforce our agreements.

**We implement measures to secure data.**

We implement measures to reduce the risks of damage, loss of information and unauthorized access or use of information. However, these measures do not provide absolute information security. Therefore, although efforts are made to secure data, it is not guaranteed, and you cannot expect that the Platform will be immune from information security risks.

## ADDITIONAL INFORMATION FOR INDIVIDUALS IN THE EU

**agmatix is a data processor of personal information collected or processed through the Platform.**

The following is our contact information:

agmatix

622 Emerson Road, #500

St. Louis, MO 63141, United States of America

**Contact details of our representative in the European Union.**

Our representative in the European Union for the purposes of this Platform Privacy Policy is: The agmatix Chief Financial Officer.

**Legal basis under EU law for processing personal information**

The legal basis under EU law for processing Contact Information, Crop and Field Data, Agronomic Data and Analytics Data is our legitimate interest in maintaining, developing and enhancing the Platform, understanding our target audience and business market in which we operate.

The legal basis under EU law for processing your information for the purpose of handling instances of abusive use of the Platform is our legitimate interests in defending and enforcing against violations and breaches that are harmful to our business.

The legal basis under EU law for processing your information where we are legally required to share it, is our legitimate interests in complying with mandatory legal requirements imposed on us.

The legal basis under EU law for us processing your information in the event of a change in our corporate structure is our legitimate interests in our business continuity.

**You have certain rights to access, update or delete your personal information, obtain a copy of your information, withdraw your consent and object or restrict certain data processing activities.**

If you are located in the EU, you have the following rights under the GDPR:

**Right to Access** your personal information that we process and receive a copy of it.

**Right to Rectify** inaccurate personal information we have concerning you and to have incomplete personal information completed.

**Right to Data Portability**, that is, to receive the personal information that

you provided to us, in a structured, commonly used and machine-readable format. You have the right to transmit this data to another service provider. Where technically feasible, you have the right that your personal information be transmitted directly from us to the service provider you designate.

**Right to withdraw your consent** at any time, such as a consent to send you our newsletters and other marketing communications about agmatix's activities.

**Right to Object**, based on your particular situation, to using your personal information on the basis of our legitimate interest. However, we may override the objection if we demonstrate compelling legitimate grounds, or for the establishment, exercise or defense of legal claims.

**Right to Restrict** the processing of your personal information (except for storing it) if you contest the accuracy of your personal information, for a period enabling us to verify its accuracy; if you believe that the processing is unlawful and you oppose the erasure of the personal information and request instead to restrict its use; if we no longer need the personal information for the purposes outlined in this Policy, but you require them to establish, exercise or defense relating to legal claims, or if you object to processing, pending the verification whether our legitimate grounds for processing override yours.

**Right to be Forgotten.** Under certain circumstances, such as when you object to us processing your data and we have no compelling legitimate grounds to override your objection, you have the right to ask us to erase your personal information. However, we may still process your personal information if it is necessary to comply with a legal obligation that we are subject to under laws in EU Member States or for the establishment, exercise or defense of legal claims.

If you wish to exercise any of these rights, you may do so by contacting us by email to: [data.privacy@agmatix.com](mailto:data.privacy@agmatix.com)

We reserve the right to ask for reasonable evidence to verify your identity before we provide you with information. Where we are not able to provide you with information that you have asked for, we will explain the reason for this.

**You have a right to submit a complaint to the relevant supervisory data protection authority.**

Subject to applicable law, you have the right to lodge a complaint with your local data protection authority. If you are in the EU, then according to Article 77 of the GDPR, you can lodge a complaint to the supervisory authority, in particular in the Member State of your residence, place of work or place of alleged infringement of the GDPR. For a list of supervisory authorities in the EU, click [here](#).

## **ADDITIONAL INFORMATION FOR INDIVIDUALS IN CALIFORNIA**

For purposes of this section (Additional Information for Individuals in California), personal information does not include:

- Publicly available information from government records;
- Deidentified or aggregated consumer information;
- Until January 1, 2023, information regarding job applicants, employees, owners, directors, officers or contractors, emergency contact information from the same, and information necessary for us to administer benefits to the same; and
- Until January 1, 2023, information we obtain from a consumer acting on behalf of a company and whose communications with us occur solely within the context of us conducting due diligence regarding, or providing or receiving a product or service to or from another company.

We note that until January 1, 2023, most provisions of CCPA do not apply to personal information provided in a business-to-business context, as most personal information we collect from users is provided. The rights described below apply only to personal information subject to the requirements of CCPA.

At this time, we do not believe any raw data collected through the Platform constitutes personal information.

**We do not sell your personal information and have not done so in the past.**

**Your rights under the CCPA if you are a resident of California**

**Disclosure of personal data we collect about you.** You have the right to know:

- The categories of personal information we have collected about you;
- The categories of sources from which the personal information is collected;
- Our business or commercial purpose for collecting personal information;
- The categories of third parties with whom we share personal information, if any; and
- The specific pieces of personal information we have collected about you.

**Right to deletion.**

Subject to certain exceptions set out below, on receipt of a verifiable request from you, we will:

- Delete your personal information from our records; and
- Direct any service providers to delete your personal information from their records.

Please note that we may not delete your personal information if it is necessary to:

- Complete the transaction for which the personal information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between you and us;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
- Debug to identify and repair errors that impair existing intended functionality;
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
- Comply with the California Electronic Communications Privacy Act;
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, provided we have obtained your informed consent;
- Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;
- Comply with an existing legal obligation; or
- Otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

**Protection against discrimination.**

You have the right to not be discriminated against by us because you exercised any of your rights under the CCPA. This means we cannot, among other things:

- Deny goods or services to you;
- Charge different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties;
- Provide a different level or quality of goods or services to you; or
- Suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services.

Please note that we may charge a different price or rate or provide a different level or quality of goods and/or services to you, if that difference is reasonably related to the value provided to our business by your personal information.

**Exercising your CCPA rights.**

If you would like to exercise any of your CCPA rights as described in this Privacy Policy, please email us at: [legal@agmatix.com](mailto:legal@agmatix.com).

We may ask you for additional information to confirm your identity and for security purposes, before disclosing the personal information requested to you, by using a two or three points of data verification process, depending on the type of information you require.

**User Tracking**

We do not currently respond or take any action with respect to web browser “do not track” signals or other mechanisms that provide consumers the ability to exercise choice regarding the collection of personal information about an individual consumer’s online activities over time and across third-party web sites or Platform.

We allow third parties, such as companies that provide us with analytics tools, to collect personal information about an individual consumer’s online activities over time and across different web sites when a consumer uses the Platform.

**MINORS**

**The Platform is not directed to users under 18.**

The Platform is not directed to users under the age of 18. We do not knowingly collect information or data from children under the age of 18 or knowingly allow children under the age of 18 to use the Platform.

**CHANGES TO THIS PLATFORM PRIVACY POLICY**

**Changes to this Platform Privacy Policy.**

From time to time, we may change this Platform Privacy Policy. The latest version of the Platform Privacy Policy will always be accessible at our website.

**Updated:** December 2021.