

PRIVACY POLICY

CloudBrands, Inc. ("Orderbyte," "Localbytes" "we," "us," or "our") are committed to the protection of your privacy. This privacy policy (the "Policy") explains why and how we collect, use, share, store, transfer, and protect (collectively, "Processing", "Process" and any variation thereof) your Personal Information, as more fully described under the Section "About this Policy". The manner in which we Process your Personal Information may evolve over time, and we will update this Policy from time to time to reflect any changing practices, as explained below.

About this Policy

This Policy explains why and how ORDERBYTE and its customers (the "Establishment(s)") Process your Personal Information in connection with food orders placed through the online ordering platforms and related products and services offered by ORDERBYTE (the "Services"). The Policy also describes why and how we Process your Personal Information on behalf of the Establishments for example, when we administer their loyalty programs or provide them with email marketing services to send the Messages. The Establishment(s) from which you order food may also Process your Personal Information for other purposes in which case, we invite you to contact such Establishment(s) to address your rights or to learn more about how your Personal Information is Processed.

This Policy also describes why and how we Process your Personal Information when you visit our website, mobile application, and other platforms (collectively, the "ORDERBYTE Platforms"), including through Cookies. For more information, please refer to the Section "How does ORDERBYTE use Cookies?".

What is personal information?

For the purpose of this Policy, "Personal Information" means any information about an identifiable individual, which includes information that can be used on its own or with other information to identify, contact, or locate a single person. In general, Personal Information does not include business contact information, such as your name, title, or business contact information.

What personal information do we collect?

The Personal Information that we collect may include, but is not limited to:

- Contact information (e.g., your name, address, email and phone number, username and passwords of your account, if any);
- Date of birth;
- Social media accounts;
- Survey feedback;
- Technical information (e.g., information about your mobile and/or computer devices, GPS location or the unique identifier of your device, the transactions you make).

We may also collect details that you have provided in your food order that indicate any allergies or food intolerance that you may have.

How do we collect your personal information?

Directly from you

Generally, we will collect the Personal Information that we need directly from you, for example when you use the Service, visit and/or browse the ORDERBYTE Platforms, visit an Establishment's website or when you communicate with us. We may also gather information that is generated by your mobile and/or computer devices (e.g., mobile advertising identifiers, location information and IP address). For more information, please refer to the Section "How does ORDERBYTE provide online advertising?"

With a legal basis, such as your consent

The legal basis to Process your Personal Information is typically because you have consented to it, unless applicable laws permit another applicable legal basis (e.g., for the purpose of complying with our legal obligations, where necessary for establishing, exercising, or defending a legal claim, a prospective legal claim, legal proceedings or prospective legal proceedings.).

Refusal of collection and withdrawal of your consent

You have the right, if you so choose, to refuse the Processing of your Personal Information. You may also, at any time, and subject to reasonable notice and applicable legal or contractual restrictions, withdraw your consent (if any) to the Processing of your Personal Information in our possession by contacting us. You should be aware, however, that if you choose not to provide your Personal Information, this may prevent you, for example, from using the Service, as this information is essential to the provision of such Service. You may contact ORDERBYTE as set forth in the Section "How to contact us?" to address any issue thereof.

Why do we collect your personal information?

For specific and limited Purposes

ORDERBYTE generally collects your Personal Information to:

- Provide you with the Service, namely, to: enable you to order products from an Establishment, confirm the successful order, track your location for the purpose of identifying the closest Establishment to your current position, and have the products delivered if delivery applies;
- Respond to your queries or questions;
- Authenticate the users of an account;
- Provide you with advertising while using the Service, the ORDERBYTE Platforms, the Messages, or third-party services including social media;
- Recommend you services and products based on your preferences;
- Administer the surveys that you have agreed to complete;
- Administer the Establishment's loyalty programs; and

- Send the Messages and manage email campaigns on behalf the Establishments (collectively, the "Purposes").

To send you the Messages

If you have consented to receive such information, ORDERBYTE may send you newsletters, electronic messages, news on, among others, new features or new products, updates, contests, special offers and/or other written communications (the "Messages") about ORDERBYTE services and/or products and/or products or services of third parties, including the Establishments. Messages may be sent by ORDERBYTE for its own purposes or on behalf of the Establishments. In the latter case, we invite you to contact the Establishments to address your rights or to learn more about how your Personal Information is Processed by them. ORDERBYTE may also use Direct Push and your geographical information on our mobile application to send you alerts about local promotions.

You may opt-out of receiving the Messages as set forth in the Section "How to contact us?" or by following the instructions contained in the Messages. You may also disable the Direct Push notice through your device settings. A delay of ten (10) days may be required to treat your request. However, ORDERBYTE may continue to send you Messages to inform you about available upgrades or critical technical service issues relating to the Service, or to provide you with important information on your account (if any).

For secondary purposes

ORDERBYTE may also aggregate and anonymize Personal Information that you have provided to create statistical data which ORDERBYTE may use to improve the Service, examine trends and interests, train machine learning algorithms, or share with its third-party partners including the Establishments, advertising partners and research centres. Such statistical data does not include any Personal Information.

Who we share your personal information with

ORDERBYTE does not rent or sell any of your Personal Information to third parties and will not share it with third parties without your consent unless it is necessary to do so by law or for the Purposes as set forth below.

With our employees

In the course of their work, our employees may need to access your Personal Information, for example, when you contact us or request support. Their access is limited to what is necessary to perform their duties.

With strategic partners

ORDERBYTE may share your Personal Information with its partners such as the Establishments to the extent that such disclosure is required for the Purposes. ORDERBYTE may use third parties to facilitate its business, such as payment processors, delivery companies, hosting services providers, loyalty program providers, integrated POS systems,

contractors for sending out e-mail updates about ORDERBYTE and the Service or for providing customer support services. In connection with these business operations, ORDERBYTE service providers may have access to your Personal Information for use for a limited time in connection with these business activities.

Where ORDERBYTE utilizes third parties for the Processing of any Personal Information, ORDERBYTE implements reasonable contractual and technical protections in order for such third parties to keep all Personal Information they Process strictly confidential. Please note that these third parties may be located elsewhere than your location in which case, appropriate measures are taken by ORDERBYTE as set forth below in the Section “Where is your Personal Information stored and transferred?”.

When required by applicable laws

ORDERBYTE may also share your Personal Information if required to do so by law or in the good faith belief that such action is necessary to:

- Conform with the law;
- Comply with the order of a competent judicial authority in any jurisdiction;
- Comply with legal process served on ORDERBYTE;
- Protect and defend the rights or property of ORDERBYTE;
- Enforce or verify your compliance with any part of the agreements that you have entered into with ORDERBYTE, if any;
- Prevent fraud or other illegal activity perpetrated through the Service;
- Act in urgent circumstances to protect the personal safety of users of the Service, the ORDERBYTE Platforms or the public at large.

During business transfer

We may share your Personal Information without your permission when our operations require it (in the event of a merger, acquisition, bankruptcy, or sale of assets, for example). As part of this kind of event, we may also share some or all of your Personal Information to the relevant third-party (or its advisors) as part of a due diligence process.

For other purposes with your consent

Where you have expressly consented, your Personal Information may be shared with other third parties. For example, there may be specific instances where additional terms apply and, through these, we make clear that specific third parties Process your Personal Information.

Third-party services and platforms

We may include on the ORDERBYTE Platforms links to third party sites or services that we do not control, for example, if you use an integrated feature from Google or social media (Facebook, Twitter, LinkedIn, etc.). Such third-party may share some information about you with us. Your activities on the Service or the ORDERBYTE Platforms may be displayed on social media platforms. If you click on one of these links, you will be directed to sites that we do not control. Please read the privacy policies of these third-party websites, applications or

platforms that may collect Personal Information in order to understand their privacy policies and data collection practices. This Policy applies solely to Personal Information Processed by ORDERBYTE or on its behalf.

HOW LONG WILL WE KEEP YOUR PERSONAL INFORMATION?

ORDERBYTE will retain your Personal Information only for as long as necessary to fulfill the Purposes for which it was collected, or as required for ORDERBYTE legitimate interests, or to comply with applicable legal, tax or regulatory requirements. After such time, any Personal Information held by ORDERBYTE will be destroyed, deleted, or made anonymous. If you would like more information on this topic, we invite you to contact us as set forth in the Section “How to contact us?”.

How do we protect your personal information?

With necessary and appropriate security measures

ORDERBYTE has security measures in place to protect your Personal Information. The standard security measures we use will depend on the type of information collected. However, ORDERBYTE uses physical, electronic, and procedural safeguards that comply with applicable regulations to protect your Personal Information. We encourage you to be cautious when using the Internet. This includes not sharing your passwords. If you think an unauthorized account has been created using your name, please contact us as set forth in the Section “How to contact us?”.

INCREASE YOUR LEVEL OF PRIVACY

You can control the tools on your mobile devices. For example, you can turn off the GPS locator or Direct Push on your phone. Each Direct Push provides a link to unsubscribe as set forth in the Section “Why does ORDERBYTE collect your Personal Information?”.

Children’s privacy

The ORDERBYTE Platforms as well as the Service are only available and designed for individuals aged 13 years or older. ORDERBYTE does not knowingly Process any Personal Information from children under the age of 13. If you believe that Personal Information has been collected from children under the age of 13, or if you are a parent or legal guardian and think that your child under 13 has provided us with Personal Information, you may contact us as set forth in the Section “How to contact us?”.

HOW DO WE USE COOKIES?

A cookie is a small text file that is stored in a dedicated location on your computer, mobile device, tablet or other device when you use your browser to visit an online service. Other tracking technologies, such as web beacons and tracking pixels may be used for similar purposes. In this Policy, all of these tracking technologies are collectively referred to as “Cookie(s)”. Any Personal Information collected with Cookies by ORDERBYTE or on its behalf are treated with the same level of confidentiality as any other Personal Information held by

ORDERBYTE.

Strictly necessary Cookies

These Cookies are necessary for the Service to function and cannot be switched off in our systems. Strictly necessary Cookies must be present for the Service or the ORDERBYTE Platforms to provide basic functions and could include signing in, adding items to a cart, or e-billing. They allow for a user to navigate back and forth between pages without losing their previous actions from the same session.

Non-essential Cookies

If you have consented to their use, ORDERBYTE and/or its third-party partners may also use non-essential Cookies in connection with the Service, the ORDERBYTE Platforms and the Messages, including the following:

- **Functional Cookies.** These Cookies enable the Service and the ORDERBYTE Platforms to provide enhanced functionality and personalization. If you have consented to their use, functional Cookies allow the Service and the ORDERBYTE Platforms to remember the preferences and choices that you make including your username, region, and language.
- **Social media Cookies.** If you have consented to them, we may use social media Cookies such as the Facebook pixel to provide you with personalized offers, to measure, optimize and build audiences for advertising campaigns served on social media platforms.
- **Advertising Cookies.** If you have consented to their use, we may use advertising Cookies to gather information from you on your devices to display advertisements to you based on relevant topics that may be of interest to you. Also, our partners may use these Cookies to determine whether our advertisements were displayed to you and whether you interacted with them. In such cases, our partners share data with us, including statistics about the performance of our ads. If you want more information about how to manage and/or disable Advertising Cookies, visit <http://www.youronlinechoices.com/>. You can also refuse the use of such Cookies by following the instructions listed below.
- **Analytic Cookies.** We may use analytic Cookies to understand traffic patterns on the Service and the ORDERBYTE Platforms, to help measure and improve the effectiveness of the Service, the ORDERBYTE Platforms and the Messages and to determine whether such Messages have been opened and links clicked on. These Cookies are used for statistical purposes only. All information these Cookies collect is aggregated and anonymous. To opt out of being tracked by Google Analytics, visit <http://tools.google.com/dlpage/gaoptout>. You can also refuse the use of analytic Cookies by following the instructions listed below.
- **Tracking Cookies.** If you have consented to their use, we may use tracking Cookies to gather information about your use of the Service across different websites, such as your purchase trends. Such information is used to provide you with tailored content when using the Service. You can refuse the use of tracking Cookies by following the instructions listed below.

HOW TO MANAGE COOKIES

Except for strictly necessary Cookies, we will only place Cookies on your devices if you consent to it, and such Cookies will be kept for a maximum period of thirteen (13) months from when they are placed on your devices. At the end of this period, your consent will be required again.

Cookies can be managed and/or disabled through your browser's Cookie settings and mobile device's advertising settings. Social media Cookies ("plugins") can also be managed by consulting the following networks' policies (to the extent applicable):

- Facebook: <https://www.facebook.com/policies/cookies/>
- LinkedIn: <https://fr.linkedin.com/legal/cookie-policy>
- Twitter: <https://support.twitter.com/articles/20171379>
- Instagram: <https://www.facebook.com/policies/cookies/>

However, if you refuse Cookies, you may not be able to use all the features of the Service, the ORDERBYTE Platforms and the Messages, and you will still be served with advertising, but such advertising will no longer be as tailored to you.

If you want more information about how to manage and/or disable non-essential Cookies, please visit <http://www.allaboutcookies.org/manage-cookies/> and <http://optout.aboutads.info/?c=2&lang=EN>.

HOW DO WE PROVIDE ONLINE ADVERTISING?

With the use of Cookies, questionnaires or with mobile advertising identifiers ORDERBYTE and its third-party partners may collect your Personal Information to provide advertisements about goods and services, and may work with online advertising companies to introduce you to relevant and useful advertisements. This may include advertisements presented on the ORDERBYTE Platforms, the Establishments' platforms, or the websites of other companies. Such Personal Information is collected: (i) with social media Cookies and/or advertising Cookies as set forth above in the Section "How do we use Cookies?"; (ii) directly from you when completing a survey, filling in a questionnaire or consent to receiving the Messages.

Depending on the preferences that you have expressed in your mobile devices, ORDERBYTE and its advertising partners may also use your mobile advertising identifier to target and measure the effectiveness of their advertising campaigns. In iOS, this identifier is called "IDFA" (ID for Advertising); in Android (Google Play), this identifier is called "AAID" (Android Advertising ID). You can access and reset your mobile advertising identifier or limit its use through the settings on your mobile devices' operating system.

In no event will we permit advertising directed at children where we have actual knowledge that the user is under the age of 13. To learn more about our advertising practices, please contact us as set forth in the Section "How to contact us?".

Do Not Track

Web browsers can transmit Do Not Track (“DNT”) signals that indicate that a user does not wish to have his/her activity tracked over time and across websites. Currently, no universally accepted standard exists for how to interpret such signals, although work to create consensus is ongoing. Accordingly, we do not respond to such DNT signals.

WHERE IS YOUR PERSONAL INFORMATION STORED AND TRANSFERRED?

Your Personal Information may be held by ORDERBYTE in locations other than your province, territory, state, or country of residence, including in Canada (including in the province of Quebec). ORDERBYTE may also subcontract Processing to or share your Personal Information with third parties located elsewhere, including locations other than your province, territory, state, or country of residence. In such a case, ORDERBYTE will ensure that your Personal Information is transferred to countries that have received an adequacy decision from the competent authority, or that your Personal Information is adequately protected by appropriate technical, organizational, contractual, or other lawful means. If you would like to obtain more information on these security measures, please contact ORDERBYTE as set forth in the Section “How to contact us?”.

WHAT ARE YOUR RIGHTS?

Depending on applicable laws, you might have the right to obtain access to, or rectification of your Personal Information, the right to withdraw your consent (if any), the right not to be discriminated against, the right to restrict and to object to the use and Processing of your Personal Information by ORDERBYTE, or the right to data portability by, namely, receiving a copy of all Personal Information that ORDERBYTE has about you in a structured, commonly used and machine-readable format. To exercise any of these rights (to the extent available), please contact ORDERBYTE as set forth in the Section “How to contact us?”.

HOW TO CONTACT US?

If you have any questions about any aspect of this Policy, wish to send a comment, make a complaint or exercise any of the rights made available to you according to applicable laws, please do so through the “Contact Us” link on the Service or ORDERBYTE Platforms, when such link is available, or please contact our Data Protection Officer as follows:

ORDERBYTE

2055 LIMESTONE RD STE 200-C, WILMINGTON, DE 19808

Email: hello@ORDERBYTE.io

Your request may be accepted or denied by ORDERBYTE based on the applicable laws.

ORDERBYTE will take prompt corrective action when it learns of any failure to comply with this Policy. ORDERBYTE shall not be liable for any indirect, incidental, consequential or punitive damages relating to this Policy.

You may file a complaint with the competent authority at any time if you believe that

ORDERBYTE is not Processing your Personal Information in a manner that is compliant with this Policy or with the applicable laws.

CHANGES TO THIS POLICY

ORDERBYTE frequently revises this Policy to keep it up to date with applicable legislation and its operations. If material changes are made to the Policy, then update notices (such as online notices or emails) may be used to alert you of such changes. Otherwise, the posting of the revised Policy on the Service and ORDERBYTE Platforms shall be considered sufficient notice to you, and by continuing to use the Service, the ORDERBYTE Platforms or the Messages or by submitting Personal Information to us, you are consenting to any changes to our Policy.

August 1, 2022

Copyright 2022 CloudBrands, Inc. All rights reserved.

