

# PRIVACY POLICY

## G FUEL LLC PRIVACY POLICY

Last updated: February 1, 2022

G Fuel LLC, d/b/a Gamma Labs (“we,” “us,” or “our”) is pleased to provide you with access to our online and mobile websites and application (collectively, our “Website”). This Privacy Policy describes our practices with respect to the collection, transfer, manipulation, disclosure and other uses of Your Information and certain other information collected by us through our Website. For purposes of this Privacy Policy, “Your Information” means information about you which may be of a confidential nature and may include personally identifiable information, including your first and last name and email address.

This Privacy Policy applies to information collected by us through our Website and through our telephone support number, but does not apply to information collected by any person or entity other than us, even if related to our Website (such as a third-party website, content, application, that may link to or be accessible from or on our Website).

PLEASE READ THIS PRIVACY POLICY CAREFULLY BEFORE USING OUR WEBSITE. BY USING OUR WEBSITE, OR BY CLICKING TO ACCEPT OR AGREE TO OUR TERMS OF USE WHEN THIS OPTION IS MADE AVAILABLE TO YOU, YOU ACCEPT AND AGREE TO BE BOUND AND ABIDE BY OUR TERMS OF USE, INCLUDING THIS PRIVACY POLICY. IF YOU DO NOT WANT YOUR INFORMATION USED OR DISCLOSED IN THE MANNER DESCRIBED IN THIS PRIVACY POLICY, OR IF YOU DO NOT AGREE WITH ANY TERM OR CONDITION IN THIS PRIVACY POLICY OR OUR TERMS OF USE, THEN YOU MUST NOT ACCESS OR USE OUR WEBSITE OR SUBMIT YOUR INFORMATION TO US.

This Privacy Policy may change from time to time (see “Changes to our Privacy Policy”). Your continued use of our Website after we make changes is deemed to be acceptance of those changes, so please check this policy periodically for updates.

## **1. Children: Data Processing and Consent**

Our Website is intended to be accessed and used only by adults and are not directed to minors. If you are below the age of 18, you may access and participate in our Website only under the supervision of a parent or legal guardian who agrees to be bound by this Privacy Policy and our Terms of Use.

We do not knowingly collect personally identifiable information by anyone under the age of 13 and you should not provide us with any information regarding any individual under the age of 13. If we learn that we have inadvertently gathered information from anyone under the age of 13, we will take reasonable measures to promptly remove that information from our records.

California residents under 16 years of age may have additional rights regarding the collection and sale of their personal information. Please see Your California Privacy Rights below in Section 10 for more information.

Persons subject to the General Data Protection Regulation (“GDPR”), and who are under 16 years of age may not access, use, or participate in our Website (and we will not process such person’s data) absent the consent of a parent or holder of parental responsibility over such person.

## **1. What Information We Collect and How We Collect It**

We receive and collect several types of information about you, such as the information described below.

Information you provide to us: From time to time, you may provide us with certain information, including Your Information or information of third parties. Instances where you may provide this information include when you purchase products through our Website, call our telephone support number, create, manipulate or update accounts on or through our Website, fill out forms or fields on or through our Website, or sign up for any promotions or to receive newsletters or other materials about our Website or those of third parties. By way of example, when you purchase products through our Website, you may provide your first and last name, shipping address, billing address, email, phone number and payment information (collectively, "Order Information").

Information we receive from third parties: We may obtain information about you from sources other than you, such as from our social media networks on or through which you may access the Website, and/or from other third party website operators on which we or our third party service providers have placed pixel tags (as defined below) in order to drive traffic to our Website. The information that we will receive depends on the third party and your privacy settings with that third party. All information that you disclose to third parties will be subject to the privacy policies and practices of such third parties. You should review the privacy policies and practices of such third parties prior to disclosing information to them.

We also collect information on third party platforms such as HubSpot, ShipHero, Google AdWords, Google Analytics, Attentive Mobile Inc, etc.

Information we collect through automatic data collection technologies: We and third parties acting on our behalf may use various technologies to collect and store information when you use our Website, including sending cookies, web beacons, pixel tags or other anonymous identifiers to your device, or otherwise tracking your activities on our Website over time. "Cookies" are pieces of data stored on a computer, mobile phone or other device. A "web beacon" is a type of technology that lets us know if you visited a certain page or whether you opened an email. A "pixel tag" is a type of technology placed within a website or e-mail for the purpose of tracking activity, which is often used in combination with cookies. Other "anonymous identifiers" include random strings of characters used for the same purposes as cookies, such as with mobile devices where cookie technology may not be available. These technologies help us know that you are logged on to or using our Website, provide you with features based on your preferences, help us understand when and how you are

interacting with our Website and compile other information regarding your use of our Website. We also may use these technologies to collect information about your online activities over time and across third-party websites or other online Website (a practice known as behavioral tracking). For example, third parties, including Amazon, may place and use pixel tags on our Website to show interest-based ads to you on sites across the Internet.

The information collected through these technologies, standing alone, cannot be used to determine your identity. Such information may, however, be combined in a way that makes it become personally identifiable information (i.e., information that can identify you). For example, we may tie this information to personal information about you that we collect from other sources or that you provide to us. If this happens, we will treat the combined information as personally identifiable information.

It may be possible to disable some (but not all) Cookies or automatic data collection technologies through your device or browser settings, but doing so may affect the functionality of our Website. The method for disabling Cookies or other automatic collection technologies may vary by device and browser, but can usually be found in preferences or security settings. For example, iOS and Android devices each have settings which are designed to limit forms of ad tracking.

To make a do-not-track request with respect to behavioral tracking on our Website or to receive information on how we respond to web browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking, please contact us at [privacy@gfuel.com](mailto:privacy@gfuel.com) or in writing at the address provided below. You can also opt-out of receiving interest-based ads from third parties as described in the "Online Behavioral Advertising" section of Section 5 below.

Privacy Policy Coordinator

G Fuel, LLC

100 Wireless Blvd

Hauppauge, New York 11788-3955, United States

In contacting us, you must include the reference to our "Privacy Policy" on the subject line and in the body of the message and include the email or physical address for us to send our response. We reserve the right not to respond to inquiries submitted other than to the address specified above.

#### Our Collection Practices with Respect to Certain Specific Information:

*General Use and Preference Information.* We may collect, receive and store information regarding your general use of our Website (such as details of how and when you used our Website, interactions with our Website, log in information, resources that you access, your Internet protocol address, your browser type and your device type), as well as your preferences.

*Device Information.* When you access or use our Website through your computer, mobile phone or other device, we may collect information regarding and related to your device, such as hardware models and IDs, device type, operating system version, the request type, the content of your request and basic usage information about your use of our Website, such as date and time. In addition, we may collect information regarding application-level events, such as crashes, and associate that temporarily with your account (if any) to provide customer service. We may also collect and store information locally on your device using mechanisms such as browser web storage and application data caches.

*Location Information.* If you submit your zip code or other geographic information to us, you may provide us with your location information. Furthermore, if you enable the collection of location information on your device, then we may collect information about your actual location, such as your mobile device's GPS coordinates. We may also use other technologies to determine your location (such as through the location of nearby Wi-Fi access points or cell towers), or obtain your location information from third parties.

Third-party content providers may collect information: Some content or applications, including advertisements, on our Website may be served by third parties, including advertisers, ad networks and servers, content providers and application providers. These third parties may collect information about you when you use our Website using cookies alone or in conjunction with web beacons or other tracking technologies. We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. Please note that the information collected by these third parties may be associated with Your Information and that these third parties may collect information, including Your Information, about your online activities over time and across different websites and other online services.

### **1. How We Use Your Information**

We may use the information we collect for various lawful business purposes and for related legitimate interests. Among others, these purposes and interests may include using this information, including Your Information, to:

- *Present our Website, product or services, and related content to you.* For example, if you provide us with your contact information for purposes of receiving newsletters, emails, promotional materials or other information or content from us, we will use the information you provide us to send you such information or materials. Additionally, we may use Your Information to administer rewards, surveys, giveaways, or other promotional activities.
- *Contact you and provide you with information.* For example, we might contact you via e-mail or other communications to provide you with Website or service offering updates, promotions, offers, personalized information and other information from us or our third-party service providers or business partners or to respond to comments, inquiries, job applications, and other information submitted by you.
- *Provide you with customer support.* For example, if you call our telephone support line, we may collect certain information from you in order to assist you in the use of our Website.
- *Analyze, improve and manage our Website, products, service offerings and operations.* For example, we might obtain feedback regarding our Website, products, and service offerings, understand and anticipate your needs and preferences, better understand your use of our Website or products or service offerings, customize and tailor Website content and advertising, improve our marketing and promotional efforts, engage in statistical analysis and provide feedback or information to our business partners, vendors, advertisers and other third parties.
- *Resolve problems and disputes, and engage in other legal and security matters.* For example, we may use the information we collect to comply with, monitor compliance with and enforce this Privacy Policy,

our Terms of Use (including any terms and conditions incorporated or referenced in our Terms of Use) and any other applicable agreements and policies, meet other legal and regulatory requirements, and protect the security and integrity of our Website. We might also use information that we collect to investigate any complaint you make regarding our Website, content, products, service offerings or other related matters, to provide evidence in any dispute or anticipated dispute between you and us, or to prevent fraud or other criminal or otherwise inappropriate activities.

- *Display advertisements to our advertisers' target audiences.* For example, we may use your device information for direct advertising and retargeting ads, such as providing you with information or advertising relating to our products or services based on your precise geolocation, when in line with the preferences you have shared with us. Additionally, even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria. Note also that our third party content providers may use information they collect via our Website to provide you with interest-based (aka behavioral) advertising or other targeted content.
- *Comply with a request from you in connection with the exercise of your rights.* For example, where you have asked us not to contact you for marketing purposes, we or our service providers will keep a record of this on our suppression lists to be able to comply with your request.
- *Other Purposes.* We may also use your information in other ways. To the extent required by applicable law, we will provide notice at the time of collection and obtain your consent.

## **2. How We Disclose Your Information**

General Disclosure of Your Information: We may disclose the information we collect, including Your Information:

- to our affiliates and their respective employees, agents and representatives involved in delivering our Website, products and other services to you. For example, we use (and thus disclose certain of Your Information to):
- Google Firebase when you access our Website through our mobile app. Google Firebase usage is subject to Google's Privacy Policy (link provided above).
- LoyaltyLion in order to serve our loyalty and rewards program -- you can read more about how Loyalty Lion uses Your Information here: <https://loyaltylion.com/privacy>.
- Theta.tv for purposes of watching esports from our website -- you can read more about how Theta.tv uses Your Information here: <https://www.theta.tv/privacy-policy>
- Attentive Mobile Inc. in order to provide SMS messaging -- you can read more about how Attentive uses Your Information here: <https://www.attentivemobile.com/privacy>
- to our third-party vendors or suppliers so that they may provide support for our internal and business operations, including for the handling of the purchase and sale of our products or services, data processing, data verification, data storage, surveys, research, internal marketing, delivery of promotional, marketing and transaction materials and our Website's maintenance and security. For example, we use (and thus disclose certain of Your Information to):
- Shopify in order to power our online store--you can read more about how Shopify uses Your Information here: <https://www.shopify.com/legal/privacy>.

- Google Analytics so that they can help us understand how our customers use the Website – you can read more about how Google uses your Personal Information here: <https://www.google.com/intl/en/policies/privacy/>. You can also opt-out of Google Analytics here: <https://tools.google.com/dlpage/gaoptout>.
- ShipHero to fulfill your orders – you can read more about how ShipHero uses Your Information here: <https://shiphero.com/privacy-data-policy>.
- HubSpot and JustUno in order to effectuate our marketing campaigns – you can read more about how HubSpot and JustUno use Your Information here: <https://legal.hubspot.com/privacy-policy> and <https://www.justuno.com/legal/privacy-policy.html>.
- to fulfill the purpose for which you provide it;
- to any person who, in our reasonable judgment, is authorized to receive Your Information as your agent, including as a result of your business dealings with that person (for example, your attorney);
- to third parties when you engage in certain activities through our Website that are sponsored by such third parties, such as purchasing products or services offered by a third party, electing to receive information or communications from a third party or electing to participate in contests, sweepstakes, games or other programs sponsored, in whole or in part, by a third party;
- as required by applicable law or ordered by a court, regulatory or administrative agency;
- as we deem necessary, in our sole discretion, if we believe that you are violating any applicable law, rule, restriction or regulation, or are otherwise interfering with another's rights or property, including our rights or property;
- if requested by authorities in the event of any act instance of local, regional or national emergency;
- to enforce our Terms of Use, including this Privacy Policy, and any other applicable agreements and policies;
- with your consent;
- to otherwise enforce or protect our rights; and
- in connection with a Business Transfer (see "*Other Disclosures by Us*" below).

**Please note that the list above is not exhaustive and that we may, to the extent permitted by applicable law, disclose the information we collect to third parties at any time, for any lawful purpose, without notice or compensation to you.**

**When we disclose the information we collect to third parties, such information will become permanently subject to the information use and sharing practices of the third party, and the third party will not be restricted by this Privacy Policy with respect to its use and further sharing of such information. Furthermore, these third parties may further disclose, share and use this information. By submitting information (including Your Information) to us, you expressly consent to such disclosure and use of such information. If you do not want**

**this information (including Your Information) shared as described above, then you should not provide us with such information.**

Other Disclosures by Us:

*Aggregation and De-Personalization.* We may use and disclose any de-identified information for any lawful purpose, including for any commercial purpose. De-identified Information means Information that does not identify you, including any identifiable information de-identified by either by combining it with information about others, for example, by aggregating your information with information about other persons, or by removing characteristics, such as your name, that make the information personally identifiable to you.

*Business Transfers.* We may disclose, lease, sell, assign or transfer the information we collect (including Your Information) to third parties in connection with a Business Transfer. A “Business Transfer” means a sale, acquisition, merger, consolidation, reorganization, bankruptcy or other corporate change involving us, even if the Business Transfer is only being contemplated and regardless of whether the Business Transfer relates to a part of or our whole business. Nothing in this Privacy Policy is intended to interfere with our ability to transfer all or part of our business, equity or assets (including our Website) to an affiliate or independent third party at any time, for any lawful purpose, without notice or compensation to you.

*Circumvention of Security Measures:* We use a certain technical, administrative and organizational security measures to keep Your Information safe. However, despite our efforts, please be aware that methods of transmission and electronic storage are not completely secure. We cannot guarantee the privacy or security of Your Information, as third parties may unlawfully intercept or access transmissions or electronic storage. Further, to the extent permitted by law, we are not responsible for circumvention of any privacy settings or security measures of our Website. Therefore, you use our Website at your own risk, you should not expect that Your Information will always remain private, and we do not guarantee the performance or adequacy of our security measures. In the event that an unauthorized third party compromises our security measures, to the

extent permitted by law, we will not be responsible for any damages, directly or indirectly, caused by an unauthorized third party's ability to view, use or disseminate Your Information.

### **3. Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding our collection, use and disclosure of the information that we collect. Below are some mechanisms that provide you with control over such collection, use or disclosure:

- *Cookies.* If you do not wish us to collect cookies, you may set your browser to refuse cookies, or to alert you when cookies are being sent. If you do so, please note that some or all parts of our Website may then be inaccessible or may not function properly.
- *E-mail Offers.* If you do not wish to receive e-mail offers or other information or communications from us, you can opt-out of receiving such e-mail offers or other information or communications from us (other than e-mails or other information or communications related to the completion of your registration, correction of user data, change of password and other similar communications essential to your transactions on or through our Website) by using the unsubscribe process at the bottom of the e-mail. Please be aware that it can take up to 10 business days to remove you from our marketing e-mail lists. If you opt-out from receiving our marketing e-mails, you may continue to receive confirmation and shipping status e-mails.
- *Managing Your Information.* If a portion of our Website allows you to create an account with us, then you can review and update Your Information by logging into that portion of our Website, visiting your account profile page and making changes.
- *Online Behavioral Advertising.* As described above, we may use Your Information to provide you with targeted advertisements or marketing communications we believe may be of interest to you. Certain third-party advertising networks that deliver behavioral advertising are members of the Network Advertising Initiative ("NAI"). You can prevent NAI member companies from collecting preference data about you by visiting <http://www.networkadvertising.org/choices/> and following the NAI's directions. Note that if you opt-out through the NAI, you will still receive advertising. In addition, if you opt-out through the NAI and later delete your cookies, use a different browser or buy a new computer, you will need to renew your opt-out choice. Additional options for opting out of target advertising include, without limitation:

- AMAZON - <https://www.amazon.com/adprefs>
- FACEBOOK - <https://www.facebook.com/settings/?tab=ads>
- TWITTER - <https://help.twitter.com/en/safety-and-security/privacy-controls-for-tailored-ads>
- GOOGLE - <https://www.google.com/settings/ads/anonymous>
- BING - <https://advertise.bingads.microsoft.com/en-us/resources/policies/personalized-ads>
  
- Digital Advertising Alliance - <http://optout.aboutads.info/>
- Your Online Choices For Your Location - <https://www.youronlinechoices.com/>

California residents may have additional personal information rights and choices. Please see Your California Privacy Rights below in Section 10 for more information.

#### ***4. Information that You Disclose to Third Parties***

Our Website, including any of our newsletters or e-mail messages, may contain links or access to websites or Website operated by third parties that are beyond our control. Links or access to third parties from our Website is not an endorsement by us of such third parties, or their respective websites, applications, products, Website or practices. We are not responsible for the privacy policies, terms and conditions, practices or the content of such third parties. All information that you disclose to such third parties will be subject to the privacy policies and practices of such third parties. You should review the privacy policies and practices of such third parties prior to disclosing information to them. If you have any questions about how these third parties use your information, you should review their policies and contact them directly.

#### ***5. Operation of our Website in the United States***

Our Website is operated in the United States. As a result, the information we collect (including Your Information) will be used and disclosed as described in this Privacy Policy in the United States, as well as in other countries if you access our Website outside of the United States. In some cases, the laws of countries other than the United States regarding our use and disclosure of your information may be less stringent than the laws of the United States.

## **6. International Transfers of your Personal Data**

In this Section 8, we provide information about the circumstances in which your personal data may be transferred to a third country under UK and/or EU data protection law.

We may transfer your personal data from the European Economic Area (EEA) to the UK and process that personal data in the UK for the purposes set out in this notice, and may permit our suppliers and subcontractors to do so, during any period with respect to which the UK is not treated as a third country under EU data protection law or benefits from an adequacy decision under EU data protection law; and we may transfer your personal data from the UK to the EEA and process that personal data in the EEA for the purposes set out in this notice, and may permit our suppliers and subcontractors to do so, during any period with respect to which EEA states are not treated as third countries under UK data protection law or benefit from adequacy regulations under UK data protection law.

The hosting facilities for our website are situated in Canada, Ireland and Singapore and Shopify, which powers our online store utilizes certain subprocessors which can be found at the following link <https://help.shopify.com/en/manual/your-account/privacy/GDPR/subprocessors>. The competent data protection authorities have made an adequacy determination with respect to the data protection laws of each of these countries. Transfers to each of these countries will be protected by appropriate safeguards, namely the use of standard data protection clauses adopted or approved by the competent data protection authorities, a copy of which you can obtain from, e.g., The European Commission ([https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/international-dimension-data-protection/standard-contractual-clauses-scc_en)).

You acknowledge that [personal data that you submit for publication through our website or services] may be available, via the internet, around the world. We cannot prevent the use (or misuse) of such personal data by others.

## **7. Changes to Our Privacy Policy**

We may amend this Privacy Policy at any time and from time to time. Amendments will take effect immediately upon us posting the updated Privacy Policy on the Website. Accordingly, you are encouraged to revisit this Privacy Policy from time to time in order to review any changes that we have made. The date on which this Privacy Policy was last updated will be noted immediately above this Privacy Policy.

## 10. **Contacting Us**

If you have any questions, suggestions or complaints regarding our use or disclosure of the information we collect from you or wish to contact us to make a request regarding such information (including Your Information), please contact us at [privacy@gfuel.com](mailto:privacy@gfuel.com) or in writing at:

Privacy Policy Coordinator

G Fuel, LLC  
100 Wireless Blvd  
Hauppauge, New York 11788-3955, United States

In contacting us, you must include the reference to our "Privacy Policy" on the subject line and in the body of the message and include the email address or mailing address, as applicable, for us to send our response. We reserve the right not to respond to inquiries submitted other than to the address specified above.

## 8. **Special Notification for California Residents – Your California Privacy Rights**

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. This Section 10 applies solely to all visitors, users, and others who reside in the State of California ("consumers" or "you"). We have adopted this Section to comply with the California Consumer Privacy Act of 2018 (the "CCPA"), and to supplement the information contained in the preceding sections of this Privacy Policy.

Additional Detail on the Information We Collect:

We collect Your Information as described above in Section 2. In particular, we have collected the following categories of Your Information within the last twelve (12) months:

<b>Category</b>	<b>Examples</b>	<b>Collected</b>
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, address, and telephone number.  Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	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	NO

	and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	
D. Commercial information.	Records of products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO

<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.</p>	<p>NO</p>
<p>G. Geolocation data.</p>	<p>Physical location or movements.</p>	<p>NO</p>
<p>H. Sensory data.</p>	<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p>	<p>NO</p>
<p>I. Professional or employment-related information.</p>	<p>Current or past job history or performance evaluations.</p>	<p>NO</p>
<p>J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).</p>	<p>Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.</p>	<p>NO</p>

K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO
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We obtain the categories of Your Information listed above directly and/or indirectly from you, as described above in Section 2. For example, from observing your actions on our Website.

Additional Restriction on Our Use of Your Information:

We use Your Information as set forth above in Section 3. We will not use Your Information we collect for materially different, unrelated, or incompatible purposes without providing you notice.

Additional Detail on Our Disclosure of Your Information:

We disclose Your Information as set forth above in Section 4. When we disclose personal information for a business purpose, we do so pursuant to an agreement that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing its obligations and/or exercising its rights under the agreement.

In the preceding twelve (12) months, we have disclosed the following categories of Your Information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category D: Commercial information.

Your Additional Rights and Choices under the CCPA:

The CCPA provides California residents (consumers) with specific rights regarding their personal information.

*Access to Specific Information and Data Portability Rights.* You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

*Deletion Request Rights.* You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).

6. 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 the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided

#### Exercising Your Access, Data Portability, and Deletion Rights:

*How to Exercise.* To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by emailing us at [privacy@gfuel.com](mailto:privacy@gfuel.com) or calling us at 877-426-6262. Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

*General Requirements.* You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative. It must also describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

*Response Timing and Format.* We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time, we will inform you of the reason and extension period in writing. If you have an account with us, we may deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

#### Non-Discrimination:

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

Deny you goods or services.

- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

#### Other California Privacy Rights:

California's "Shine the Light" law permits users of our Website that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@gfuel.com](mailto:privacy@gfuel.com) or write us at:

Privacy Policy Coordinator

G Fuel, LLC  
100 Wireless Blvd  
Hauppauge, New York 11788-3955, United States

## 12. Special Notification for Data Subjects in the EU/UK – Your Rights

In this Section 12, we have listed the rights that you have under the General Data Protection Regulation (“GDPR”) data protection law.

Your principal rights under data protection law are:

- (a) **the right to access** - you can ask for copies of your personal data;
- (b) **the right to rectification** - you can ask us to rectify inaccurate personal data and to complete incomplete personal data;
- (c) **the right to erasure** - you can ask us to erase your personal data;
- (d) **the right to restrict processing** - you can ask us to restrict the processing of your personal data;
- (e) **the right to object to processing** - you can object to the processing of your personal data;
- (f) **the right to data portability** - you can ask that we transfer your personal data to another organisation or to you;
- (g) **the right to complain to a supervisory authority** - you can complain about our processing of your personal data; and
- (h) **the right to withdraw consent** - to the extent that the legal basis of our processing of your personal data is consent, you can withdraw that consent.

These rights are subject to certain limitations and exceptions. You can learn more about the rights of data subjects by visiting <https://edpb.europa.eu/our-work-tools/general-guidance/gdpr-guidelines-recommendations->

best-practices\_en and <https://ico.org.uk/for-organisations/guide-to-data-protection/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>.

You may exercise any of your rights in relation to your personal data by written notice to us, using the contact details set out below:

Privacy Policy Coordinator

G Fuel, LLC

100 Wireless Blvd

Hauppauge, New York 11788-3955, United States

[privacy@gfuel.com](mailto:privacy@gfuel.com)