

The Climate Corporation

Privacy Policy for Canadian Customers

Last Updated: May 16, 2018

The Climate Corporation and its affiliates (“we,” “us,” or “our”) value the privacy and security of the information that our customers (“customers” or “you”) choose to share with us through their purchase, enrollment or use of our products and services (collectively, the “Climate Corporation Service Platform”).

Please read this Privacy Policy carefully before you use the Climate Corporation Service Platform so that you will understand our practices and your options before you choose to share your information. Your use of the Climate Corporation Service Platform means that you agree to our collection, use, and disclosure of the information you share with us, as explained in this Privacy Policy.

Your Ownership of Your Information

We presume you own or have the right to disclose the information and data that you provide to us when you purchase, set up an account for, or use any Climate Corporation Service Platform product or service, including, for example, the data generated from the farming equipment you own or lease as well as your personal information (collectively, “Your Information”). Your Information does not include business contact information when used for business contact purposes. We do not claim any ownership interest in Your Information. That means that as between you and us, Your Information remains yours even after you provide it to us. By providing Your Information, you represent and warrant that you have the right to share it with us and to allow us to collect, use, and disclose it as explained in this Privacy Policy.

Your Information

Information We May Collect from You

As a Climate Corporation Service Platform customer, we may collect from you the following information for the purposes described in this Privacy Policy:

- Name, address and telephone number
- Email address
- Field location
- Browser and device information
- Demographic information
- Information about your farming operations
- Online information as described below

You may also provide to us your credit card number, debit card number, or bank account information, depending on how you choose to pay for the Climate Corporation Service Platform products and services.

How We May Use and Share Your Information

We may use Your Information for the purposes described in this Privacy Policy, including:

- to deliver, administer, develop and improve the Climate Corporation Service Platform products and services;

- to comply with your requests (for example, if you prefer to be contacted at a business or residential telephone number and advise us of your preference, we will use this information to contact you at that number);
- to protect our rights and property;
- to communicate with you about Climate Corporation Service Platform products and services, subject to your right to opt out at any time;
- to present you with communications, content or offers that may be of interest to you, subject to your right to opt out at any time;
- as permitted or required by applicable law or regulatory requirements;
- to comply with valid legal processes such as search warrants, subpoenas or court orders;
- during emergency situations or where necessary to protect the safety of a person or group of persons; and
- for any other purposes to which you have consented.

Other than for these permitted uses, we will not share Your Information:

- with any governmental entities, unless compelled or legally required, in our judgment, to do so; or
- with others without your consent, except with our Service Providers (as defined below) or as may be disclosed or transferred to another party during the course of, or completion of, a change in our ownership or the grant of a security interest in, all or a part of our business through, for example, an asset or share sale, or some other form of business combination, merger or joint venture, provided that such party is bound by appropriate agreements or obligations and required to use or disclose Your Information in a manner consistent with the use and disclosure provisions of this Privacy Policy.

For the avoidance of doubt, we may share your personal information from time to time with our Service Providers so that we may operate our business.

"**Service Providers**" are the companies and consultants that we work with to support our Climate Corporation Service Platform operations, who agree not to use or disclose Your Information other than to provide services for us or as required by law. Examples include companies and consultants that provide website hosting, software development, payment processing, order fulfillment, information technology and related infrastructure support, customer service, email delivery, credit card processing, legal and financial advice, and auditing.

Aggregated Information

"**Aggregated Information**" is a combination and analysis of information from multiple sources that helps identify or creates trends, benchmarks, summary metrics, or predictive algorithms, provided that we take reasonable steps to prevent a specific individual or the individual's data from being identified. We may create Aggregated Information from information that other customers choose to share with us, along with Your Information.

We may use Aggregated Information:

- to deliver, administer, develop and improve our products and services;
- to enable general marketing and advertising statements about our products and services; and
- for any other purposes to which you have consented.

Other Information Use and Disclosure Rights and Commitments

We further commit that:

- we will not use Your Information or Aggregated Information for seed pricing;

- we will not use Your Information or Aggregated Information to make speculative commodities trades; and
- we will not sell Your Information to third parties.

Subject to applicable laws, we may also use or share Your Information or Aggregated Information as we believe to be necessary or appropriate:

- to comply with applicable laws or legal process;
- to prevent fraud or to protect our property and operations; and
- to protect our legal rights, such as pursuing available remedies or limiting the damages we may sustain.

Marketing and Advertising

How we may use Your Information for marketing and advertising

We will not use Your Information to promote or advertise any third party's products or services without your consent. If you provide consent, then you may opt out at any time.

We may use Your Information to communicate with you about our products and services, subject to your right to opt out as explained below and all applicable laws.

Opting out of marketing communications

You may opt out from receiving Climate Corporation Service Platform paper marketing communications by contacting our Customer Support center at support@climate.com or 1(888)924-7475. You may opt out from receiving Climate Corporation Service Platform marketing emails by following the instructions in the email you receive. Please note that we may still send you important administrative messages related to your use of Climate Corporation Service Platform products or services.

Choices and Access

Ability to withdraw consent and delete Your Information

Subject to this Privacy Policy, we intend to give you the ability to withdraw your consent to our collection, use and disclosure of Your Information and to ask us to delete any of Your Information and accounts for Climate Corporation Service Platform products and services at any point. Our intention is that once you make the request and we have acted on it, Your Information will no longer be available to us as described in this Privacy Policy. Unless you request that your account be closed or Your Information be deleted, we will only retain Your Information for as long as necessary to fulfill the purposes for which it was initially collected, unless otherwise addressed or allowed by law. Any of Your Information may be subject to statutory retention requirements, which may require us to retain Your Information.

There are some limitations on your ability to withdraw your consent and have Your Information deleted. Specifically, you will not be able to do so where Your Information:

- has been incorporated into Aggregated Information; or
- is being used to support your use of Climate Corporation Service Platform products or services at the time of your request.

In addition, we may retain, use and disclose certain information if retaining, using and disclosing it is, in our reasonable judgment, necessary or appropriate: (i) to comply with applicable laws or legal process or (ii) to protect our legal rights, such as pursuing available remedies or limiting the damages we may sustain. Also, please note that if

we have information available to us from sources other than your submissions through the Climate Corporation Service Platform, the fact that you request deletion of information you submitted may not mean that all matching information from other sources will also be deleted.

If you would like to withdraw your consent and ask us to delete Your Information (aside from the deletion exceptions above), you may contact us by email at delete-request@climate.com. In your request, please make clear what information you would like to withdraw your consent for and have deleted. For your protection, we may only implement requests with respect to the information associated with the particular email address that you use to send us your request, and we may choose to take other steps to verify your identity before implementing your request. We will try to comply with your request as soon as reasonably practicable.

Subject to your request to withdraw your consent and delete Your Information in accordance with the above, we will retain Your Information as long as your Climate Corporation Service Platform account remains active. After any such request or deactivation, we will endeavor to destroy, erase and/or render anonymous Your Information within a reasonable amount of time, subject to: (i) any applicable laws; (ii) any limitations mentioned above; and (iii) any consents or permissions that you may have given to us.

Ability to Easily Share Your Information

We want our customers to have control over their data and freedom to move their data to any company they trust. We will continue to work hard to make this possible through an open authorization model.

In addition, we make it possible for you to share certain of your specific account information directly with other customers and users. This will only be possible if you explicitly authorize us to do so and authenticate your identity. You may withdraw this authorization at any time.

Ability to Request and Correct Your Information

You can always access and rectify Your Information (i) through your Climate Service Platform account, (ii) by calling our Customer Support center at 1(888)924-7475, or (iii) by emailing us at support@climate.com. If you have questions about Your Information, please contact us and we will try to respond within 30 days. If you believe any of Your Information is incorrect, we will investigate and, if appropriate, correct the information. In some circumstances we may not agree with your request and will instead append an alternative text to the record in question.

When requesting access to Your Information, please note that we may take certain steps to enable us to confirm your identity before granting you such access. We may charge you a fee to access Your Information; however, we will advise you of any fee in advance. If you require assistance in preparing your request, please contact the office of our Privacy Officer.

Your right to access Your Information is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of Your Information that we hold about you. In addition, Your Information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices. In the event that we cannot provide you with access to Your Information, we will endeavor to inform you of the reasons why, subject to any legal or regulatory restrictions.

Data Security

We use reasonable organizational, technical and administrative measures to protect Your Information in accordance with applicable industry standards. If you have reason to believe that Your Information is no longer secure, please immediately notify us in accordance with the "Contacting Us" section below.

To protect your privacy and security, we take certain steps designed to verify your identity before granting customer account access. You are responsible for maintaining the secrecy of your unique password and account information at all times and for any transactions performed from that account.

Independent Assessments of Our Privacy Policy Compliance

We mean what we say in this Privacy Policy. Accordingly, we will engage regular independent third party assessments of Climate Corporation Service Platform systems and procedures to confirm adherence to this Privacy Policy, and we will make the resulting reports available upon request.

Use of Online Services by Minors

The Climate Corporation Service Platform and related Online Services (as defined below) are not directed to individuals under the age of eighteen (18), and we request that these individuals not provide us with any of their information or use our Online Services.

Cross-Border Transfer and International Users

The Online Services (as defined below) are controlled and operated by us from the United States of America. Currently, we use both internal and external sources from time to time in the United States of America, Canada or other jurisdictions, for the purposes described in this Privacy Policy so that we may operate our business, and as a result, Your Information may be collected, used, processed, stored or disclosed in, the United States of America, Canada or other jurisdictions and therefore may be accessible to the law enforcement and national security authorities of those jurisdictions.

By using the Online Services, you consent to the transfer of Your Information to the United States of America, Canada or other jurisdictions, and acknowledge that such jurisdictions may have different data protection rules than those of your country, for the purposes described in this Privacy Policy, including in the section titled "How We May Use and Share Your Information."

Online Information

We may collect Your Information through your use of online Climate Corporation Service Platform services, websites, and applications ("**Online Services**"), including as follows:

- **Through your browser or device:** When you use any Online Service, certain information is collected by most browsers or automatically through your device, such as your Media Access Control (MAC) address, computer type (Windows or Macintosh), screen resolution, operating system name and version, device manufacturer and model, language, Internet browser type and version and the name and version of the Online Services you are using. We use this information to ensure that the Online Services function properly.
- **Through your use of mobile applications:** When you download and use any Climate Corporation Service Platform mobile application (each, an "**App**"), we and our Service Providers may track and collect App usage data, such as the date and time the App on your device accesses our servers and what information and files have been downloaded to the App based on your device number. We and our Service Providers use the App information for security purposes, display information more effectively, and to personalize your experience while using the Apps. We also gather statistical information about the usage of the Apps in order to continually improve their functionality, understand how they are used and resolve questions regarding them.
- **Using cookies and similar technologies:** Cookies are pieces of information stored directly on the computer

you are using. Cookies allow us to collect information such as browser type, time spent on using our, pages visited, language preferences, and other anonymous traffic data. We and our Service Providers use the information for security purposes, to facilitate navigation, display information more effectively, and to personalize your experience while using the Online Services. We also gather statistical information about the usage of the Online Services in order to continually improve their functionality, understand how they are used and resolve questions regarding them. If you do not want information collected through the use of cookies, there is a simple procedure in most browsers that allows you to automatically decline cookies or be given the choice of declining or accepting the transfer to your computer of a particular cookie (or cookies) from a particular site. You may also wish to refer to <http://www.allaboutcookies.org/manage-cookies/>. If, however, you do not accept cookies, you may experience some inconvenience in your use of the Online Services. For example, we may not be able to recognize your computer and you may need to log in every time you visit the applicable Online Services.

- **Using pixel tags and other similar technologies:** Pixel tags (also known as web beacons and clear GIFs) may be used in connection with some Online Services to, among other things, track the actions of users of the Online Services (including email recipients), measure the success of our marketing campaigns and compile statistics about usage of the Online Services and response rates.
- **IP Address:** Your IP Address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider (ISP). An IP Address may be identified and logged automatically in our server log files whenever a user accesses the Online Services, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice and is done automatically by many websites, applications and other services. We use IP Addresses for purposes such as calculating usage levels of the Online Services, helping diagnose server problems, and administering the Online Services.
- **Physical Location:** We may collect the physical location of your device by, for example, using GPS, cell phone tower or WiFi signals. We may use your device's physical location to provide you with personalized location-based services and content. In some instances, you may be permitted to allow or deny such uses and/or sharing of your device's location, but if you choose to deny such uses and/or sharing, we may not be able to provide you with the applicable personalized services and content.

Third Party Services and User-Generated Content

This Privacy Policy neither addresses any third party's: (i) collection, use, and disclosure of Your Information (including personal information); nor (ii) security policies or data protection practices (collectively, "**Third Party Practices**").

Such third parties include, without limitation:

- any third party operating any site or service to which any Online Service links;
- any other app developer, app provider, social media platform provider, operating system provider, wireless service provider, or device manufacturer, including, for example, Facebook, Apple, Google, or Microsoft; and
- any channel partner or other user to whom you provide Your Information or to whom you give access to certain of Your Information and other information in your Climate Corporation Service Platform account. That may include, for example, the dealers and sales representatives who participate in your purchase or use of Climate Corporation Service Platform products or services. We allow you to view who has that access and revoke access upon request.

Except as provided by law, we are not responsible for any Third Party Practices.

Moreover, we are not responsible for the information, including personal information, that you submit in any user-

generated content services that we may offer, such as posting a question, answer, or blog on any public facing portion of the Climate Corporation Service Platform. Any personal information you submit through such services can be read, collected, or used by other users and could be used to send you unsolicited messages.

The inclusion of a link on an Online Services does not imply endorsement by us of the linked site, product or service.

Updates to this Privacy Policy

We may change this Privacy Policy at any time and from time to time. The "Last Updated" legend at the top of this page indicates when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when we post or distribute the revised Privacy Policy. Your use of the Climate Corporation Service Platform following these changes means that you accept the revised Privacy Policy.

Contacting Us

If you have any questions, comments or complaints about this Privacy Policy, please contact our Privacy Officer at legal@climate.com or:

Legal Department
The Climate Corporation
201 Third Street, Suite 1100
San Francisco, CA 94103
USA
Attn: Chief Legal Officer
E-mail: legal@climate.com
Phone: +1-415-363-0500

Because email communications are not always secure, please do not include credit card information or other sensitive information in your emails to us.

Should you have any complaint related to this Privacy Policy and/or our privacy practices, you may also contact the federal Office of the Privacy Commissioner of Canada (except if you are a resident of British Columbia, Alberta, or Quebec):

Office of the Privacy Commissioner of Canada
30 Victoria Street
Gatineau, Québec
K1A 1H3
Canada
Inquiries: 1-800-282-1376 (toll-free)
www.priv.gc.ca

If you are a resident of British Columbia, Alberta, or Québec, you may communicate with the office of your respective provincial privacy commissioner.