

## Privacy Policy

*Last updated: October 4, 2024*

This Privacy Policy (this “**Policy**”) is between AgLAB, Inc. a Delaware corporation, 1<sup>st</sup> Detect Corporation, a Delaware corporation, and BreathTech Corporation, a Delaware corporation (collectively “**we**”, “**us**”, or “**our**”) and you (“**you**” and “**your**”). We take the privacy of your information seriously, and this Policy governs our usage and disclosure of information collected from you when you visit and use our websites and services (the “**Services**”). By using the Services, you consent to the data practices described in this Policy. If you do not agree with the terms of this Policy, you must immediately cease use of the Services. This Policy may change from time to time. Your continued use of the Services after we make changes is deemed to be acceptance of those changes, so please check the Policy periodically for updates.

### **INFORMATION WE COLLECT ABOUT YOU AND HOW WE COLLECT IT**

We may collect several types of information from and about users of our Services, including:

- Identifiers (e.g., a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers)
- Information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, address, telephone number, bank account number, credit card number, debit card number, or any other financial information.
- Commercial information (e.g., products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies)
- Internet or other electronic network activity information (e.g., browsing history, search history, and information regarding a consumer’s interaction with the Services, or advertisement)
- Geolocation data
- Inferences drawn from any of the information identified above to create a profile about a consumer reflecting the consumer’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes

This personal information is required to provide products and services to you. If you do not provide personal information we ask for, it may delay or prevent us from providing our products and services to you.

### **HOW YOUR PERSONAL INFORMATION IS COLLECTED.**

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the Services. Information collected automatically may include usage details, IP addresses, and information collected through cookies and other tracking technologies.

The information we collect on or through our Services may include:

- Information that you provide by filling in forms on our websites. This may include information provided at the time of registering to use our Services or information we request from you from time to time.
- Records and copies of your correspondence (including email addresses), if you contact us.
- Your responses to surveys that we might ask you to complete.

### **INFORMATION WE COLLECT THROUGH AUTOMATIC DATA COLLECTION TECHNOLOGIES.**

As you navigate through and interact with our Services, we may use automatic data collection

technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our websites, including traffic data, location data, logs, and other communication data and the resources that you access and use on such website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically is statistical data and does not include personal information. It helps us to improve our Services and to deliver a better service.

The technologies we use for this automatic data collection may include cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Services. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Services.

**HOW AND WHY WE USE YOUR PERSONAL INFORMATION**

We only use your personal information if we have a specific and proper reason for doing so. For example, we might use your personal information in order to comply with our legal and regulatory obligations, to provide products and services to you, to comply with your requests related to our products and services, where you have given your consent, or for our legitimate interest or those of a third party (e.g., a business or commercial reason to use your information that is not overridden by your own rights and interests).

The table below provides examples of how we use (process) your personal information and our reasons for doing so:

How we may use your personal information	Our reasons
To provide products and services to you	For the performance of our agreement with you or to respond to your request for products and services
To prevent and detect fraud against you or us	For our legitimate interests or those of a third party, i.e. to minimize fraud that could be damaging for us and for you
Processing necessary to comply with professional, legal and regulatory obligations that apply to our business	To comply with our legal and regulatory obligations
Ensuring business policies are adhered to, e.g. policies covering security and internet use	For our legitimate interests or those of a third party, i.e. to make sure we are following our own internal procedures so we can deliver the best service to you
Operational reasons, such as improving efficiency, training and quality control	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price

Ensuring the confidentiality of commercially sensitive information	For our legitimate interests or those of a third party, i.e. to protect trade secrets and other commercially valuable information; and to comply with our legal and regulatory obligations
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures	For our legitimate interests or those of a third party, i.e. to be as efficient as we can so we can deliver the best service for you at the best price
Updating and enhancing customer records	To comply with our legal and regulatory obligations; and for our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products
Marketing our services to: <ul style="list-style-type: none"> <li>— existing and former customers;</li> <li>— third parties who have previously expressed an interest in our services;</li> <li>— third parties with whom we have had no previous dealings.</li> </ul>	For our legitimate interests or those of a third party, i.e. to promote our business to existing and former customers

## DISCLOSURE OF YOUR INFORMATION

We do not and will not sell any of your personal data to any outside organization. We only disclose your personal data to third parties as reasonably necessary to carry out the permitted uses described in this Policy. For example, we may share personal data with:

- our payment processors, technical and customer support contractors, and other service providers who are required to keep the personal data confidential and are prohibited from using it other than to carry out their services on our behalf;
- our successors in the event of a sale, merger, acquisition, or similar transaction affecting the relevant portion of our business; and
- legal and governmental authorities or other third parties, to the extent required to comply with a legal order or applicable law.

In the preceding 12 months, we have disclosed for a business purpose to one or more third parties the following categories of personal information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a consumer or household:

- Identifiers (e.g., information that identifies, relates to, describes, or is capable of being associated with, an individual, including, but not limited to, his or her name, signature, address, telephone number, or financial information)
- Internet or other electronic network activity information (e.g., browsing history, search history, and information regarding a consumer's interaction with an Internet website, application, or advertisement).

## EUROPEAN ECONOMIC AREA (EEA) RESIDENTS

If you reside in the European Economic Area (EEA) you may have the following additional rights under the GDPR:

- The right to access (i.e., the right to be provided with a copy of your personal information);
- The right to rectification (i.e., the right to require us to correct any mistakes in your personal information);
- The right to be forgotten (i.e., the right to require us to delete your personal information – in certain situations);
- The right to restriction of processing (i.e., the right to require us to restrict processing of your personal information – in certain circumstances, e.g., if you contest the accuracy of the data);
- The right to data portability (i.e., the right to receive the personal information you provided to us, in a structured, commonly used and machine-readable format and/or transmit that data to a third party – in certain situations);
- The right to object (e.g., the right to object to your personal information being used for direct marketing, and in certain other situations, to object to our continued processing of your personal information, e.g., processing carried out for the purpose of our legitimate interests);
- The right to withdraw consent (i.e., where processing is based on your consent, you have the right to withdraw that consent – without affecting the lawfulness of processing based on consent before its withdrawal);
- The right to information regarding consent (i.e., to obtain information about the possibility or providing or denying your consent and the consequences of such consent or denial of consent); and
- The right not to be subject to automated individual decision-making (i.e., the right not to be subjected to a decision based solely on automated processing – including profiling – that produces legal effects concerning you or similarly significantly affects you).

We will not discriminate against you if you choose to exercise any of these rights. You can exercise your rights under the GDPR by contacting us as follows:

Email: sales@aglab.com (*please use “GDPR” in the subject line*)

Mail: AgLAB Inc.  
2105 Donley Drive. Suite 100  
Austin, TX 78758

The GDPR also gives individuals in the EEA the right to lodge a complaint with a supervisory authority, in the European Union (or European Economic Area) state where you work, normally live, or where any alleged infringement of data protection laws occurred.

## **STATE PRIVACY RIGHTS**

You may be entitled the following privacy rights listed below based on various state privacy laws, including if you are a resident of California, Colorado, Connecticut, Florida, Oregon, Texas, Utah, or Virginia:

- **The rights to know/access.** You may have the right to request to access or know (i) the specific pieces of personal information we have about you; (ii) the categories of personal information we have collected about you; (iii) the categories of sources from which that personal information was collected; (iv) the categories of personal information we have sold or disclosed; (v) the categories of third parties to whom your personal information was sole or disclosed; and (vi) the purposes for collecting and selling your personal information. Generally:
  - We collect the categories of personal information detailed in the section titled **“Information We Collect About You And How We Collect It”** above.
  - We disclose the categories of personal information detailed in the section titled **“Disclosure Of Your Information”** above.

- **The right to correction.** You may have the right to request that we correct the personal information that we have collected or maintain about you.
- **The right to data portability.** You may have right to request your personal information in a format that is portable and useable.
- **The right to deletion.** You may have the right to request that we delete the personal information that we have collected or maintain about you. We may deny your request under certain circumstances, such as if we need to comply with our legal obligations or complete a transaction for which your personal information was collected. If we deny your request for deletion, we will let you know the reason why.
- **The right to restrict or opt out of the sale of your personal information.** You may have the right to opt out of the sale of your personal information. We do not sell your personal information. If this changes we will update our privacy policy accordingly.
- **The right to equal service.** If you choose to exercise any of these rights, we will not discriminate against you in any way. If you exercise certain rights, understand that you may be unable to use or access certain features of our services.

We will provide this information free of charge up to two (2) times in any twelve (12) month period within 45 days of receiving your verifiable request (including verification of your identity and your residency), subject to delays and exclusions permitted by law. Specific personal information about you or your account that is categorized as sensitive or confidential may be redacted.

We will honor the above privacy requests subject to the range of exclusions permitted by law. For example, we are not required to delete personal information if it is necessary to complete a transaction or reasonably used for an ongoing business relationship or if it is used internally in a lawful manner that is compatible with the context in which the consumer provided the information.

To exercise the rights described above, please contact us as follows:

Email: [sales@aglab.com](mailto:sales@aglab.com) (*please use "Consumer Privacy" in the subject line*)

Phone: 512-485-9539

Mail: AgLAB Inc.  
2105 Donley Drive, Suite 100  
Austin, TX 78758

We may require verification of your identity before further processing your request. In certain instances, we may be permitted by law to decline some or all of such request.

#### **TREATMENT OF MINORS' INFORMATION**

Our Services are not intended for children and we do not knowingly solicit or collect personal data from children. If we are notified or discover that a child under the age of 13 has submitted personal data to us, we will take reasonable steps to delete the information.

#### **CONTACT INFORMATION**

To ask questions or comment about this Policy and our privacy practices, contact us at:

[sales@aglab.com](mailto:sales@aglab.com)