

Privacy Policy

This Privacy Policy is designed to tell you about the practices of Aqua Finance, Inc. (referred to as “Aqua Finance,” “Us,” or “We”) with respect to the collection, use, and disclosure of information about you that we receive through our website located at www.aquafinance.com and any other of our websites, applications, and network-connected products and services that link to this Privacy Policy (collectively, the “Site”), including your use of our Dealer Portal and/or your use of the Billtrust billing and payment portal made available through the Site. This Privacy Policy only addresses information collected directly through or from the Site – it does not address or govern any information-gathering, use, or dissemination practices related to information collected from a visitor (sometimes referred to as “you” or “your”) other than directly through or from the Site, such as from telephone, facsimile, postal mail, personal delivery, or other or additional offline means or media.

This Privacy Policy is incorporated into Aqua Finance’s Terms and Conditions for the Site by reference, as if set forth fully therein. By using the Site, you expressly consent and agree to the Terms and Conditions and this Privacy Policy.

If you have any questions concerning this Privacy Policy, please email Aqua Finance at SalesandMarketing@aquafinance.com.

1. General Principles

- The Site is intended for U.S. customers.
- The Site is not intended for people under the age of 18. We do not knowingly collect information from people under 18 years of age without parental consent.
- If you have a financial product or service with us, we share information we collect from or about you in accordance with our [Consumer Privacy Notice](#). If there are any conflicts between the terms of this Privacy Policy and the terms of our Consumer Privacy Notice, the terms of the Consumer Privacy Notice will control.

2. What is Personal Information?

If information can be used to identify you as an individual, we treat this information as “Personal Information.” If we combine non-identifiable information with Personal Information, we treat the combined information as Personal Information.

3. Collection of Personal Information

We may collect and process the following Personal Information about you:

- Information that you provide by filling in forms on the Site. For example, if you complete the form to apply to be a new dealer, we may collect personal information such as your first and last name, mailing address, email address, telephone number, and other personal information. Also, if you register for an account on the Site or subscribe to one of our services, you will be asked to voluntarily provide certain personal information.
- Information that you provide when communicating with us through the “Contact Us” feature on the Site, including your name and email address.
- Information that you provide in order to benefit from a particular feature or participate in a particular activity, such as when you sign up to receive emails from us.
- If you submit an application to become a new dealer, we may also request and receive personal information from credit reporting agencies, such as credit scores and history, and other information related to your creditworthiness.

Through your use of the Site, we may also gather certain information about your use of the Site that does not identify you individually, but may identify your computer or device. We refer to such information in this Privacy Policy as “Traffic Data.” We may collect and store such Traffic Data automatically whenever you interact with the Site. For example, we may collect your IP address, the hostname of your computer, browser information and reference site domain name every time you visit the Site. We may also collect information regarding user traffic patterns and site usage. This Traffic Data does not, however, contain anything that can personally identify you. It is used to analyze and improve the Site and to provide our users with a fulfilling Internet experience. Please see the

section below in this Privacy Policy regarding Passive Information Collection for more information about our use of cookies and other technologies that collect Traffic Data.

We may combine your Personal Information with other information we have collected from you, whether on- or offline, including, for example, Traffic Data. We may also combine your Personal Information with information we receive about you from other sources, such as from our affiliates and vendors. We treat the combined information as Personal Information.

4. Use of Personal Information Collected

We use the personal information we collect to provide the Site and our services to you, to evaluate and improve the Site and our services, and to provide you with user support. In addition, we use personal information:

- to respond to your inquiries and fulfill your requests,
- to send you important information regarding our relationship with you or regarding the Site, such as changes to our terms, conditions, and policies and/or other administrative information,
- to create and manage any account for which you register,
- to determine your eligibility for products and services to be offered to you,
- to send you promotional communications about our products and services, or the products and services of our affiliates, that we believe may be of interest to you, to the extent permitted by applicable law,
- for our business purposes, such as data analysis, audits, developing new services, enhancing the Site, improving our services, identifying Site usage trends, and determining the effectiveness of our promotional campaigns,
- as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain,
- for any other purpose specified at the point of collection.

Note that we may use and share information that does not identify you, such as aggregate statistics and demographic information, without restriction, to the extent permitted by applicable law.

5. Disclosure of Personal Information to Third Parties. We may disclose personal information as follows:

- to our third party and affiliated service providers who provide services such as Site hosting, data analysis, IT services, customer service, email and direct mail delivery services, and auditing, in order to enable them to provide such services.
- with our affiliates, if permitted by applicable law.
- to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).
- as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or others; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.
- otherwise, with your consent.

While Aqua Finance may undertake efforts to see that any third party to which Aqua Finance discloses personal information is under an obligation to use the personal information solely for the purposes for which the information

was disclosed, such third parties are independent third parties over which Aqua Finance exercises no control. Aqua Finance is not responsible for, and will not be liable for, the conduct, actions, omissions, or information handling or dissemination practices of third parties.

We will not sell or otherwise give personal information about you to non-affiliated third parties for their marketing purposes.

6. Passive Information Collection, Use, and Choices

As you navigate the Site, certain information may be passively collected, meaning it is gathered without your actively providing it. This is done using the following technologies in the following ways:

- i. **Through your browser:** Certain information is collected by most browsers, such as your Media Access Control (MAC) address, computer type and operating system type and version screen resolution, and Internet browser type and version.
- ii. **Through your device:** If you access the Site through a mobile device or other network-connected product, certain information may be collected about that device, including your device type, network service provider, and other identifiers. We may collect unique device identifiers (such as IDFA and AID tags and UUID and UDID identifiers) associated with the device you use to access the Site.
- iii. **Using cookies:** 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 the Site, pages visited, and language preferences. We and our service providers use this information for security purposes, to facilitate navigation, display information more effectively, and to personalize your experience while using the Site. More specifically, we use cookies to:
 - (i) recognize your computer or device to make your use of the Site easier, such as to remember your locations of interest and other preferences with the Site;
 - (ii) gather statistical information about use of the Site in order to continually improve its design and functionality, understand how individuals use it, and to assist us with resolving questions regarding it; and
 - (iii) select which offers are most likely to appeal to you and display them while you are on the Site.

To learn more about cookies, please visit <http://www.allaboutcookies.org>.

- iv. **Using Monitoring Tools:** The Site may utilize pixel tags, web beacons, clear GIFs, Flash Shared Objects, HTML5 Local Storage, HTML5 Mini Databases, and other similar technologies, both on certain aspects of the Site and in HTML-formatted e-mail messages to you. These monitoring tools are used for the purpose of, among other things, compiling statistics about Platform usage and response rates, and tracking the activities of users of the Site and e-mail recipients.
- v. **IP Address:** Your IP Address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider. An IP Address is identified and logged automatically in our server log files whenever a user visits the Site, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice on the Internet and is done automatically by many online service providers, including website operators. We use IP Addresses for purposes such as calculating Site usage levels, helping diagnose server problems, and administering the Site.
- vi. **Analytic Tools:** We also use tools and third party services to collect information about usage of the Site, including Google Analytics. You can learn more about Google Analytics, and its privacy practices, at the Google Analytics [Help Page](#). Generally speaking, Google Analytics collects information on how often users visit the Site, what aspects of the Site they visit when they do so, and what other websites users visited prior to accessing the Site. The Site makes use of Google Analytics services for demographics and interest reporting. You may prevent your data from being collected and used by Google Analytics by opting out through the use of the [Google Analytics Opt-out Browser Add-on](#).

If you are uncomfortable with the idea of your Personal Information being collected and used in these ways, most computer systems, devices, and web browsers offer privacy settings and options, such as disabling cookies, resetting your IDFA, and turning off location-based services. We do not override these settings or options and encourage you

to use them to enhance your choices and personalize your experiences. However, in order to access certain content, features, services, products, or benefits of the Site, you may be required to provide us with certain information. If you do not wish to provide that information through the Site or if you opt to utilize the aforementioned privacy features, you may be unable to obtain certain content, features, services, products, or benefits of the Site. At this time, the Site does not respond to Do Not Track (DNT) signals.

7. Links to Other Sites. The Site may also contain links to third party websites, for the convenience of users in locating information, products, or services that may be of interest. If you access a third party website from a link on this Site, any information you disclose on that website is not subject to this Privacy Statement. It is possible that these links may be used by third parties or others to collect personal or other information about you. Aqua Finance is not responsible for the privacy practices of such websites, advertisers, or third parties or the content of such websites and it is your sole obligation to review and understand the privacy practices and policies of these other websites.

8. Security Measures. We take reasonable steps to protect information about you in our possession and control from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Nevertheless, you should keep in mind that no Internet transmission is ever completely secure or error-free. In particular, e-mail sent between you and us may not be secure.

9. Update or Correct Your Personal Information. You may access and correct your personal information preferences by writing to Aqua Finance, Inc., P.O. Box 844, Wausau, WI 54402-0844. Please include your name, address, and/or e-mail address when you contact us.

10. Policy Changes. Aqua Finance reserves the right at any time to modify, alter or update this Privacy Policy. Your use of the Site following any changes means that you agree to follow and be bound by the Privacy Policy as changed. Any change to this Privacy Policy shall be effective as to any visitor who has visited the Site before the change was made. It is the obligation of users visiting the Site before the change to learn of changes to the Privacy Policy since their last visit.

11. Privacy of Children. The Site is not intended for individuals under the age of 18. The Site does not knowingly collect personal information online from users in this age group. If we learn that we have collected personal information from a child under age 18, we will delete that information as quickly as possible. If you believe that we might have any information from a child under age 18, please contact us. We strongly recommend that minors ask their parents for permission before sending any information about themselves to anyone over the Internet and we encourage parents to teach their children about safe internet use practices.

12. Questions about our Privacy Policy. If you have questions about the Site or our privacy policy, please feel free to contact us:

By Email at: SalesandMarketing@aquafinance.com

By phone at: 1-800-234-3663 ext. 6094

By mail at: 1 Corporate Drive, Suite 300 Wausau WI 54401

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