

# PRIVACY POLICY

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EvoLux Transportation, LLC (“**EVOLUX**”, “we”, “us” or “our”) provides online services (collectively, the “**Services**”) including our website (“evo-lux.com” or the “**Site**”), and other services intended to facilitate the reservation and booking of aircraft for non-scheduled chartered use. We recognize the importance of your privacy and strive to be straightforward regarding our policies with respect to your personally identifiable information.

This privacy policy (“**Privacy Policy**”) describes how we collect information when you access, make use of, or otherwise interact with our Services, as well as how we may use your information and the choices available to you regarding our use of your personally identifiable information.

This Privacy Policy is to be read in connection with our Terms of Use (“**Terms**”), available at [www.evo-lux.com/terms\\_of\\_use](http://www.evo-lux.com/terms_of_use).

## 1. When You Use Our Services

By accessing or using any of our Services, you agree that your personally identifiable information will be handled as described in this Privacy Policy, and consent to the collection, disclosure, storage, transfer, and use of your information as described herein. Please keep in mind that some features of the Services do not require registration.

**1.1 International Use:** EVOLUX hosts and operates the Services in the United States. Regardless of your country of residence, you authorize the transfer and use of your information in the United States, and any other country in which we operate, and acknowledge that your personally identifiable information will be subject to United States law. If you reside outside the United States, please note that the level of protection available under United States law may be different from the country in which you reside.

**1.2 Children:** The Services are not directed to children under thirteen (13) years of age. EVOLUX does not knowingly collect personally identifiable information from children under thirteen (13) years of age. If you become aware that your child provided EVOLUX with personally identifiable information without your consent, please contact us. If we become aware that a child under thirteen (13) provided us with personally identifiable information, EVOLUX will take reasonable steps to remove such information and terminate the child’s account.

## 2. What Information We Collect

We collect the following information to provide you with the Services as well as to support the best overall experience for all users. The Services collect information you, or other users, provide when using the Services (“**User Provided Information**”), and collects certain information automatically (“**Automatically Collected Information**”).

Information we collect may include both (1) personally identifiable information and (2) non-personally identifiable information. Personally identifiable information can identify or be directly associated with you as a specific person, whereas non-personally identifiable information, by itself, cannot identify you as a specific person.

**2.1 User Provided Information:** We collect information you and other users provide when registering for our Services, sharing information or other content through the Services, and utilizing other features of the Services.

**User Account Information.** When you register by creating a user account (“User Account”), you are required to provide personally identifiable information such as your first and last name; username; email address (which will be used by EVOLUX to communicate with you); date of birth (which we use to verify your age); gender; height; weight (which we use when determining flight information, such as aircraft capacity limits and fuel usage); and credit card information including your credit card account number, credit card expiration date, credit card billing address, and name of the card holder. EVOLUX will not share your credit card account number with any third parties including air carriers that provide you with chartered transportation unless we have your express consent. If you elect to register for a User Account using your Facebook credentials, you will be asked to allow EVOLUX access to basic information such as your first and last name, date of birth, profile picture, gender, networks, user ID, and other public content and information.

In order to benefit fully from our Services, you may also provide additional information on your User Account such as your a profile picture, description, preferred departure and destination locations. The information you provide may personally identify you and we may publicly list some of this information on the Services. For example, your first name, last name, and username may be provided to other members of our Services when you initiate, watch, or join a SkyShare. You can alter and correct your information by logging into your User Account.

**Other Information Shared by Users.** You may provide additional information when you use our Services or choose to share through the Services. This includes profile information such as your description and profile picture, as well as other content and information posted on or shared through the Services such as data, images, comments, location information, and other material (collectively, “**User Content**”).

When you elect to share data from your User Account with others, we collect the information you provide about those individuals such as their name and email address. Others users may provide information about you when they choose to share data with you on or through the Services and we may collect your name, username, or email address.

By default, some User Content posted or shared on the Services is public and this public information is disseminated both broadly and instantaneously. Your profile information and User Content that is publicly shared may be delivered to a wide range of users and Services. Providing this additional information including User Content is optional.

**Other Information We Receive About You.** We receive information through various features of the Services to help you find and reserve aircraft available for chartering as well as to find any SkyShares that you can join and to help you find people you know or that share preferred departure or destination locations. You may choose to upload information from your contacts or to connect your EVOLUX User Account to other services such as Facebook®, LinkedIn® or Twitter®. EVOLUX may match the information you provide with the contact information provided by other users. When you connect your EVOLUX account to other services, you may post your User Content to those services. You may disconnect your EVOLUX User Account from other services at any time.

**2.2 Automatically Collected Information:** When you access or use our Services, you disclose certain information related to your hardware and software that we automatically collect.

**Log Data.** We collect industry standard log data about the browser and operating system you are using, the address of the external or internal page that referred you, your IP address at the time of account creation, and keep a log of the pages that you visit on the Services in association with your IP address. In addition, we may collect your browser type, access times, search terms, device type, device IDs, and application IDs. We may also collect information on how you access and interact with the Services, including administrative Services such as email notifications and third party Services.

We collect this information to generate statistics about use of the Services and use the results to customize as well as improve the overall quality of the Services. In general, we either delete Log Data or remove any personal identifiers such as your name, username, email address, or IP address, within 18 months of collection.

**Cookies.** We use cookies and similar tracking technology to discover how you use our Services, to keep track of your preferences and our promotional efforts, and to improve your overall experience with our Products and Services. A cookie is a string of data that a website stores on your computer when you browse the internet, and that your browser provides to the website when you return. We use cookies. Cookies enable certain features of our Services.

Our third party partners, such as air carriers, vendors or advertising services, may also use cookies or similar tracking technology to tailor advertisements based upon your browsing history on our Services and on other services, sites, and applications that you visit. Cookies may be used to determine whether you have seen a particular advertisement before to avoid sending you duplicate advertisements, and for other lawful business purposes.

If you do not wish to have cookies stored on your computer, you can use the Do Not Track preference in your browser, with the drawback that certain features of our Services may not function properly if cookies are disabled. Please note that the use of cookies and similar tracking technology by third parties is subject to their own privacy policies, not this Privacy Policy, and we have no responsibility or liability in connection therewith.

### **3. Third Party Products or Services**

There are a number of separate products and services offered by third parties and advertised by us on our Site and through the Services that may be complementary to your use of our Services, such as such as ground transportation services, lodging services, or related services. If you choose to use these separate services, disclose information to the providers, or grant the third parties permission to collect information about you, then their use of your information is governed by their privacy policies.

Please note that this Privacy Policy does not govern the collection and use of information by other services or companies that EVOLUX does not control. If you click on a link to a third party site, we encourage you to check the privacy policy for that site and evaluate its privacy practices before deciding to use their services. EVOLUX is not responsible for their privacy practices.

### **4. How We Provide Services**

We provide our Services through the Site in conjunction with third party air carriers. If you enter a transaction to charter an aircraft through our Site, we will store information associated with your transaction. This information will be shared with the air carrier selected to provide you with chartered transportation as well as with any government agencies and administrations to comply with Federal Aviation Administration regulations, Transportation Security Administration regulations, and any other flight related regulations. By using our Services you expressly consent to allow EVOLUX to share personally identifiable information with the air carrier selected to provide you with chartered transportation.

We will also store this information in data storage, databases, and associated services to maintain a record of the transaction and the chartered flight.

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

We use the information we collect to provide, tailor, and improve our Services, to notify and respond to users, and to send you promotional communications.

We use information we collect to provide our Services including to arrange chartered transportation with third party air carriers and other service providers. For example, when you choose to reserve an aircraft for our SkyLimo or SkyShare services we submit your information and the requested flight information to the air carrier for acceptance.

We also use information we collect to provide our Services, including administration of your User Account, to send you push notifications when you are using the Services, and to help you connect with people you may know on the Services or existing SkyShares created by other users. We use information we collect to tailor our Services including to assess your needs and determine suitable content and Services, and to provide content based upon your interests. We also use information we collect to conduct research and analysis related to the Services, and to improve the overall experience of all of our users.

In accordance with our Terms and related policies, we use information we collect to notify you about changes to our Terms or related policies, as well as our Services. We also use information we collect to respond to questions, concerns, and customer service requests.

We may keep track of whether links to third party sites have been followed and whether any action has been taken on the third party site. We use this information to customize content available on the Services and to improve the quality of advertisements that offer third party products and services. We also use information we collect to send you promotional communications. You can opt-out of promotional communications here or through a link provided in the communication.

## **6. How We Use Location Data**

Features of the Services may make use of user-enabled location services and we may collect and use location data provided by your device to provide you with these features. We only collect location data with your permission. You may opt-out of location features within the Site to control the collection and use of your location data. You may opt-out of location services at any time.

If you allow location services, we may collect, use, or store your precise geographic location. In general, most devices will indicate when location services are operating by showing an icon. You always have the ability to control the location services, but enabling location services may be necessary to use some of our Services. You may choose to publish your location in User Content posted on or through the Services or on your profile.

We may also use aggregate, anonymous location data to share and report statistics through the Services. For example, we may use location data to display your location as well the locations of other users of the Services to facilitate user interaction and SkyShares. We may also share location data in aggregate, anonymous form with market research companies or advertisers for targeted advertising.

## **7. How We Share Your Information**

We do not disclose or share your private personally identifiable information except in the limited circumstances described in this Privacy Policy.

**7.1 When We Have Your Consent:** EVOLUX may make information available to others with your express consent. We may make your personally identifiable information available to any third party for which we received your prior consent to do so. In using our Services to charter aircraft, you expressly consent to allow EVOLUX to provide your personally identifiable information to the air carrier selected to provide the chartered aircraft. Unless you expressly consent, EVOLUX will not share your credit card account number with any third parties unless you provide

**7.2 When We Do Not Have Your Consent:** Your consent is not required for disclosure of your information in the following limited circumstances: (1) as required by law; (2) when we have a good faith belief that disclosure is necessary to protect our rights or property, your safety, or the safety of others; or (3) in the case of a merger, acquisition, liquidation, dissolution, or sale of assets, to any successor or purchaser. Although your consent is not required, to the extent permitted by law, we may attempt to notify you of any disclosures of your information.

**Law.** We may disclose your information as required by law, such as to comply with Federal Aviation Administration regulations; Transportation Security Administration regulations; and a subpoena or other legal proceeding, to investigate fraud, or to respond to government requests.

**Harm.** We may also disclose your information when we have a good faith belief that disclosure is necessary to protect our rights or property, your safety, or the safety of others.

**Business Transfer.** If EVOLUX is involved in a merger, acquisition, liquidation, dissolution, or sale of assets, you will be notified via email or a prominent notice on the Services of any change in ownership or use of your information, and any options you have in relation to your information. In these circumstances, we may disclose your information to any successor or purchaser.

**Services providers.** To provide you with the best experience possible, we may share your personally identifiable and non-personally information with service providers for use only on our behalf both in the United States and abroad. We authorize these third parties to use your personally identifiable information only as necessary to provide services related to our business activities. Their use is limited to the purpose stated in our instructions, and subject to confidentiality agreements consistent with this Privacy Policy. For example, analytics companies may access non-personally identifiable information to aid our understanding of how the Services are used. This data may be linked to your device, but is not linked to your identity.

**Public or Anonymous Information.** We may share or disclose your public or anonymous information. Public information includes your public profile information such as your name, username, description, and profile picture, as well as any other information on your profile that you choose to make public. Public information also includes content, such as data from your use of the Services, as well as your interactions with content shared by others on the Site. Anonymous information may be aggregated and shared with others, but this information cannot be used to identify you. For example, we may disclose the number of users who have charted an aircraft, who have initiated or joined a SkyShare, a number of users that selected a given preferred origination or destination location.

## **8. How to Access Your Information**

You can access some of the information that we collect about you. If you are a registered user, you may access or modify your personally identifiable information at any time by signing into your account. You may access or modify your communications preferences by following the instructions included in any communications you receive. In the case of administrative communications concerning the Services, these emails are provided to all registered users and considered to be a part of the Services.

You may modify or delete your information or User Content, subject to limitations, through your User Account. You can also permanently delete your EVOLUX account by contacting us. We remove personally identifiable information and other information associated with your account promptly after you delete your account. In certain circumstances, however, EVOLUX may be unable to remove some of your information and User Content, such as information you post through the Services to other services or otherwise publicly share.

## **9. How We Protect Your Information**

We take reasonable steps to protect and secure your personally identifiable information against unauthorized access or disclosure. We use security software to protect the confidentiality of your personally identifiable information. We cannot guarantee, however, that these security methods will protect your information from hackers or human error. We review our business practices periodically for compliance with policies and procedures governing the security of our information.

To register with the Services, you will be required to select a password to protect your User Account unless you choose to register your account using a third party service, such as Facebook®. You are responsible for maintaining the security of your login ID and password. If you believe that your login ID or password have been compromised you should immediately change your password. We are not responsible if someone else accesses your account through registration information they have obtained from you or through a violation by you of this Privacy Policy or our Terms of Use.

## **10. Compliance with Privacy Laws and Frameworks**

We adhere to and comply with privacy laws and frameworks as described in this Privacy Policy.

**California Residents:** California law provides that California residents have the right to request, in writing, a list of the information, such as name, address, email address, and the type of services provided, that a business disclosed to third parties during the preceding calendar year for the third parties' direct marketing purposes, and the names and addresses of such third parties. You can submit a request via email here or by mail at the following address.

Attn: CA Disclosure Information  
EvoLux Transportation, LLC  
175 Atlantic Street  
Suite 209  
Stamford, CT 06901

### **11. How We Enforce our Privacy Practices**

We regularly review our compliance with this Privacy Policy. We will respond to formal written complaints regarding your privacy and work to resolve privacy disputes with you directly. You can submit a complaint here.

### **12. Privacy Policy Changes**

We may revise this Privacy Policy from time to time. The most current version, which you should periodically review, is always available at [www.evo-lux.com/privacy](http://www.evo-lux.com/privacy). If we make a change to our Privacy Policy that, in our sole discretion, is material, we will notify you via email to the email address registered with your account or, in appropriate circumstances, through the Services (e.g., notification upon accessing the Site or other web-based services).

By continuing to access or use the Services after those changes become effective, you consent to the terms of the revised Privacy Policy. Use of information we collect now is subject to the Privacy Policy in effect at the time such information is used.

### **13. Questions or Comments?**

If you have questions or comments about our Privacy Policy, please email us, or contact us as described on our Site.

Thank you for choosing EVOLUX!