

Last updated 2/1/2024

Hotspot, LLC. is committed to protecting your privacy. This Privacy Policy ("Policy") explains how we collect, use, disclose and protect personal information of our "Couriers" in their capacity as Couriers. It applies to all Personal information collected by us on the Hotspot Driver web pages, www.togohotspot.com (the "Site"), the Courier mobile application, and any other website, mobile application, or communication platform (i.e. email, text message), (collectively, the "Courier Services").

Your access to and use of the Courier Services are subject to our Independent Contractor Agreement ("ICA") Please make sure that you have carefully read and understand the ICA before you use the Courier Services. By using the Courier Services, you accept the ICA, and accept our privacy practices described in this Policy. If you do not feel comfortable with any part of this Policy or our ICA, you must not use or access the Courier Services.

Hotspot provides an online marketplace connection, using technology that connects Couriers, consumers, restaurants and/or other businesses. If you are using Hotspot's online marketplace in your capacity as a consumer accessing or ordering services, please visit the Consumer Privacy Policy for information on how Hotspot collects and uses consumer Personal information.

The Courier Services may change from time to time. As a result, we reserve the right to update or modify this Policy at any time and from time to time without prior notice. If we make any material changes to the way we process your Personal information, we will notify you before such changes are effective. If you object to any changes, you must cease using the Courier Services. We recommend you review this Policy periodically. This Policy became effective on the date indicated at the top of this page. Your continued use of the Courier Services after any changes or revisions to this Policy indicates your agreement to the terms of the revised Policy.

1. Collection of Personal information

When you use the Courier Services, we may collect or receive Personal information about you. The types of Personal information that we may collect about you are:

a. Information You Provide to Us Directly

You may provide your personal information to us when you use the Courier Services, including when you sign up to become a Courier, authorize a background or driving history check, register as a Courier, participate as a Courier, participate in direct deposit, contact us with inquiries or otherwise communicate with us, or otherwise access or use the Courier Services. This information may include:

- Courier Profile – We collect profile information associated with your Courier account. This includes information such as name, email address, phone number, preferred region and city, address, social security number, and other information that may identify you. We may also collect your preferences, such as language preference, and preferences to receive texts instead of telephone calls. We may also collect your year or date of birth to enable us, for example, to assess whether you qualify to be a Courier and to determine if you are eligible to provide deliveries of alcohol.
- Driver and Vehicle Information – We may collect driver and vehicle information, such as your driver's license number, license plate and other vehicle and registration information, and insurance information.
- Financial and Payment Information – We may collect financial information to, for example, facilitate payments to Dashers. This may include bank and bank account information, including

routing and account numbers, and order payment information, including expense reimbursement requests.

b. Information Received From You as Part of Your Communications

When you use the Courier Services, complete electronic forms, communicate with Hotspot customers or contact us, by online chat, email, phone or text, we may automatically collect and store certain information about you and the activity you engaged in, for example: your name and contact information; information that you voluntarily provide to us; the nature of your communication; the purpose of the interaction, and the action we took in response to your inquiry or request.

c. Information Collected Automatically

We also may receive and store certain information about you and your device(s) automatically when you access or use our Site and the Courier Services. This information may include:

- Technical Information – We collect technical information associated with your activity on our Site and may include information related to your browser and operating system, IP address (the Internet address of your computer), unique device identifiers, and other information such as your device type and version of the app that is in use. We use such information for diagnostic and statistical purposes and to administer the Courier Services.
- Site Usage Information – We collect information to better understand traffic patterns and Site usage. This may include the webpage that you were visiting before accessing our Site or mobile application, the pages or features of our Site or mobile application you browsed to inform us which part of our Site, app and Courier Services you visit and how much time you spend there. This information is used to analyze and improve our Site and to provide our users with a better user experience.
- Site Preferences – We collect information about your preferences to make your use of the Site more productive through the use of cookies.

d. Location Information

To participate as a Courier, you permit the Courier Services to access location services through the permission system used by your mobile operating system (“Platform”) or browser. We may collect the precise location of your device when the Hotspot app is running in the foreground or background of your device. We may also derive your approximate location from your IP address. We use your location information to verify that you are present in your preferred region or city when you begin or engage in a delivery through the Hotspot Services connect you with delivery opportunities in your zone, and track the progress and completion of your deliveries. You can enable the location tracking feature through the settings on your device or Platform or when prompted by the Hotspot mobile app. If you choose to disable the location feature through the settings on your device or Platform, Hotspot will not receive precise location information from your device, which will prevent you from being able to deliver and receiving delivery opportunities in your area.

e. Information Related to Deliveries

When you participate as a Courier through the Courier Services, we may also receive and store information related to your Courier and deliveries, including:

- Date and time of the sign-up and log-in;
- Delivery acceptances and declinations and your acceptance rate and cancellation rate;
- The number of deliveries you make;
- The date and time of delivery acceptances, declinations, cancellations, pick-ups and completions;
- The amount of time to complete a delivery;
- Delivery route information;
- Payment amounts associated with each delivery;
- Customer ratings and other feedback;
- Attribution and where the user arrived from;
- Where you did the orientation and where you've delivered (date time place of orientation); and
- Your location (see Location Information section, above).

f. Personal information from Publicly-Available Sources and Third Parties

We may collect or receive Personal information about you from publicly-available sources, marketing partners, and/or third parties. This may include demographic information such as income and spending habits. We may also, for example, receive information about you from the restaurants and/or other businesses utilizing the Hotspot marketplace ("Merchants") regarding your deliveries through the Courier Services.

Hotspot may also offer a Courier Referral Program where Hotspot allows Couriers to invite friends and family to sign up for the Courier Services and become a Courier. We may offer referral bonuses, as set forth in any referral terms governing the Courier Referral Program. To help you do this, we may request that you grant us access to your mobile device address book. You can then direct us to send referral emails or other communications to contacts you select in your address book. By sending a referral, you also consent to Hotspot sending your public profile image to the contacts you select to receive a referral link. By choosing to invite a friend, you represent that you have received the friend's consent to provide his or her name and email address with us. Hotspot will use that information to send an email inviting him or her to visit the site and will store that information to track the success of the referral program and may send marketing emails. You can also send an SMS with a referral link to your contacts.

Couriers may not send, publish, or share any false, misleading, or deceptive communications in connection with participation in the Referral Program. Such actions may violate various federal, state, and/or international laws, including, but not limited to, the regulations and policies promulgated by the Federal Trade Commission. Hotspot users may not send any referral emails, SMS messages, or other communications to children under the age of 18.

If you are referred to Hotspot through one of our referral programs, or if someone attempts to refer you, we may share your name, whether you have already signed up as a Courier, whether you are a new Courier, and whether you have completed the required number of deliveries in the required amount of time to qualify for a referral bonus.

2. Use of Cookies and Other Tracking Technologies

We use cookies, web beacons, pixels, replay session, and similar technologies to collect information and personalize your experience with the Courier Services.

a. Cookies

Cookies are small web files that a site or its provider transfers to your device's hard drive through your web browser that enables the site's or provider's system to recognize your browser and remember certain information.

We may use first-party and third-party cookies for the following purposes: (1) to make the Courier Services function properly; (2) to improve the Courier Services; (3) to recognize you when you return to Hotspot and to remember information you have already provided, such as your preferences; (4) to collect information about your activities over time and across third party websites or other online services in order to deliver content and advertising tailored to your interests; and (5) to provide a secure browsing experience during your use of the Courier Services.

You may disable the use of cookies by modifying your browser settings. If you choose to disable cookies you may not be able to fully experience the interactive features of the Courier Services. For more information on cookies and how to disable cookies visit www.ftc.gov/ftc/cookies.shtm or https://www.usa.gov/optout_instructions.shtml.

b. Web Beacons

Web beacons, also known as web bugs, pixel tags or clear GIFs, are tiny graphics with a unique identifier that may be included on our Site to deliver or communicate with cookies, in order to track and measure the performance of our Site and services, monitor how many web visitors we have, and to monitor the effectiveness of our advertising. Unlike cookies, which are stored on the user's hard drive, web beacons are typically embedded invisibly on webpages (or in an email).

c. Replay Session

We may collect information on your use of our Site or the Courier Services, such as pages visited, links clicked, non-sensitive text entered, and mouse and scrolling movements. The information collected may include a recreation of your session interactions on our site. We take measures to utilize replay session technology to exclude and block sensitive user information.

d. Online Analytics and Advertising Technologies

We and our third-party vendors may use automated technologies (including cookie identifiers on our Site), along with other collected information, to tailor ads or deliver content when you are on the Courier Services or on other devices, apps or websites.

e. Interest-Based Advertising

We (or our service providers) may use the information we collect, for instance, IP addresses and unique mobile device identifiers, to locate or try to locate the same unique users across multiple browsers or devices (such as smartphones, tablets, or computers), or work with providers that do this, in order to better tailor content and features and provide you with a seamless experience across devices. If you wish to opt out of cross device tracking for purposes of interest-based advertising, you may do so through your device settings. We may also use cross-device targeting to help identify our users and serve advertising. This type of advertising is often called "interest-based" or "personalized" advertising—and when it occurs on mobile apps, "cross-app" advertising.

You can learn more about interest-based advertising and how to opt-out of receiving tailored advertising by visiting (i) the Network Advertising Initiative's Consumer [Opt-Out link](#) or (ii) the Digital Advertising Alliance's Consumer [Opt-Out link](#). To opt out of Google Analytics for display advertising or customize Google display network ads, you can visit the [Google Ads Settings page](#).

Please note that even if you opt-out, you may still receive advertisements from us. However, in that case, the advertising will not be tailored to your interests. Also, we do not control any of the above opt-out links or whether any particular company chooses to participate in these opt-out programs.

f. Mobile Applications

Depending on your permissions, we may receive your personal information from your Internet service and mobile device providers. Users of mobile devices who do not want to receive interest-based advertising may opt-out in several ways. Learn more about your choices for mobile devices by visiting <http://www.aboutads.info/appchoices>. Each operating system, (iOS for Apple phones, Android for Android devices, and Windows for Microsoft devices) provides its own instructions on how to prevent the delivery of tailored in-application advertisements. You should view your device or system “Settings” to determine how you can opt out of use of your device ID for “cross-app” personalized advertising.

3. Uses of Your Personal information

We may use the information we collect or receive about you for various purposes.

a. To Receive, Process, and Create Your Courier Account

We may process your information when you sign up to be a Courier, including background and driving history checks. As part of the process, we may assess whether you qualify to be a Courier and allow you to create a Courier account.

b. To Provide You With the Courier Services

We may use your information to provide you the Courier Services. For example, we use information to:

- set up your direct deposit and issue payments to you;
- allow you to connect to delivery requests;
- facilitate the completion of deliveries;
- calculate payments owed;
- verify whether you are present in the city or region in which you intend to deliver;
- assess whether you have met requirements for promotional or incentive pay programs;
- assess supply, demand, and other factors associated with aggregate business progress;
- assess activity and acceptance rates, customer ratings, and other factors associated with Couriers’ impact on the Hotspot platform; and
- link your Courier account to your Hotspot account, if you already have a Hotspot account or if you create one in the future.

c. To Maintain, Improve, and Personalize the Courier Services

We may use your information for our everyday business operations such as auditing, administration of the Courier Services, forum management, fulfillment, and analytics. For example, we may use your information to better understand Couriers’ demographics, interests and behaviors, and we may enhance other information we have about you to help us better understand you and determine your interests. We may also use your information to calculate the total number of visitors to the Courier Services and to each page or feature of the Courier Services. Your information may also be used to improve the content and/or functionality of the Courier Services. For example, it may be used to help us and/or our

Merchants improve our offerings. We also use your information to personalize your experience. For example, we may personalize the content and features you see when visiting the Courier Services. In addition, we may personalize advertisements, marketing communications, and recommendations to make them more tailored to your interests.

d. To Communicate with You

We may use your information to communicate with you. For example, we may send you text messages or other notifications about Courier and other available deliveries. We may also contact you with promotional offerings or other communications that may be of interest to you. If we send you marketing emails about services that may interest you, each email will contain instructions permitting you to “opt-out” of receiving future marketing or other communications.

In the event you contact us, we use certain information to respond to your questions and assist you with any issues that may arise in your use of the Courier Services. Any communication or material you transmit to us via e-mail or otherwise, including any data, questions, comments, suggestions or the like, but not including your personal information and any requests, comments or concerns regarding your personal information, will be treated as non-confidential and non-proprietary.

If you send text messages to a Hotspot customer, using the telephone number for that customer available on the Courier Services, we may use a third-party service provider to track these text messages. We track these text messages for fraud prevention, to ensure appropriate charging of fees, to enforce our Terms and Conditions, and for quality and training purposes. As part of this process, Hotspot and its service provider will receive in real time and store data about your text message, including the date and time of the text message, your phone number, and the content of the text message.

e. For Account and Network Security Purposes

We care about keeping you secure and safe while using the Courier Services. Keeping you safe requires us to process your Personal information, such as your device information, activity information and other relevant information. We use such information to combat spam, malware, malicious activities or security risks; improve and enforce our security measures; and to monitor and verify your identity to prevent unauthorized users from gaining access to your information.

f. To Maintain Legal and Regulatory Compliance

The Courier Services are subject to certain laws and regulations which may require us to process your Personal information. For example, we may process your Personal information to provide you with tax documents, to fulfill our business obligations, or as necessary to manage risk as required under applicable law.

g. To Enforce Compliance with our Independent Contractor Agreement and Policies

When you access or use the Courier Services, you are bound to our Independent Contractor Agreement and this Policy. To ensure you comply with them, we process your Personal information by actively monitoring, investigating, preventing, and mitigating any alleged or actual prohibited, illicit or illegal activities on the Courier Services. We also process your Personal information to: investigate, prevent or mitigate violations of our internal terms, agreements or policies; enforce our agreements with third parties and business partners.

h. To Protect You, Others, and Our Business

We use your information to protect you, others, and our business, including, without limitation, using information for fraud prevention, for enforcement of our Independent Contractor Agreement to comply with the law, and to protect against security risks.

i. For Our Business Purposes

We may use your information for any other purpose disclosed to you at the time we collect or receive the information, or otherwise with your consent or at your direction.

j. Aggregated and De-Identified Information

We may aggregate and/or de-identify information collected through the Courier Services. We may use de-identified or aggregated data for any purpose, including without limitation for research and marketing purposes and may also share such data with any third parties, including without limitation, advertisers, promotional partners, sponsors, event promoters, and/or others.

4. Sharing of Personal information with Third Parties

Your Personal information is not shared with third parties without your permission, except as described herein.

a. Related Entities

We may share your information with our affiliates (entities that control or are under the control of Hotspot) for business purposes. We will require these entities to comply with the terms of this Policy with regard to their use of your information.

b. Service Providers

We may share your information with our third-party service providers for certain business purposes. This information is provided in order for them to provide us services such as payment processing, advertising services, marketing partners, background and driver history check services, web analytics, data processing, IT services, Courier support and other services.

c. Customers and Merchants

To facilitate deliveries, we may share your information, including your contact information, vehicle information, location information, ratings, and other information with customers and our Merchants.

d. When Required by Law

We recognize that information related to your activities as a Courier could contain private information. However, we may be required to disclose your information to third parties including law enforcement agencies when required to protect and defend our legal rights, protect the safety and security of Hotspot users, prevent fraud, comply with the law, respond to legal process, or a request for cooperation by a government entity.

e. Corporate Transactions

In the event of an actual or contemplated sale, transfer, merger, reorganization, dissolution, or similar event we may transfer your information to one or more third parties as part of that transaction.

f. With Your Consent

We also may share or disclose your information with your consent or at your direction.

5. Security

Hotspot has implemented administrative, technical, and physical security controls that are designed to safeguard Personal information. However, no online activity is ever fully secure or error-free. While we strive to protect your information, we cannot guarantee that your Personal information is absolutely secure. Please keep this in mind when disclosing any information to Hotspot.

Please recognize that protecting your Personal information is also your responsibility. We urge you to take every precaution to protect your information when you are on the Internet, or when you communicate with us and with others through the Internet. Change your passwords often, use a combination of letters and numbers, and make sure you use a secure browser. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of your account might have been compromised), or if you suspect someone else is using your account, please let us know immediately by contacting us as indicated in the Contact Us section below.

6. Data Retention

We will retain your personal information for as long as your account is active or as needed to provide you services and to maintain a record of your transactions for financial reporting purposes. We will also retain and use your personal information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. We may retain aggregate or anonymized data indefinitely.

7. Third-Party Sites

Some of the functionality may be provided by third parties and the Courier Services may link to other third-party websites that are not controlled by Hotspot. For example, we use services like Stripe or Zelle for payment processing. These third parties are not under our control and Hotspot is not responsible for their privacy policies or practices. If you provide any personal information to any third party or through any such third-party website, we recommend that you familiarize yourself with the privacy policies and practices of that third party.

8. Social Media Usage

The Courier Services may enable you to access social networking services such as Facebook, X, or Instagram, among others (collectively, "Social Network") directly or indirectly through the Courier Services. You may also have the option of posting content to a Social Network when you access content through the Courier Services. For example, you may refer a friend to become a Courier via X or Facebook links through the Courier Services. Keep in mind that your activity on a Social Network is governed by that Social Network and not by Hotspot, and may be visible or accessible to the public. We may also provide the ability to enable or log in to the Hotspot app via a Social Network, as described in more detail in our Hotspot Privacy Policy. Your Courier account and information collected through the Courier Services may, at times, be linked to your Hotspot customer accounts and any affiliated Social Networks you have enabled via Hotspot.

9. Children's Information

The Courier Services are not intended for children under 18 years of age and we do not knowingly collect personal information from children under the age of 13 through the Courier Services. If you are a parent or guardian of a child under the age of 13 and believe he or she has disclosed personally identifiable information to us, please contact us at info@togohotspot.com. A parent or guardian of a child under age 13 may review and request deletion of the child's personal information.

10. Accessing and Correcting Your Personal information, and Your Choices

Keeping your personal information current helps ensure that we provide you with the most relevant services. You can access and update your personal information via your account profile. While we are ready to assist you in managing your registrations, deactivating your account, and removing your active profile and data, we cannot always delete records of past interactions and transactions. For example, we are required to retain records relating to payments issued to you for financial reporting and compliance reasons. In addition, because of the way we maintain certain services, after you delete certain information, we may temporarily retain backup copies of such information before it is permanently deleted.

If you are a registered Courier you may access and modify your personal information by logging into the Courier site using your username and password and visiting the "Account" page. You may disable our ability to use cookies by using the cookie controls in your web browser (see "Use of Cookies and Other Tracking Technologies" section above) or you can deactivate your account by contacting us via email at support@togohotspot.com.

If we send you marketing emails about services that may interest you, each email will contain instructions permitting you to "opt-out" of receiving future marketing or other communications.

You may also contact us at support@togohotspot.com to access, modify or request deletion of your personal information.

11. Your California Privacy Rights

Pursuant to Section 1798.83 of the California Civil Code, residents of California can obtain certain information about the types of personal information that companies with whom they have an established business relationship have shared with third parties for their direct marketing purposes during the preceding calendar year. In particular, the law provides that companies must inform consumers about the categories of personal information that have been shared with third parties, the names and addresses of those third parties, and examples of the types of services or products marketed by those third parties. To request a copy of the information disclosure provided by Hotspot pursuant to Section 1798.83 of the California Civil Code, please contact us via the email or mailing address provided below. Please allow 30 days for a response.

12. California Do Not Track Disclosure

Hotspot does not have a mechanism in place for responding to browser "do not track" signals or other similar mechanisms used to limit collection of information for use in Online Behavioral Advertising.

13. International Users

Hotspot is based in the United States and, regardless of where you use the Courier Services, the information collected as part of that use will be transferred to and maintained on servers located in the United States. Any information we obtain about you will be stored in accordance with U.S. privacy laws,

regulations, and standards, which may not be equivalent to the laws in your country of residence. By using the Courier Services, you consent to this collection, transfer, storage, and processing of information to and in the United States.

14. Contact Us

If you have any questions or concerns relating to this Policy or our privacy practices, please contact us at: supporttogohotspot.com or:

Hotspot LLC
4206 Buena Vista St
Suite A
Dallas, TX 75205
Telephone Number 214-394-5084