

TSM Privacy Policy

This Privacy Policy is intended to help you understand and exercise your privacy rights and provides information on the ways TSM, Inc. and its partners and affiliates (“TSM”, “we”, “us”, and “our”) share, use, and collect your personal information.

I. SCOPE

This Privacy Policy applies to all personal information we process including on our offline and/or online offerings and websites (collectively referred to in this document as the “Services”).

Note: This Privacy Policy does not apply to any of the personal information that our clients may process and collect using TSM’s Services (“Customer Data”). Our clients’ respective privacy policies govern their use and collection of Customer Data. This Privacy Policy does not cover the processing of Customer Data (Customer Data processing is governed by existing client contracts). Refer to section II. PERSONAL INFORMATION WE COLLECT for further questions.

How you interact with our services and us dictates the categories of personal information we collect along with the requirements of applicable law. We collect information that you provide to us, information from other sources such as third-party services and organizations, and information we obtain automatically when you use our Services as described below.

II. PERSONAL INFORMATION WE COLLECT

1. Information You Provide Directly to Us

We may collect the following personal information that you provide to us.

- A. Your Communications with Us: We may collect personal information, such as mailing address, phone number, or email address when you request customer technical support, register for our newsletter, apply for a job, request information about our Services, or otherwise communicate with us.
- B. Creating an Account: When you create an account, we may collect information such as username, email address, and name.
- C. Purchases: We may collect payment as well as personal information and details associated with your purchases. Any payments made via our Services are processed by third-party payment processors. We do not directly collect or store any payment card information entered through our Services, but we may receive information associated with your payment card information (e.g., your billing details).
- D. Conferences, Trade Shows, and Other Events: We may collect personal information from individuals at trade shows, conferences, and other events
- E. Careers: We may post job opportunities and openings on our Services. You may reply to one of these career postings by submitting your CV, application, and/or cover letter to us.
- F. Business Development and Strategic Partnerships we attend: We may collect personal information from individuals and third parties for future business opportunities.

- G. Surveys: We may contact you for survey participation. Should you choose to participate, we may ask you to provide information which may include personal information.
- H. Interactive Features: We and others who use our Services may collect personal information that you submit or make available through our interactive features (e.g., social media pages, forums, blogs, messaging and chat features, and commenting functionalities). Any information you provide using the public sharing features of the Services will be considered “public,” unless otherwise required by applicable law, and is not subject to the privacy protections referenced herein.

2. Information Collected Automatically

We may collect personal information automatically when you use our Services:

- A. Automatic Data Collection: We may collect certain information automatically when you use our Services, such as your cookie identifiers, mobile advertising and other unique identifiers, MAC address, browser or device information, mobile carrier, Internet protocol (IP) address, user settings, location information (including approximate location derived from IP address), and Internet service provider. We may also automatically collect information regarding your use of our Services, such as pages that you visit before, during and after using our Services, information about the links you click, the types of content you interact with, the frequency and duration of your activities, and other information about how you use our Services.
- B. Cookies, Pixel Tags/Web Beacons, and Other Technologies: We, as well as third parties that provide content, advertising, or other functionality on our Services, may use cookies, local storage, pixel tags, and other technologies (“Technologies”) to automatically collect information through your use of our Services.
- C. Cookies: Cookies are small text files placed in device browsers that store preferences and facilitate and enhance your experience.
- D. Pixel Tags/Web Beacons: A pixel tag (also known as a web beacon) is a piece of code embedded in our Services that collects information about engagement on our Services. The use of a pixel tag allows us to record, for example, that a user has clicked on a particular link or visited a particular web page. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

Our uses of these Technologies fall into the following general categories:

- A. Functionality-Related: We may use Technologies that allow us to offer you enhanced functionality when accessing or using our Services. This may include identifying you when you sign into our Services or keeping track of your specific past items viewed, interests, or preferences;
- B. Operationally Necessary: This includes Technologies that allow you access to our applications, Services, and tools that are required to improve security, prevent fraudulent activity, and identify irregular website behavior, or that allow you to make use of our functionality;

- C. Advertising- or Targeting-Related: We may use first party or third-party Technologies to deliver content, including ads relevant to your interests, on our Services or on third-party websites.
- D. Performance-Related: We may use Technologies to assess the performance of our Services, including as part of our analytic practices to help us understand how individuals use our Services (see Analytics below);

See “Your Privacy Choices and Rights” below to understand your choices regarding these Technologies.

- A. Analytics: We may use Technologies and other third-party tools to process analytics information on our Services. Some of our analytics partners include:
 - a. LinkedIn Analytics: For more information, please visit LinkedIn Analytics’ Privacy Policy. To learn more about how to opt-out of LinkedIn’s use of your information, please visit:
<https://www.linkedin.com/mypreferences/d/settings/data-for-ai-improvement>.
 - b. Google Analytics: For more information, please visit Google Analytics’ Privacy Policy. To learn more about how to opt-out of Google Analytics’ use of your information, please visit:
<https://support.google.com/analytics/answer/9019185?hl=en#zippy=%2Cin-this-article>.

3. Information Collected from Other Sources

We may obtain information about you from other sources, including through third-party services and organizations. For example, if you access our Services through a third-party application, such as a social networking site, a third-party login service, or an app store we may collect information about you from that third-party application that you have made available via your privacy settings.

III. HOW WE USE YOUR INFORMATION

We use your information for a variety of business purposes, including for administrative purposes, to market our products and Services, and to provide our Services as described below.

1. Administrative Purposes

We use your information for various administrative purposes, such as:

- A. Auditing relating to interactions, transactions and other compliance activities;
- B. Debugging to identify and repair errors with our Services;
- C. Authenticating and verifying individual identities, including requests to exercise your rights under this policy;
- D. Developing new products and Services;
- E. Ensuring internal quality control and safety;
- F. Enhancing, upgrading, or improving, our Services;

- G. Measuring engagement and interest in our Services;
- H. Pursuing our legitimate interests such as research and development (including marketing research), network and information security, direct marketing, and fraud prevention;
- I. Detecting security incidents, protecting against fraudulent, deceptive, malicious, or illegal activity, and prosecuting those responsible for that activity;
- J. Enforcing our agreements and policies; and
- K. Complying with our legal requirements

2. Marketing and Advertising our Products and Services

We may use personal information to provide you with and tailor advertisements and content. We may provide you with these materials as permitted by applicable law.

Some of the ways we market to you include custom audiences advertising, email campaigns, and “interest-based” or “personalized advertising,” including through cross-device tracking.

If you have any questions about our marketing practices, you may contact us at any time as set forth in “Contact Us” below.

3. Provide Our Services

We use your information to fulfil our contract with you and provide you with our Services, such as:

- A. Processing your financial information and other payment methods for products or Services purchased;
- B. Communicating with you about your policy changes, activities on our Services, and account;
- C. Providing access to certain functionalities, features, and areas of our Services;
- D. Answering requests for customer or technical support;
- E. Managing your accounts and information;
- F. Processing applications if you apply for a job we post on our Services; and
- G. Allowing you to register for job postings

4. Other Purposes

We also use your information for other purposes as requested by you or as permitted by applicable law.

- A. De-identified and Aggregated Information: We may use personal information and other information about you to create de-identified and/or aggregated information, such as information about the device from which you access our Services, de-identified location information, de-identified demographic information, or other analyses we create.
- B. Consent: We may use personal information for other purposes that are clearly disclosed to you at the time you provide personal information or with your consent.

IV. HOW WE DISCLOSE YOUR INFORMATION

We disclose your information to third parties for a variety of business purposes, including to protect us or others, to provide our Services, or in the event of a major business transaction such as an asset transfer, sale, or merger as described below.

1. Disclosures to Provide our Services

The categories of third parties with whom we may share your information are described below:

- A. **Advertising Partners.** We may share your personal information with third-party advertising partners. These third-party advertising partners may set Technologies and other tracking tools on our Services to collect information regarding your activities and your device (e.g., your time of day, location, page(s) visited, IP address, cookie identifiers). These advertising partners may use this information (and similar information collected from other services) for purposes of delivering personalized advertisements to you when you visit digital properties within their networks. This practice is commonly referred to as “interest-based advertising” or “personalized advertising.”
- B. **Affiliates:** We may share your personal information with our company affiliates
- C. **Business Partners:** We may share your personal information with business partners to provide you with a product or service you have requested. We may also share your personal information to business partners with whom we jointly offer products
- D. **Service Providers:** We may share your personal information with our third-party service providers who use that information to help us provide our Services. This includes service providers that provide us with payment processing, IT support, customer service, hosting, and related services.
- E. **Our Customers (Authorized Users Only):** If you use our Services as an employee or contractor of a company or other legal entity that is our customer (each an “Authorized User”), that customer may access information associated with your use of the Services including usage data and the contents of the communications and files associated with your account. Your personal information may also be subject to the customer’s privacy policy. We are not responsible for the customer’s processing of your personal information

2.. Disclosures to Protect Us or Others

We may preserve, access, and disclose any information we store associated with you to external parties if we, in good faith, believe doing so is required or appropriate to: comply with law enforcement or national security requests and legal process, such as a court order or subpoena; protect your, our, or others’ property, rights, or safety; enforce our policies or contracts; collect amounts owed to us; or assist with an investigation or prosecution of suspected or actual illegal activity.

3. Disclosure in the Event of Merger, Sale, or Other Asset Transfers

If we are involved in a reorganization, financing due diligence, purchase, receivership, bankruptcy, acquisition, merger, or sale of assets, or transition of service to another provider,

your information may be sold or transferred as part of such a transaction, as permitted by law and/or contract.

V. YOUR PRIVACY CHOICES AND RIGHTS

Your Privacy Choices. The privacy choices you may have about your personal information are determined by applicable law and are described below.

- A. **Text:** You may opt out of receiving text messages from us by following the instructions in the text message you have received from us or by otherwise contacting us.
- B. **Email and Telephone Communications:** If you receive an unwanted email from us, you can use the unsubscribe link found at the bottom of the email to opt out of receiving future emails. Note that you will continue to receive transaction-related emails regarding products or Services you have requested. We may also send you certain non-promotional communications regarding us and our Services, and you will not be able to opt out of those communications (e.g., updates to our Terms or this Privacy Policy or communications regarding our Services).
- C. **Cookies and Interest-Based Advertising:** You may stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device. However, if you adjust your preferences, our Services may not work properly. Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of personalized advertisements on some mobile applications by following the instructions for iOS, Android and others.
- D. **“Do Not Track.”:** Do Not Track (“DNT”) is a privacy preference that users can set in certain web browsers. Please note that we do not respond to or honor DNT signals or similar mechanisms transmitted by web browsers.

The online advertising industry also provides websites from which you may opt out of receiving targeted ads from data partners and other advertising partners that participate in self-regulatory programs. You can access these and learn more about targeted advertising and consumer choice and privacy by visiting the Digital Advertising Alliance, the Network Advertising Initiative, the European Digital Advertising Alliance, and the Digital Advertising Alliance of Canada.

Please note you must separately opt out in each browser and on each device.

Your Privacy Rights. In accordance with applicable law, you may have the right to:

- A. **Access Personal Information about you:** This includes: (i) obtaining access to or a copy of your personal information in a structured, commonly used, and machine readable format; (ii) confirming whether we are processing your personal information; and (iii) receiving an electronic copy of personal information that you have provided to us, or asking us to send that information to another company in a structured, commonly used, and machine readable format (the “right of data portability”);
- B. **Request Deletion of your personal information;**

- C. Request Correction of your personal information: This can be in cases where it is inaccurate or incomplete. In some cases, we may provide self-service tools that enable you to update your personal information;
- D. Request Restriction of or Object to our processing of your personal information; and
- E. Withdraw your Consent to our processing of your personal information

If you would like to exercise any of these rights, please contact us as set forth in “Contact Us” below. We will process such requests in accordance with applicable laws.

VI. SECURITY OF YOUR INFORMATION

We take steps to ensure that your information is treated securely and in accordance with this Privacy Policy. Unfortunately, no system is 100% secure, and we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

By using our Services or providing personal information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of our Services. If we learn of a security system’s breach, we may attempt to notify you electronically by posting a notice on our Services, by mail or by sending an email to you.

VII. INTERNATIONAL DATA TRANSFERS

Unless otherwise specified by contract, all information processed by us may be processed, transferred, and stored anywhere in the world, including, but not limited to, the United States or other countries, which may have data protection laws that are different from the laws where you live. We endeavor to safeguard your information consistent with the requirements of applicable laws.

VIII. RETENTION OF PERSONAL INFORMATION

We store the personal information we collect as described in this Privacy Policy for as long as you use our Services or as necessary to fulfill the purpose(s) for which it was collected, provide our Services, establish legal defenses, resolve disputes, pursue legitimate business purposes, conduct audits, enforce our agreements, and comply with applicable laws.

IX. SUPPLEMENTAL NOTICE FOR JOB APPLICANTS

This supplemental notice describes TSM’s practices with respect to the collection, use, storage and disclosure (“Processing”) of Personal Information (or Personal Data) protected by privacy laws such as the European Union’s General Data Protection Regulation (“GDPR”), the California Consumer Privacy Act (as amended by the California Privacy Rights Act, the “CCPA/CPRA”), and substantially similar laws in other jurisdictions to the extent applicable to

TSM (the “Privacy Laws”). This supplemental notice is a part of TSM’s Privacy Policy. Please refer to the full Privacy Policy for additional information about how we process information about you and your additional rights.

As used in this supplemental notice, “Personal Information” or “Personal Data” mean any information that can be used to identify you, whether directly or indirectly, including by reference to an identifier such as a name, identification number, and also includes information that may be considered “sensitive” such as location data, information specific to your physical, physiological, genetic, mental, economic or social identity, and information you may choose to provide relating to your race or ethnicity.

1. Information We Process About You

When you apply for employment with TSM, we Process the following categories of personal information about you during the recruitment process in addition to the information described in the Privacy Policy above applicable to your general use of our websites:

- A. Your name, telephone number, email address, address and other contact information
- B. Any additional information you provide to us in support of an application
- C. The information you have provided to us in your CV/resume and cover letter
- D. Details of the type of role you are looking for, current salary (where relevant) and salary expectations, and other terms relating to compensation and benefits packages, or other job preferences
- E. Information from interviews and screenings you may have
- F. Reference information and/or information received from background checks, including information provided by third parties
- G. Details of how you heard about the position you are applying for
- H. Information about your national origin, where relevant for visa purposes
- I. Information relating to any previous recruitment and/or employment history with us
- J. Information relevant to your right to work or being eligible for internship/traineeship, including nationality, or citizenship, for visa purposes
- K. Information about criminal convictions and offences where required for the role
- L. Security clearances held by you
- M. Medical or health information, where relevant
- N. Where needed, information regarding any professional certifications possessed by you
- O. Diversity monitoring related data if you choose to voluntarily disclose it with us and only to the extent allowed under the law.
- P. We have collected the categories of personal information outlined above in preceding (12) twelve months from candidates.

2. How is your personal information collected?

We collect personal information about candidates from the following sources:

- A. You (the candidate)
- B. Employment/Activity History (within the last 7 years)

- C. Our background check provider from whom we collect the following categories of data:
- D. Professional qualifications history
- E. Address verification
- F. Criminal history (within the last 10 years)
- G. Our recruitment service providers with whom we cooperate
- H. Government exclusion databases and watchlists
- I. Reference you identify, from whom we collect confirmation of your role and dates of employment
- J. Information about you, including your contact details, your profile and CV (if available) from the following publicly available sources: Glass Door, Twitter, LinkedIn, No Fluff, Facebook, Instagram and from regional job boards and other social media

3. How we process your personal information and our legal basis for processing.

We Process Personal Information as generally described above in this Privacy Policy and, more specifically with respect to job applicants: evaluate your eligibility for employment; evaluate applications for employment at TSM; to recruit prospective employees; communicate with you about TSM and your application; and, if you are offered a position at TSM, to manage your acceptance of our offer of employment and begin the process of onboarding you as a new employee. We also use your data for purposes required by law, including filing reports with applicable government agencies, complying with application retention requirements, and for the enforcement of TSM policies and applicable laws.

We may combine personal information received from above sources and process it for the purposes described in this Privacy Policy and supplemental notice.

We have the following legal basis for processing the information you provide us in your application or that we collect about you during the application process. We have a legitimate interest in recruiting and hiring qualified applicants, complying with laws and regulations that govern our conduct in the countries where we operate, and managing and operating TSM in an ethical, efficient, and appropriate manner. We process all the information we collect from or about you to meet these purposes.

If you fail to provide information when requested, which is necessary for us to consider your application, we may not be able to take you forward in our recruitment process. For example, if we require a reference for this role and you fail to provide us with relevant details, we will not be able to take your candidacy further.

Once you have accepted an offer of employment from us, we may also be required to process your Personal Information to send you an employment offer letter or to complete a contract that you may enter with us, including a contract of employment or an agreement to receive certain other benefits. We may also be required to process your Personal Information to comply with laws applicable to TSM and/or applicable in the jurisdiction in which you reside.

In the case of Sensitive Personal Information (which includes (i) political opinions, religious or philosophical beliefs, information revealing racial or ethnic origin, or trade union membership; (ii) genetic and biometric data, and (iii) data concerning health, sex life, or sexual orientation), we process information either (i) because we have your consent to do so or (ii) because we are required to process the information to comply with applicable laws. For example, in certain jurisdictions, we are required to collect information about your disability status in order to comply with legal mandates to hire a certain number of disabled employees.

When we process your Sensitive Personal Information on the basis of your consent, you may withdraw that consent at any time by contacting info@jjdsoftware.com. If you withdraw your consent, we may still be required to process your Sensitive Personal Information to comply with applicable law, but we will explain to you at the time your consent is withdrawn what processing activities will continue for legal compliance purposes.

4. How we share or disclose your personal information.

Your Personal Information will be received and processed by TSM employees and personnel, including third parties who provide services to TSM in connection with the purposes of processing described in Section C above, including service providers that support our application software and other programs, background-check providers, and service providers that support our human resources and hiring functions. We share your Personal Information with our service providers only when they have agreed to process your Personal Information only to provide services to us and have agreed to protect your Personal Information from unauthorized use, access, or disclosure. We provide Personal Information to professional organizations, printers and mailing houses, and third-party organizations who assist in verifying your credentials.

We may also disclose your information to government authorities as required by laws that regulate immigration, tax, national security, and criminal activity.

We will disclose (and we have disclosed during the past 12 months for our business purposes) your information as outlined above.

We do not sell and have not sold in the past 12 months your personal information to third parties.

5. Data Retention

We will retain the personal information we collect pursuant to this supplemental notice for as long as we are required by law to do so. Depending on applicable law, we may be required to retain a job applicant's data for shorter or longer periods to meet local legal requirements or business practices. You can obtain additional information about the retention period applicable to your application information by contacting us.

X. CHILDREN'S INFORMATION

The Services are not directed to children under 13 (or other age as required by local law), and we do not knowingly collect personal information from children.

If you are a parent or guardian and believe your child has uploaded personal information to our Services without your consent, you may contact us as described in “Contact Us” below. If we become aware that a child has provided us with personal information in violation of applicable law, we will delete any personal information we have collected, unless we have a legal obligation to keep it, and terminate the child’s account, if applicable.

XI. OTHER PROVISIONS

Third-Party Websites/Applications. The Services may contain links to other websites/applications and other websites/applications may reference or link to our Services. These third-party services are not controlled by us. We encourage our users to read the privacy policies of each website and application with which they interact. We do not screen or approve, endorse, and are not responsible for, the privacy practices or content of such other websites or applications. Providing personal information to third-party websites or applications is at your own risk.

Supervisory Authority. If you are located in Australia, the European Economic Area, Switzerland, or the United Kingdom, you have the right to lodge a complaint with a supervisory authority if you believe our processing of your personal information violates applicable law.

Changes to our Privacy Policy. We may revise this Privacy Policy from time to time at our sole discretion. If there are any material changes to this Privacy Policy, we will notify you as required by applicable law. You understand and agree that you will be deemed to have accepted the updated Privacy Policy if you continue to use our Services after the new Privacy Policy takes effect.

XII. SUPPLEMENTAL NOTICE FOR CALIFORNIA RESIDENTS

This Supplemental California Privacy Notice only applies to our processing of personal information that is subject to the California Consumer Privacy Act of 2018 (“CCPA”). The CCPA provides California residents with the right to know what categories of personal information TSM has collected about them and whether TSM disclosed that personal information for a business purpose (e.g., to a service provider) in the preceding twelve months. California residents can find this information below:

1. Category of Personal Information Collected by TSM
2. Categories of Third Parties Personal Information is Disclosed to for a Business Purpose
3. Inferences drawn from other personal information to create a profile about a consumer
 - A. Service providers

B. Advertising partners

4. Professional or employment-related information

- A. Service providers
- B. TSM customers (Authorized Users only)

5. Internet or other electronic network activity

- A. Service providers
- B. TSM customers (Authorized Users only)
- C. Advertising partners

6. Identifiers

- A. Service providers
- B. TSM customers (Authorized Users only)
- C. Advertising partners

7. Personal information categories listed in Cal. Civ. Code § 1798.80(e)

- A. Service providers
- B. TSM customers (Authorized Users only)

The categories of sources from which we collect personal information and our business and commercial purposes for using personal information are set forth in “Personal Information We Collect” and “How We Use Your Personal Information” above, respectively.

8. Additional Privacy Rights for California Residents;

- A. Verification: When you make a request, we will ask you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative, which may include asking you to verify your email address we have on file.
- B. Authorized Agent: Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. To designate an authorized agent, please contact us as set forth in “Contact Us” below.
- C. Non-Discrimination: California residents have the right not to receive discriminatory treatment by us for the exercise of their rights conferred by the CCPA.
- D. “Sales” of Personal Information under the CCPA: For purposes of the CCPA, TSM does not “sell” personal information, nor do we have actual knowledge of any “sale” of personal information of minors under 16 years of age.

If you are a California resident and would like to exercise any of your rights under the CCPA, please contact us as set forth in “Contact Us” below. We will process such requests in accordance with applicable laws.

XIII. SUPPLEMENTAL NOTICE FOR NEVADA RESIDENTS

If you are a resident of Nevada, you have the right to opt-out of the sale of certain personal information to third parties who intend to license or sell that personal information. Please note that we do not currently sell your personal information as sales are defined in Nevada Revised Statutes Chapter 603A. If you have any questions, please contact us as set forth below.

XIV. CONTACT US

If you have any questions about our privacy practices or this Privacy Policy, or to exercise your rights as detailed in this Privacy Policy, please contact us at:

TSM Corp.

160 Kaydeross Park Road, Saratoga Springs, NY 12866

info@JJDSsoftware.com