

## GUSTAV PRIVACY POLICY

Last Updated 03/15/2018

Thank you for using Gustav. We at Gustav Technologies, Inc. (“**Gustav**” “**we**” “**us**” or “**our**”) appreciate your interest in the Gustav website (the “**Site**”) and the “**Gustav VMS**”, a service we provide on to Site to our registered users. Your privacy is important to us and we are committed to protecting the personally identifiable information (“**Personal Information**”) that you disclose to us. We want you to understand our practices with respect to how we gather and use the information we collect from visitors to our Site. This Privacy Policy covers our collection, use and disclosure of information we collect through our Site and how that information may be used or shared by us, our affiliates and third parties.

**This Privacy Policy is subject to change.** If we make any material changes we will notify you by means of a notice placed on the Site prior to the change becoming effective. **We encourage you to review this Privacy Policy periodically and to make note of the date of the most recent revision. If you disagree with the manner in which we intend to use your Personal Information, please contact us immediately at the email or address below. By visiting our Site and further, by using the Gustav VMS as a registered user, you agree to the terms of the Privacy Policy in effect at that time and as may be updated from time to time.**

### Information We Collect

We collect both Personal Information and non-Personal Information through the Site and through Gustav VMS in order to allow companies seeking employees or temporary staff (“**Employer(s)**”), staffing agencies and recruiters (“**Supplier(s)**”), and individual job seekers (“**Candidates**”) to fulfill their employment and staffing needs through the Gustav VMS. Employers, Suppliers and Candidates may be referred to in this Privacy Policy as “**you**”, “**your**” or “**users**”. The Gustav VMS consists of proprietary technology that uses the information provided by users to match potential employers, staffing agencies and candidates. For more information on how the Site and the Gustav VMS works, please visit the Site and review the Gustav Terms of Use located at [https://hellogustav.com/Gustav\\_ToU.pdf](https://hellogustav.com/Gustav_ToU.pdf). This Privacy Policy is incorporated and made a part of the Terms of Use.

### How Personal Information Is Collected

You are not required to register as a user or to provide Personal Information to merely visit the Site and peruse its general contents. However, we do require that you register and provide certain Personal Information in order to use the Gustav VMS. Please see the Terms of Use for more information on the registration process and requirements. There are a few ways that you can or will be registered as a user of the Gustav VMS: (a) Gustav sends you a registration email that contains a link to setup your user account online; (b) your Employer or Supplier may invite you to register as a user under their existing user account, or (c) if you are a Candidate, your Supplier may invite you to register. If an Employer or Supplier invites you to register as a user, they are required to provide your full name and email address in order to do so. We assume that you have provided your prior written consent to this registration. We do not contact any Employers or Suppliers to confirm that you have given your consent to be registered as a user on Gustav VMS, and we hereby disclaim all responsibility to take any measures to confirm that consent was given. Further we hereby disclaim, and you hereby release Gustav from any and all liability arising from any unauthorized registration and from any related claims, losses or damages alleged, arising from or relating to any unauthorized user registration and/or collection of Personal Information in connection with an unauthorized registration.

When you register on the Gustav VMS, you will be asked to provide certain of your Personal Information which may include your full name, email address, your position at the Employer or Supplier, a photo used as profile picture, and a phone number. Employers and Suppliers may invite their employees and agents to register on Gustav VMS in order to provide Gustav with the name and contact information of individuals who will be involved in the placement and hiring processes of Candidates, or who may be supervisors, colleagues and/or interviewers of Candidates. Suppliers may

desire to upload a Candidate's CV, references, or similar information to enable the Candidate to participate in the job search features offered through Gustav VMS. All Personal Information will be input in our database. If Gustav initiates your registration, you receive an email to the email address you have provided to complete your registration on our Site. If, an Employer or Supplier has invited you as a user under their account, we recommend that you ask your Employer or Supplier to provide you with the information disclosed by them as part of your invitation process.

The Personal Information we collect during the registration process is necessary to enable us to communicate with users, Employers and Suppliers. If you are an individual Candidate, more detailed Personal Information may be uploaded to the Site by the Supplier who is representing you in your search. If you are a Candidate, you have given your Supplier your prior written consent to upload your Personal Information. If you have questions or concerns regarding our Privacy Policy or practices, or you are concerned that your Personal Information has been uploaded without your consent, please contact us immediately at any of the following:

1501 Mariposa St #408, San Francisco, CA 94107  
[team@hellogustav.com](mailto:team@hellogustav.com)  
+1 877-778-2341

We also may collect Personal Information if included in Feedback provided by our users. Please see the Terms of Use for more information on Feedback. Feedback and similar communications from our users allow us to measure areas of interest, improve the efficiency and offerings on the Gustav VMS, provide users with important information, and build features and functionality that will enhance your use of the Gustav Site and the Gustav VMS. You are not obligated to provide us with Feedback.

### **How Personal Information Is Used**

Gustav may review and collect Personal Information that has been uploaded to the Gustav VMS; and we do so with the understanding and expectation that the individual whose Personal Information has been uploaded has given their written consent to our review and use of this Personal Information as provided in this Privacy Policy. Personal Information that you provide upon registration is compiled in our database, used to establish a record of you as a Gustav VMS user, and used as your credentials for your access and use of the features in the Gustav VMS. Gustav may, if requested by a Supplier, review, edit, change, modify or provide professional comments, advice or opinions to a Candidate's CV submitted by a Supplier, and may provide comments and opinions on Candidates for potential Employers; however, Gustav does not check any CVs or Personal Information for veracity. If we provide professional edits, comments, opinions, advice or any other such input ("**Input**"), you (as an Employer, Supplier or Candidate) understand that it is entirely your decision to accept, reject, or use such Input, and that Gustav does not warrant that its Input will help you achieve your business or personal goals or is free of errors, correct, merchantable, or fit for a particular purpose.

We may use your Personal Information to send you responses to your Gustav VMS requests and requirements. By way of example, but not limitation, if an Employer posts a position in the Gustav VMS, in response to that post, a Supplier may upload into the Gustav VMS the CV or other Personal Information of a Candidate that it believes is a match. Employers will have access to the Candidate's CV and other Personal Information in order to review that Candidate. We enable Employers and Suppliers to share their user contact information as necessary to communicate about job postings and potential Candidates, schedule interviews, etc. You agree that Gustav will review, provide Input (where requested) and share Personal Information in order to enable Employers, Suppliers and Candidates to fully use the Gustav VMS.

We may also use your Personal Information to contact you regarding your personal account, technical support and maintenance, updates, new features, new services and special offers regarding the Gustav VMS, to request your comments or input, and/or to alert you to information we believe you will find useful based on your user profile and the Personal Information and non-Personal Information you provide to us. You also may limit the contact you receive from us by following the instructions in the "Opt-Out" Section below.

We currently do not provide or sell any Personal Information to marketing research or bulk advertising sales companies. The only third parties outside of Gustav VMS users to whom we may provide your Personal Information is to our hosted service providers or providers of maintenance and support to our systems. In such an event, any disclosures will be limited to a contact email for purposes of providing information on system usability and access. These companies are authorized to use your Personal Information only as necessary to provide these services.

We will retain and use your Personal Information for as long as your account is active, as needed for us to provide you access to the Gustav VMS, or as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Please see the section below titled "**Right to Share Information**" for more information on how we use both Personal Information and Non-Personal Information.

### **How Non-Personal Information Is Collected and Used**

We collect non-Personal Information through the use of General Tracking Information and Click Path Tracking (cookie technology) described below.

We keep track of the pages visited by each user. Our web server automatically collects some information about you when you request pages from our server, including your IP address. Your IP address is a number that is used by computers connected to the Internet to identify your computer so that data (such as the web pages you request) can be sent to you. We aggregate this data with data on the pages visited by other users to track overall visitor traffic patterns. We use this information to improve our Site by making it more responsive to the needs and preferences of our users. This information does not identify you personally.

We use technologies such as cookies, beacons, tags and scripts to analyze trends, administer the Site and the Gustav VMS, track users movements around the Site and the Gustav VMS, and to gather demographic information about our user base as a whole. We may receive reports based on the use of these technologies by these companies on an individual as well as aggregated basis.

As is true of most websites, we gather certain information automatically and store it in log files. This information may include internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and/or clickstream data. We may combine this automatically generated log information with Personal Information and Non-Personal Information we collect in order to improve the services offered on the Gustav VMS and to help improve Site functionality.

### **Right to Share Information**

We will share the Personal Information and Non-Personal Information (collectively, "**Information**") of users and of candidates when such Information is provided to us by our users. Information will be shared among other users (employers, staffing agencies and candidates) as necessary to provide the Gustav VMS services. In addition, if engaged by a user, we may share certain Information with a third party service provider to run background checks. Information obtained through background checks will be shared with the user who has requested us to purchase this background check service on their behalf. We will not review any Information obtained from any third party service provider we engage on behalf of a user; such Information will be provided directly to such user via our proprietary technology. You understand and agree that in order to use or benefit from the Gustav VMS, we must share Information with other users and by using the Gustav VMS you are authorizing us to share Information. Other users may share your Information with third parties (such as co-workers or listed references) in order for all users who participate in the Gustav VMS to receive all of the possible benefits from the services and in order for us to provide the Gustav VMS services as fully and efficiently as possible to all of our users and candidate participants. In order to use the Gustav VMS you must agree to allow your Information to be shared among users and third parties who work with or for such users. Furthermore, as a user, if you share another user's Personal Information, you represent and warrant that you will require any third party to whom you provide such access to agree

in writing to protect such Personal Information and to not disclose such Personal Information to other third parties. You understand and agree that Gustav has no control over the disclosure of your Personal Information by a user outside of Gustav, nor can we control your use of another user's Personal Information. Therefore, you agree to indemnify, defend and hold us (and each of our officers, directors, and employees) harmless from any and all injuries, damages, losses, liabilities, claims, judgments and settlements, including all reasonable costs, expenses and attorneys' fees arising from or related to your use or disclosure of any user's Information.

If you do not agree to the above terms governing the sharing of Information, please immediately cease using the Gustav VMS.

### **Links to Third Party Websites**

Occasionally a user may include links ("**Links**") that enable users to access websites that are owned and operated by third parties (e.g., LinkedIn, Github, etc.) ("**Third Party Sites**") and which are provided as a convenient method of accessing information regarding employers or candidates that may be useful to other users. You represent that if you are including Links in our Information that you have obtained all necessary permissions from any affected individuals to provide any Links to pages containing information of such individuals (i.e., access to an individual's LinkedIn page, etc.). As a user who may use information provided on a Third Party Site, you acknowledge that Gustav is not affiliated in any way with any Third Party Sites, and that if you click on a Link to a Third Party Site, once you have left Gustav, we have no further control over the content and materials that you will be viewing on the Third Party Site. We are not responsible for the content, accuracy, or opinions expressed on any Third Party Site. We will not, and are under no obligation to, investigate, monitor or check the Third Party Sites for accuracy or completeness, or for any obscene, scandalous, inflammatory, pornographic, indecent, profane, defamatory or unlawful content or materials. Inclusion of any Link or Banner Ad to a Third Party Site that is placed on our Site does not imply approval or endorsement of the Third Party Site. If you decide to leave Gustav and access a Third Party Site, you do so at your own risk and any information you obtain or use is at your sole responsibility and liability. We are not responsible for the privacy policies applicable to Third Party Sites. Once you link to a Third Party Site, this Privacy Policy is no longer in effect.

### **Security**

We are committed to ensuring that your Personal Information is secure. In order to prevent unauthorized access or disclosure we have put in place suitable physical, electronic and managerial procedures to safeguard and secure the information we collect online. Our hardware, software, and security infrastructure as well as our internal standards for the Site meet current industry standards and technology. In addition, we will be using standard Secure Sockets Layer (SSL) certificates to secure all pages used for inputting users' Personal Information. However, due to the open communication nature of the Internet, we cannot guarantee that communications between us will be free from unauthorized access by third parties.

### **Opt-Out**

You may choose to limit or cease receiving correspondence from us via one of the following methods and we will respond to your request within 30 days:

- Using the opt-out option in emails you receive from us;
- Sending us an email at: [team@hellogustav.com](mailto:team@hellogustav.com);
- Calling us toll free at: +1 877-778-2341

### **Disclaimer**

IF YOU USE INFORMATION PROVIDED TO YOU THROUGH GUSTAV, GUSTAV VMS, LINKS, OR THIRD PARTY SITES YOU DO SO AT YOUR SOLE RISK. INFORMATION PROVIDED THROUGH GUSTAV, GUSTAV VMS AND ALL RELATED SERVICES IS "AS IS" AND "AS AVAILABLE". WE EXPRESSLY DISCLAIM, AND YOU WAIVE, ALL WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED,

INCLUDING, WITHOUT LIMITATION, IMPLIED WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE AND NON-INFRINGEMENT.

WE DO NOT WARRANT THAT INFORMATION PROVIDED TO YOU VIA GUSTAV, GUSTAV VMS OR OTHER GUSTAV SERVICES (A) WILL MEET YOUR REQUIREMENTS; (B) BE UNINTERRUPTED, TIMELY, SECURE, OR ERROR-FREE; (C) WILL NOT BE DISCLOSED TO THIRD PARTY USERS OR THEIR EMPLOYEES OR AGENTS, (D) WILL BE ACCURATE OR RELIABLE; OR (D) WILL MEET YOUR EXPECTATIONS.

IF YOU ACCESS OR TRANSMIT ANY INFORMATION THROUGH GUSTAV OR GUSTAV VMS YOU DO SO AT YOUR OWN DISCRETION AND YOUR SOLE RISK. YOU ARE SOLELY RESPONSIBLE FOR ANY LOSS OR DAMAGE ARISING OUT OF SUCH ACCESS OR TRANSMISSION.

### **Guidelines for Children**

We do not specifically collect information about children nor do we market the Gustav Site or the Gustav VMS to children. We have no reason to believe that the Site or the services offered through the Gustav VMS will attract children, or that children will access the Site or provide Personal Information through the registration page or the Gustav VMS.

### **Termination of Use**

You agree that we may, in our sole discretion, terminate or suspend your access to all or any part of the Site or Gustav VMS with or without notice and for any reason. Any suspected fraudulent, abusive or illegal activity may be grounds for terminating your access to and use of the Site, and if we believe that you have committed such acts, we may report you to appropriate law enforcement authorities.

### **Contact Information**

If you have any questions about this Privacy Policy, the practices of the Site, or your dealings with the Site, please contact us at any of the following:

1501 Mariposa St #408, San Francisco, CA 94107  
[team@hellogustav.com](mailto:team@hellogustav.com)  
+1 877-778-2341