

SURGE VENTURES INC. PRIVACY POLICY

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This is the Privacy Policy for Surge Ventures Inc. ("**Privacy Policy**"), and this Privacy Policy explains how and why we collect and use personal information, and what we do to ensure it is kept private and secure and in compliance with the applicable laws.

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1. INTRODUCTION

We are Surge Ventures Inc., the company behind Shedul and Fresha ("**we**," "**our**", "**us**"). When you use our apps and services, you're trusting us with your information. We understand this is a big responsibility and we work hard to protect your information and put you in control.

This Privacy Policy is meant to help you understand what information we collect, why we collect it, and how you can update, manage, export, and delete your information. For the purposes of data protection law, we will be a controller of the personal information we hold about you. This means we make decisions about how and why your information is used, and have a legal duty to make sure that your rights are protected when we use it.

Terms we use in this Privacy Policy

When we use a capitalised term in this Privacy Policy, it will have the meaning given to it in the table below:

"Apps"	the "Shedul" and "Fresha" apps available on the Google Play Store or the Apple App Store;
"End User"	an individual using any of our Apps;
"Merchant"	a business owner who uses the Shedul app to make bookings and engage with customers;

“Privacy Policy” this privacy policy which may be amended from time-to-time; and
“Services” any of the services we provide to merchants or individuals through our Apps and Websites (being www.fresha.com and www.shedul.com).

Who should read this Privacy Policy?

This Privacy Policy will apply to you if you are either:

- A. a Merchant on the Shedul platform;
- B. an End User; or
- C. a visitor to any of our Websites.

By accessing or using the Services or any of our Websites, you agree to the terms of this Privacy Policy. If we make any significant changes to this Privacy Policy, we will notify you through email or directly through our Apps and Websites.

Further Information

If you have any questions about our Privacy Policy, don't hesitate to get in touch with us. Please feel free to reach out to us at info@shedul.com.

2. THE PERSONAL INFORMATION WE COLLECT

We collect personal information (meaning anything that could identify you either by itself, or when combined with other information we are able to gain access to), as described below. You can always choose not to provide us with your personal information, but it may mean that we are unable to provide you with the Service you have requested.

Information you provide to us when creating an account

When you create an account using either of our Apps or Websites, you provide us with personal information, including your name, e-mail address, postal address, a password, the name of your business (if you are a Merchant) and your phone number (if your device has one). We also collect demographic information such as your birth date, age, gender and lifestyle. If you give us permission to do so, we may also collect information about your social media presence, including your usernames.

Information we collect as you use our Services

Apps and Browsers

We collect information about your device when you download and install one of our Apps, and about your browser when you visit either of our Websites.

The information we collect includes:

- how you found our Website: including but not limited to whether you discovered us through a search engine, a partner website, an ad campaign, or email campaign;
- technical information: your IP address, device type, language and region settings, and other details about how you interact with our Apps and Website; and
- location information: if you have activated one of our Apps and permitted your mobile or other location-aware device to transmit location data, we will collect this automatically. This may include country, province, city, or neighbourhood information.

When Using Our Services

We collect personal information when you use our services. This may include:

- areas of interest: including the types of Merchant offerings that interest you;
- referrals: information about friends who referred you, or who you have referred to Fresha;
- correspondence: copies of correspondence, text, email and other communications you have with us or with Merchants via the Apps;
- participation: we will collect and retain the comments you make to the forums, bulletin boards, discussion groups, chat rooms, reviews, or other methods of communication that may be offered on or through our marketplace from time to time, including those you make on our social media pages;
- transaction details: information about how you interact with the Fresha app, such as Merchant offerings you view, purchase, redeem, and/or post, and the merchants you add to your favourites page; and
- financial account information: we collect minimal financial information as needed for our payment processing partners in order to provide payments functionality to our Merchants (such as your credit or debit card number, expiration date, and card verification number).]

For Merchants

If you are a Merchant, we will collect the following details about you:

- bank details: in order to submit payments to you, we need to collect your bank account and sort code;
- business related information: your business name, a description of your business, titles, names, and bios of your staff members;
- availability and scheduling information: information about your business calendars and staff availability from your Shedul account;
- social media information: information from your Facebook page, Twitter feed, LinkedIn profile, Yelp ratings and additional publicly available data; and
- customer information: where you upload your customer database to our servers, we will retain the personal information it contains subject to our Data Retention Policy in Section 7.

Third Parties

We may receive personal information about you from other sources with which you have registered, Merchants, business partners, affiliate entities (collectively, "**Partners**"), or other third parties. For example, if an End User creates an account on Fresha through one of our registration partners, such as Google or Facebook, we may collect personal information from those websites. We may associate this information with the other personal information we have collected about you.

Information About Others

Through your use of the Services, we may also collect information from you about someone else. If you provide Fresha with personal information about someone else, you must ensure that you are authorised to disclose that information to Fresha and that, without Fresha taking any further steps required by applicable data protection or privacy laws, Fresha may collect, use and disclose such information for the purposes described in this Policy. See Section 0 for more about referrals. If Fresha has been given personal information about you by another user and you would not like us to retain it, please contact us using the details given in Section 1 above, and we will delete it.

3. COOKIES, PIXEL TAGS AND OTHER WEB BEACONS

A cookie is a small file of letters and numbers that we store on your browser or device if you agree. Pixel tags and web beacons are tiny graphic images placed on website pages or in our emails that allow us to determine whether you have performed specific actions. When you access these pages or open email messages, the pixel tags and web beacons generate a notice of that action to us or our service providers. These tools allow us to measure response to our communications and improve our web pages and promotions.

We use the following types of cookies:

- **Strictly necessary cookies.** These are cookies that are required for the operation of our Websites. They include, for example, cookies that enable you to log into secure areas of our Websites.
- **Analytical/performance cookies.** These cookies allow us to recognise and count the number of visitors and to see how visitors move around our Websites. This helps us to improve the way they work, for example, by ensuring that users are finding what they are looking for easily. We use these to remember who you are and keep track of your preferences, e.g. the cities for which you want to be shown merchant offerings. We may also collect information about the website you were visiting before you landed on one of our own, and the website you visit after you leave our own, if this information is supplied to us by your browser.
- **Targeting and Remarketing Cookies from Third-party Advertising Networks.** Fresha has relationships with third party advertising companies to place advertisements on our behalf onto other websites, and to perform tracking and reporting functions for our platform and our advertisements. These third parties may place cookies on your device which automatically collect information about your visit to one of our

Websites, your IP address, your ISP and the browser you use. Information collected may be used, among other things, to deliver advertising targeted to your interests and to better understand the usage and visitation patterns of our platform and Websites. You can learn more about this type of remarketing below.

Remarketing Cookies

You may notice that sometimes, after visiting a website, you see increased numbers of adverts from the site you visited. That's because the website you visited has placed a cookie on your web browser. Using that cookie and web analytics tools, the website owner will be able to show you adverts on third-party websites that they think you might be interested in. This cookie does not give access to your computer or mobile device, but may be able to identify you from other details.

Google Analytics

Our Websites use Google Analytics to show relevant adverts to users who have previously visited us as they browse the web. This enables us to tailor our marketing to better suit your needs and only display ads that are relevant to you. You may see Fresha or one of our Merchants in search results pages (using Google Adwords), on YouTube, in banner adverts on Gmail and on other services run by Google.

Any information collected will be used in accordance with our own privacy policy and [Google's privacy policy](#).

If you do not wish to see ads, you can:

- opt out of Google's use of cookies through [Google's Ads Settings](#)
- refuse the use of cookies by downloading and installing [Google Analytics Opt-out Browser Add-on](#).

Facebook Remarketing

We also use similar targeted advertising technology to ensure that we only serve people with adverts on their Facebook pages that are relevant to them. To enable us to do this, we include a piece of code on our websites, called the Facebook Pixel. The information collected, for example which pages you visited, which device you used and what actions you took, will be used in accordance with our own privacy policy, as well as Facebook's privacy policies. The Facebook Pixel only lasts for sixty (60) days. Using the Facebook Pixel, we can also remarket adverts to you through Instagram, which is owned by Facebook. You can set preferences for how Facebook advertises to you using your [Facebook ad preferences](#).

Opting Out of Cookies

You can refuse to accept some or all cookies by modifying settings within your browser. For guidance on how to do this, please visit <http://www.aboutcookies.org>. However, if you block strictly necessary cookies, you may be unable to access certain parts of our Websites. If you wish to opt out of remarketing cookies, please visit the [Network Advertising Initiative Opt-out Page](#).

4. HOW WE USE YOUR PERSONAL INFORMATION

We will only use your personal information when the law allows us to. Most commonly, we will use your personal information in the following circumstances:

- where we need to perform a contract with you (e.g. to create an appointment or to process a payment);
- where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests (see the "Legitimate Interests" section below); and
- where we need to comply with a legal or regulatory obligation.

We may use personal information held about you in order to:

- provide you with offers for products and services from participating Merchants, including offers based on variables such as stated and anticipated customer interests, personal characteristics, or location;
- recommend certain Merchants offerings to you (e.g., to suggest Merchants to add to your favourites page or remind you when it's time to rebook a service);
- facilitate and fulfil requests for appointments for Merchant offerings, including their purchase and redemption;
- evaluate eligibility of customers for certain offers, products or services, and evaluate the types of offers, products or services that may be of interest to End users;
- track redemption of Merchant offerings and perform other analytics;
- improve our Services, including performing analysis, tracking your use of the Services for the purposes of displaying advertising and content;
- provide customer support, including to our merchants or business partners;
- communicate and provide additional information that may be of interest to you or Merchant clients about Fresha and our merchants and business partners, such as Fresha news, special offers and coupons, announcements, and marketing materials;
- send you reminders, technical notices, updates, security alerts and support and administrative messages;
- provide advertisements to you through the Services, email messages, text messages, applications, push notifications, or other methods of communication;
- administer surveys, sweepstakes, contests, or other promotional activities or events sponsored by us or our partners;
- manage our everyday business needs such as administration of the Services, forum management, fulfilment, analytics, fraud prevention, enforcement of our corporate reporting obligations, terms of use, or to comply with the law.

Your information will be treated in accordance with applicable data protection law.

5. LEGITIMATE INTERESTS

We may rely on legitimate interests to process your personal information, provided that your interests do not override our own. Where we rely on legitimate interests, these interests are:

- providing, maintaining, and improving the Services to meet the needs of our End Users and Merchants;
- understanding how the Services are used to improve their performance in the future;
- customising the Services to provide you with a better user experience;
- marketing to inform End Users and Merchants about other Services we offer that might benefit or interest them;
- providing advertising;
- detecting, preventing, or otherwise addressing fraud, abuse, security, or technical issues with our services; and
- enforcing legal claims.

6. KEEPING YOUR PERSONAL INFORMATION SAFE

We employ a variety of physical and technical measures to keep your personal information safe and to prevent unauthorised access to, use or disclosure of it. Databases are stored on secure servers and we control who has access to them (using both physical and electronic means).

Where we have given you (or where you have chosen) a password which enables you to access our Services, you are responsible for keeping this password confidential. We ask you not to share a password with anyone. We cannot absolutely guarantee the security of the internet, external networks, or your own device, accordingly any online communications (e.g. information provided by e-mail, through our Website or our Apps) are at your own risk.

7. STORAGE AND RETENTION

Where we store your personal information

We are a multinational company with group companies in the United States, United Kingdom, Poland, and the United Arab Emirates. Where possible, our data is hosted and stored within the European Economic Area or with partners protected by Privacy Shield agreements. When necessary, the information that we collect from you may be transferred to, and stored at, a destination outside the United Kingdom and the European Economic Area (“EEA”), and may also be processed by staff operating outside the United Kingdom or the EEA who work for us or for one of our partners. Whenever data is transferred outside of the UK or EEA, we will take all steps reasonably necessary to ensure that any transferred personal information is treated securely and in accordance with applicable data protection laws.

Data Retention

Fresha will store personal data as long as Merchant accounts continue to use our software, and for a period of not more than 24 months thereafter. Users may elect to have their data removed from Fresha either by contacting the Merchant directly or by contacting users on Fresha.com. In the case that a Merchant explicitly indicates their intention to cease to use our software and have their data deleted, personally identifiable information stored with their account shall be encrypted and/or removed. Other information related to activity on the Apps will be retained for reporting and analytical purposes, or other purposes as set forth in Section 8.

8. DISCLOSING YOUR PERSONAL INFORMATION

Except as otherwise stated in this Privacy Policy, we do not sell, trade, rent, or otherwise share the personal information that we collect with third parties, unless you ask or authorise us to do so. However, there are occasions where we may need to disclose your personal information. Where we do so, any such disclosure will be on the basis that these third parties are required to keep the information we give them confidential and secure, and will not use it for any other purpose than to carry out the services they are performing for us. We may disclose personal information as follows:

- to affiliated companies (e.g., subsidiaries and other companies owned by or controlled by Fresha);
- to service providers that are hired by us to provide administrative and communication services on our behalf, such as website hosting, the processing and delivery of mailings, providing customer support, or providing credit card processing services;
- to Merchants where you have purchased services from a Merchant through Fresha, or participated in an offer, contest or other activity sponsored or offered through Fresha on behalf of the Merchant. We may also provide Merchants with other personal information about you on your Fresha account to send customised offers, to validate the purchases, to aid and troubleshoot redemption, to combat fraud, as part of legal proceedings affecting Fresha and the Merchant, to facilitate a direct relationship between Merchants and customers, and to enable Merchants to communicate electronically with customers who make purchases from the Merchant;
- when you rate or review a Service which you have purchased, your rating, review, photo, your first name and last initial will be published on the Fresha app and may appear on third party websites. For Merchants whose businesses have received reviews on the Fresha Marketplace, these reviews may be syndicated on third party websites;
- to business partners and other advertisers as part of an offer, contest, distribution partnership, or other activity that is provided by or in conjunction with Fresha and its business partners and in which you have elected to participate. For example, if you are referred to Fresha from a business partner's website or through an invitation facilitated by or in conjunction with a Fresha business partner, Fresha may provide that business partner with contact information and transactional information;

- to the public when any user of the Fresha app access your favourites page. You may, however, hide this information from the public by marking your favourites page as private;
- to third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them. If a change happens to our business, then the new owners may use your personal information in the same way as set out in this policy; and
- to our professional advisors.

If you are a Merchant

We may share some or all of your personal information, including but not limited to booking information, staff member names, Merchant offerings, ratings and reviews, prices and discounts, appointment availability, and related data (collectively "**Merchant Information**") with end users who have signed up or registered for Fresha and with Fresha business partners and affiliates with which Fresha is working:

- we may feed Merchant information to third party websites (excluding customer lists), which may result in Merchant information appearing on a third-party website, mobile application or in search engine results; and such results may include a corresponding link to schedule an appointment through Fresha;
- Fresha may contact Merchant employees through email to invite them to create a Fresha account with a restricted login;
- we may use certain contact information to promote your goods and services through a variety of online and offline advertising and promotional media, including, but not limited to Google, Google AdWords, Facebook Ads, Twitter, e-mail distribution lists, and third-party business partners and affiliates; or
- if you have participated in any joint Merchant offerings or promotions with other Partners, Fresha may disclose your personal information to its Partners and/or advertisers, as part of such offer, contest, or other activity that is provided by or in conjunction with Fresha and its business partners and in which you have elected to participate.

Aggregated Data

We may use aggregated non-personally identifiable data to:

- assist us to better understand how our customers are using the Services,
- provide our customers with further information regarding the uses and benefits of the Services,
- enhance small business productivity, including by creating useful business insights from that aggregated data and allowing you to benchmark your business's performance against that aggregated data, and
- otherwise to improve the Services.

9. DISCLOSURES REQUIRED BY LAW

We are subject to the law like everyone else. We may be required to give information to legal and/or regulatory authorities if they so request, or if they have the proper authorisation such as a search warrant or court order.

We also may need to retain and disclose certain personal information about you to legal and/or regulatory authorities and to appropriate agencies to conduct anti-money laundering checks and to assist with fraud prevention. We will disclose this information as is required by law.

10. LINKS TO THIRD PARTY WEBSITES

This Privacy Policy applies solely to the personal information collected by Fresha and does not apply to third party websites. Fresha is not responsible for the privacy policies of third party websites. You should read the privacy policies of other websites before providing them with any personal information about you.

11. YOUR RIGHTS

We want you to remain in control of your personal information. Part of this is making sure you understand your legal rights, which are as follows:

- where your personal information is processed on the basis of consent, the right to withdraw that consent;
- the right to confirmation as to whether or not we are holding any of your personal information and, if we are, to obtain a copy of it;
- from 25 May 2018, the right to have certain information provided to you in a portable electronic format (where technically feasible);
- the right to have inaccurate personal information rectified;
- the right to object to your personal information being used for marketing or profiling, or on the basis of our or a third party's legitimate interests;
- the right to restrict how your personal information is used; and
- the right to be forgotten, which allows you to have your personal information erased in certain circumstances (though this is not an absolute right and may not apply if we need to continue using it for a lawful reason).

If you would like further information about any of your rights or wish to exercise them, please contact us using the details given in Section 1.

Please keep in mind that there are exceptions to the rights above and, though we will always try to respond to your satisfaction, there may be situations where we are unable to do so (for example, because the information no longer exists or there is an exception which applies to your request).

If you are not happy with our response, or you believe that your information protection or privacy rights have been infringed, you should contact the UK Information Commissioner's Office, which oversees information protection compliance in the United Kingdom. Details of how to do this can be found at www.ico.org.uk.

12. UPDATING THIS PRIVACY POLICY

We may update this Privacy Policy at any time. When we do, we will post a notification on the main page of our Website and we will also revise the updated date at the bottom of this page. We encourage users to frequently check this page for any changes to stay informed about how we are helping to protect the personal information we hold.