

Privacy Policy

Effective as of February 5, 2024

California residents: If you are a California resident, please read the “**Notice to California Residents**” section of this document in addition to this Privacy Policy for information about your personal information and privacy rights.

Users in Europe and other countries outside the US: If you are located in the European Economic Area (the “**EEA**”), the United Kingdom (the “**UK**”), or other country outside the US, please read the “**Notice to Users in Europe and other countries outside the US**” section of this document in addition to this Privacy Policy for information about your personal information and your privacy rights to the extent the laws of such jurisdiction are directly applicable to our processing of your personal information.

This Privacy Policy describes Fox Thermal and our subsidiaries and other affiliates (“**Company**,” “**we**,” “**us**” or “**our**”) may collect and process personal information that through our digital or online properties or services that link to this Privacy Policy (collectively, the “**Service**”). Not all data collections or processing described herein may apply to you or your data. We may provide additional or supplemental privacy policies to individuals for specific products or services that we offer at the time we collect personal information.

The Company delivers flow measurement instrumentation. This Privacy Policy does not apply to information that we process on behalf of our business customers (such as businesses and other organizations) while providing our services to them.

Our websites, products and services are designed for enterprise customers and their representatives. We do not offer products or services directly to individuals for their personal, family or household purposes. Accordingly, we treat all personal information we collect as pertaining to individuals in their capacities as representatives of the relevant enterprise and not their individual capacities.

You can download a printable copy of this Privacy Policy.

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- **Contact data**, such as your first and last name, salutation, email address, billing and mailing addresses, professional title and company name, and phone number.
- **Communications data** based on our exchanges with you, including when you contact us through the Service, communicate with us via chat features, social media, or otherwise.
- **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Third-party sources. We may combine personal information we receive from you with personal information we obtain from other sources, such as:

- **Public sources**, such as government agencies, public records, social media platforms, and other publicly available sources.
- **Private sources**, such as data providers, social media platforms and data licensors.
- **Our affiliate partners**, such as our affiliate network provider and publishers, influencers, and promoters who participate in our paid affiliate programs.
- **Marketing partners**, such as joint marketing partners and event co-sponsors.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications, and other online services, such as:

- **Device data**, such as your computer or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages you viewed, how long you spent on a page, the website you visited before browsing to the Service, navigation paths between pages, information about your activity on a page, access times and duration of access, and whether you have opened our emails or clicked links within them.
- **Communication interaction data** such as your interactions with our email or other communications (e.g., whether you open and/or forward emails) – we may do this through use of pixel tags (which are also known as clear GIFs), which may be embedded invisibly in our emails.

Cookies. Some of our automatic data collection is facilitated by cookies and similar technologies. For more information, see our [Cookie Policy](#). We will also store a record of your preferences in respect of the use of these technologies in connection with the Service.

How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery and operations. We may use your personal information to:

- provide, operate and improve the Service and our business;
- communicate with you about the Service, including by sending Service-related announcements, updates, security alerts, and support and administrative messages;
- administer and communicate with you about events or contests in which you participate;
- understand your needs and interests, and personalize your experience with the Service and our communications; and
- provide support for the Service, and respond to your requests, questions and feedback.

Research and development. We may use your personal information for research and development purposes, including to analyze and improve the Service and our business and to develop new products and services. As part of these activities, we may create aggregated, de-identified and/or anonymized data from personal information we collect. We make personal information into de-identified or anonymized data by removing information that makes the data personally identifiable to you. We may use this aggregated, de-identified or otherwise anonymized data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Marketing and advertising. We, our service providers and our third-party advertising partners may collect and use your personal information for marketing and advertising purposes:

- **Direct marketing.** We may send you Company-related or other direct marketing communications as permitted by law, including by email. You may opt-out of our marketing communications as described in the “**Opt-out of marketing**” section below.
- **Interest-based advertising.** Our third-party advertising partners may use cookies and similar technologies to collect information about your interaction (including the data described in the automatic data collection section above) with the Service, our communications and other online services over time, and use that information to serve online ads that they think will interest you. This is called interest-based advertising. We may also share information about our users with these companies to facilitate interest-based advertising to those or similar users on other online platforms.

Service improvement and analytics. We may use your personal information to analyze your usage of the Service, improve the Service, improve the rest of our business, help us understand user activity on the Service, including which pages are most and least visited and how visitors move around the Service, as well as user interactions with our emails, and to develop new products and services.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas, investigations or requests from government authorities;
- protect our, your or others’ rights, privacy, safety or property (including by making and defending legal claims);

- audit our internal processes for compliance with legal and contractual requirements or our internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

With your consent. In some cases, we may specifically ask for your consent to collect, use or share your personal information, such as when required by law.

How we share your personal information

We may disclose your personal information to the following parties and as otherwise described in this Privacy Policy, in other applicable notices, or at the time of collection.

Affiliates. Our corporate parent, subsidiaries, and affiliates for purposes and use consistent with this Privacy Policy.

Service providers. Third parties that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, customer support, online chat functionality providers, email delivery, marketing, consumer research and website analytics).

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the **“Compliance and protection”** purposes described above.

Business transferees. Acquirers and other relevant participants in business transactions (or negotiations of or due diligence for such transactions) involving a corporate divestiture, merger, consolidation, acquisition, reorganization, sale or other disposition of all or any portion of the business or assets of, or equity interests in, the Company or our affiliates (including, in connection with a bankruptcy or similar proceedings).

Your choices

In this section, we describe the rights and choices available to all users. Users located in Europe can find information about their additional rights in the **“Notice to users in Europe and other countries outside the US”** section of this document and users who are California residents can find information about their additional rights in the **“Notice to California residents”** section below.

Opt-out of communications. You may opt-out of marketing-related emails and other direct marketing communications by following the opt-out or unsubscribe instructions at the bottom of the email, or by contacting us (see below). Please note that if you choose to opt-out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.

Cookies. For information about cookies employed by the Service and how to control them, see our [Cookie Policy](#).

Blocking images/clear gifs: Most browsers and devices allow you to configure your device to prevent images from loading. To do this, follow the instructions in your particular browser or device settings.

Do Not Track. Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track”. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.

Declining to provide information. We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

Other sites and services

The Service may contain links to third party websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions, nor are they subject to this Privacy Policy. We encourage you to read the privacy policies of the other websites, mobile applications and online services you use.

Google Maps. Our Services may include Google Maps features and content. Google Maps features and content is subject to the then-current versions of Google Maps/Google Earth [Additional Terms of Service](#) and Google’s [Privacy Policy](#).

YouTube. Our services may contain videos and content provided by YouTube. YouTube content is subject to the then-current versions of Google’s [Privacy Policy](#) and you can adjust your privacy controls here: <https://www.youtube.com/howyoutubeworks/user-settings/privacy/>.

Security

We employ a number of technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies, and we cannot guarantee the security of your personal information.

International data transfer

We are an international company and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Users located in Europe or other countries outside the US should read the important information provided below about transfer of personal information outside of Europe.

Children

The Service is not intended for use by anyone under 16 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please contact us (see below). If we learn that we have collected personal information through the Service from a child without the consent of the child’s parent or guardian as required by law, we will comply with applicable legal requirements to delete the information.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the modified version (or as otherwise indicated at the time of posting). In all cases, your use of the

Service after the effective date of any modified Privacy Policy indicates your acknowledgment that the modified Privacy Policy applies to your interactions with the Service and our business.

How to contact us

- **Email:** privacy@foxthermal.com
- **Phone:** 831-384-4300
- **Mail:** 399 Reservation Road, Marina, CA 93933, USA

Notice to California residents

This notice describes our collection, use and disclosure of personal information of California residents in our capacity as a “business” under the California Consumer Privacy Act (“**CCPA**”) and their rights with respect to their personal information. For purposes of this notice, “personal information” has the meaning given in the CCPA but does not include information exempted from the scope of the CCPA.

Your privacy rights. As a California resident, you have the following rights under the CCPA:

- **Right to know.** You can request information about the categories of personal information that we have collected; the categories of sources from which we collected personal information; the business or commercial purpose for collecting, sharing and/or selling personal information; the categories of any personal information that we sold or disclosed for a business purpose; and the categories of any third parties with whom personal information was sold, shared or disclosed for a business purpose.
- **Right to access.** You can request a copy of personal information that we have collected about you.
- **Right to deletion.** You can request that we delete personal information that we collected from you.
- **Right to opt-out.** If we “sell” or “share” your personal information as defined by the CCPA, you can opt-out of those disclosures.
- **Right to correction.** You can request that we correct inaccurate personal information that we have collected about you.
- **Nondiscrimination.** You are entitled to exercise the rights described above free from discrimination as prohibited by the CCPA.

How to exercise your rights. You may submit requests to exercise your right to information/know, access, appeal, correction, or deletion by using the “**How to contact us**” section above or at privacy@foxthermal.com. The rights described above are not absolute, and, in certain cases, we may decline your request as permitted by law or where the laws in your state do not afford you these rights. We cannot process your request if you do not provide us with sufficient detail to allow us to understand and respond to it. You can ask to appeal any denial of a request in the same manner through which you may submit one.

Verification of identity; authorized agents. We may need to verify your identity to process your information/know, access, deletion, and correction requests, and we reserve the right to confirm your residency. To verify your identity, we may require authentication into your Service account if you have one, provide personal identifiers we can match against information we may have collected from you previously, confirm your request using the email or telephone account stated in the request, provide

government identification, or provide a declaration under penalty of perjury, where permitted by law. Furthermore, your authorized agent may make a request on your behalf. We will process your agent's requests to exercise your rights to know, access, correction or deletion upon our verification of the agent's identity and our receipt of a copy of a valid power of attorney given to your authorized agent pursuant to applicable state law, proof that you have given the agent permission to submit the request or additional information.

Information practices. The following describes our practices currently and during the past 12 months:

- **Sources and purposes.** We collect all categories of personal information from the sources and use them for the business/commercial purposes described above in the Privacy Policy.
- Sharing and sales of personal information.
 - **Sharing.** Our potential use of the interest-based advertising services described above may constitute "sharing" of your personal information (including identifiers and internet/network information described in the CCPA) with our advertising partners from which you have the right to opt-out. If we engage in such practices, you can request to opt-out of this sharing of your personal information by clicking the **Do Not Sell or Share My Personal Information** link in the footer of this webpage. Your request to opt-out will apply only to the browser and the device from which you submit the request.
 - **Sales.** We do not otherwise "sell" personal information as defined by the CCPA. Although our Services are not intended for children under 16 years of age, we are required to inform you that we do not have actual knowledge that we have sold or shared the personal information of children under 16.
- **Sensitive personal information.** We do not use or disclose sensitive personal information for purposes that California residents have a right to limit under the CCPA.
- **Deidentification.** We do not attempt to reidentify deidentified information derived from personal information, except for the purpose of testing whether our deidentification processes comply with applicable law.
- **Retention.** The criteria for deciding how long to retain personal information is generally based on whether such period is sufficient to fulfill the purposes for which we collected it as described in this notice, including complying with our legal obligations.
- **Collection and disclosure.** The chart below describes the personal information we collect by reference to the categories of personal information specified in the CCPA (Cal. Civ. Code §1798.140), and the categories of third parties to whom we disclose it. The terms in the chart refer to the categories of information and third parties described above in this Privacy Policy in more detail. Information you voluntarily provide to us, such as in free-form webforms, may contain other categories of personal information not described below. We may also disclose personal information to professional advisors, authorities and others, and business transferees as described above in the "**How we share your personal information**" section of this Privacy Policy.

Statutory category/personal information we collect (see “Personal information we collect” section above for details)	Categories of third parties to whom we disclose the personal information for a business purpose
Identifiers <ul style="list-style-type: none"> • Contact data • Communications interaction data 	<ul style="list-style-type: none"> • Affiliates • Service providers
Identifiers (online) <ul style="list-style-type: none"> • Device data • Communication interaction data 	<ul style="list-style-type: none"> • Affiliates • Service providers
California Customer Records (as defined in California Civil Code §1798.80) <ul style="list-style-type: none"> • Contact data • Communication data 	<ul style="list-style-type: none"> • Affiliates • Service providers
Commercial Information <ul style="list-style-type: none"> • Contact data • Marketing data • Online activity data 	<ul style="list-style-type: none"> • Affiliates • Service providers
Internet or Network Information <ul style="list-style-type: none"> • Device data • Online activity data • Communication interaction data 	<ul style="list-style-type: none"> • Affiliates • Service providers
Professional or Employment Information <ul style="list-style-type: none"> • Company data 	<ul style="list-style-type: none"> • Affiliates • Service providers
Inferences May be derived from: <ul style="list-style-type: none"> • Contact data • Marketing data 	<ul style="list-style-type: none"> • Affiliates • Service providers