

SHIP.CARS EPOD PRIVACY NOTICE

Last updated and effective January 18, 2018

Welcome to **ePod** (the “**Service**”). The Service is owned and operated by Ship.Cars USA, LLC, or one or more of its direct or indirect affiliates (collectively, the “**Company**”, “**our**”, “**we**”, or “**us**”).

We respect your privacy and are committed to protecting it through our compliance with this privacy notice (this “**Privacy Notice**”) for the Service. This Privacy Notice describes the types of information we may collect from you or that you may provide when you download, install, use, register for, or utilize functionalities of, the Service, and our practices for collecting, using, maintaining, protecting, and disclosing such information. We have created this Privacy Notice in order to inform you of our firm commitment to safeguarding the privacy and security of information you provide.

Please read this Privacy Notice carefully before using the Service. We will treat any information we collect from you through any part of the Service in accordance with this Privacy Notice. By accessing or using any part of the Service (including when you click accept when presented with this Privacy Notice upon first opening the Service), you consent to all actions we may take with respect to your information in compliance with this Privacy Notice. If you are unwilling to accept the terms and conditions of this Privacy Notice, please do not use any part of the Service.

This Privacy Notice may change from time to time. Your continued use of any part of the Service after we make changes is deemed to be acceptance of those changes, so please check this Privacy Notice periodically for updates by navigating to the “Legal” page of the Service.

1. APPLICATION OF THIS NOTICE

This Privacy Notice applies to information collected through the Service, including the services provided via the Service and information exchanged by e-mail, text message, and other electronic messages between you and any part of the Service or the Company. This Privacy Notice also applies to any new internet properties we may acquire from time to time. This Privacy Notice will be updated accordingly. You may also check this Privacy Notice periodically for updates by navigating to the “Legal” page of the Service.

This Privacy Notice does not apply to information collected offline (unless such information was collected in furtherance of an order being processed via the Service) or through any other means, including any other website operated by any third party.

NOTE TO USERS FROM OUTSIDE THE UNITED STATES: This Privacy Notice and the Terms of Use (available here: <https://ship.cars/privacy-policy-mobile>, <https://ship.cars/terms-and-conditions-mobile>) are governed by United States law, and we make no representation that any part of the Service is appropriate or available for use in locations outside of the United States. Translations of the Service into languages other than English are for your convenience only. In the event you visit the Service from outside the United States, please know that your information may be transferred to, stored, and processed in the United States, where our servers are located and our central database is operated. The laws of the United States and other countries might not be as comprehensive as those in your country, but please be assured that we take steps to ensure that your privacy is protected. By using the Service, you understand that your information may be transferred to our facilities, our affiliated companies, and to those third parties with whom we may share it as described in this Privacy Notice.

2. CHILDREN UNDER THE AGE OF 13

No part of the Service is intended or designed to attract children under the age of 13. We do not collect personally identifiable information from any person we actually know is a child under the age of 13. If you are under the age of 13, do not use or provide any information on the Service or on or through any of its features, register to use the Service, use any of the interactive or public comment features of any part of the Service or provide any information about yourself to us, including your name, address, telephone number, e-mail address or any screen name or user name you may use.

If we learn we have collected or received personal information from a child under the age of 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under the age of 13, please contact us by sending us an e-mail stating your request to privacy@ship.cars or contacting us in writing at the address provided below.

By using any part of the Service, you represent and warrant that you meet all of the eligibility requirements set forth in the Terms of Use. If you do not meet all of the requirements, you must not access or use any part of the Service.

3. INFORMATION WE COLLECT

We collect several different types of information from and about users of the Service, including:

- information that is about you but does not identify you individually (“**Anonymous Information**”); and
- information by which you may be personally identified and is provided by you to us in certain areas of the Service (“**Personally Identifiable Information**”).

We collect this information in several ways:

- directly from you when you provide it to us;
- directly from your employer, if applicable, when they provide it to us;
- automatically as you navigate through the Service (e.g., information collected automatically may include usage details, geolocation data, device ID, and information collected through other tracking technologies); and
- from third parties such as, for example, our business partners, carriers, brokers, shippers, service contractors and affiliates.

4. ANONYMOUS INFORMATION

As you navigate through and interact with the Service, we automatically collect certain Anonymous Information about your equipment, browsing actions, and patterns, including details of your visits to the Service such as traffic data, geolocation data, and the resources that you access and use on the Service, as well as information about your mobile device and carrier connection, including your device ID (a unique string of numbers and letters that identifies your mobile device), operating system, and browser type.

The Anonymous Information we collect automatically is statistical data that does not identify any individual (however, in some cases, a device ID could be used to implicate the identity of an individual). It helps us to administer and improve the Service and to deliver a better service. We do not automatically collect Personally Identifiable Information (except in those situations where a device’s unique device ID might implicate the identity of an individual), but we may link anonymous information to Personally Identifiable Information from time to time in the ordinary course of providing the Service to you.

The technologies we use for the automatic collection of Anonymous Information may include geotracking and the tracking browsing activity while you utilize the Service in order to better understand your needs so that we may serve you better. When you fill out a form, your information may be stored in the Company servers, which interface with web portals utilized by your assigning carrier, and the CRM system of the relevant broker.

5. PERSONALLY IDENTIFIABLE INFORMATION

We collect Personally Identifiable Information directly from you when you provide it to us and from third parties, for example, our business partners, carriers, brokers, shippers, service contractors and affiliates. The Personally Identifiable Information we collect on or through the Service may include:

- **E-Mail Correspondence and Form Information.** Scattered throughout the Service are links or forms that can be used to facilitate electronic proof of delivery documentation, as well as to contact us if you have problems or questions regarding the Service. We may also ask you for information when you report a problem with the Service. Your e-mail address is required on these forms so we can answer your questions. We may put information from e-mail on file and share it with the relevant third parties involved in the respective order (e.g., carriers, brokers, shippers), but do not currently sell, license or transmit this information to third parties outside the scope of the Service without express authorization from you. By providing your e-mail address, you are requesting that we communicate with you in that manner.

The Service may also be used to communicate with you in the following ways:

- **Company Communication.** We may communicate with you about the Service and to let you know about terms and policies and other important updates.

- **Administrator Communication.** Your employer and/or your employer’s administrator may communicate with you via the Service.
- **Third Party Communication.** Third parties involved in an order may communicate with you via the Service.

Currently there is no way to opt-out of these communications and use the Service because email communication is a fundamental function of the Service. If you would like to opt out of these communications, please discontinue use of the Service.

6. HOW WE USE AND/OR DISCLOSE INFORMATION YOU PROVIDE

The information you share with us may be used in a few ways:

- **Anonymous Information:** Anonymous Information is used internally for Site administration and optimization of the Service, troubleshooting, and to help improve the quality of the Service and its design. We may share such aggregated, non-personally identifiable information without restriction, including with existing and prospective third-party business partners, researchers and advertisers.
- **Personally Identifiable Information:** We will only use or disclose your Personally Identifiable Information as permitted by law and our agreements with you. Personally Identifiable Information collected by us or provided to us through the Service may be disclosed and used by us and our subsidiaries and affiliates as follows:
 - to our subsidiaries and affiliates;
 - for purposes including administration of the Service;
 - to notify you about changes to the Service or any products or services we offer or provide through it;
 - to allow you to participate in communications with us;
 - to shippers, brokers, carriers, contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep Personally Identifiable Information confidential and to use it only for the purposes for which we disclose it to them;
 - to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of assets of ours or of our subsidiaries or affiliates, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding in which Personally Identifiable Information about users of the Service is among the assets transferred;
 - to fulfill the purpose for which you provide it;
 - for any other purpose we may disclose when you provide the information; or
 - otherwise with your consent.

We may also disclose Personally Identifiable Information if we are required to do so by law or if we in good faith believe that such action is necessary to (a) comply with any court order, law or legal process, including to respond to any government or regulatory request; (b) protect and defend our rights and property; (c) protect against misuse or unauthorized use of the Service; or (d) protect the personal safety or property of our users or the public. Please note that we might not provide you with notice prior to disclosure in such cases.

We may also disclose your Personally Identifiable Information to enforce or apply our Terms of Use <https://ship.cars/terms-and-conditions-mobile> and other agreements, including for billing and collection purposes.

7. TRACKING TECHNOLOGIES AND OPTING OUT

The Service utilizes technologies known as geo-tagging and/or geo-location. For example, photos taken through the Service are geo-tagged to provide more complete electronic proof of delivery information. Similarly, the Service may allow drivers to be geo-tracked so that carriers and shippers can more easily know where shipments are in real time.

We support the right of our visitors to choose. You have the ability to disable location-based tracking via your mobile device's settings application. However, you should know that many functions of the Service will be unavailable if location-based tracking is not enabled, and the Service will prompt you to enable location-based tracking prior to performing certain functions, such as taking photos. If geotagging and/or location services are disabled, the Service will not function as intended, and in some cases, may be unable to operate.

Please also note that the Service requires access to your device's camera, calling functionality (in order to permit you to dial directing from within the Service), and email.

We may use Anonymous Information and/or Personally Identifiable Information we have collected from you to enable us to analyze usage and optimization statistics. In some cases, aggregated Anonymous Information may be provided to third parties.

8. ACCESS AND CORRECTION

You have a right to know about the Personally Identifiable Information that we hold about you and gathered through the Service, including the right to correct, amend, or delete the information that we have on file if it is incorrect. If you wish to exercise these rights, please contact us by sending us an e-mail stating your request to privacy@ship.cars or by contacting us in writing at the address provided below.

9. SECURITY

The Service incorporates safeguards designed to protect the security, integrity, and privacy of the Personally Identifiable Information we have collected. We have put in place reasonable precautions to protect information from loss, misuse, and alteration, including Transport Layer Security (TLS) technology on the Service. When we collect sensitive information provided when using the Service such information is encrypted and transmitted in a secure way.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to any parts of the Service, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas of the Service. The information you share in public areas may be viewed by any user of the Service.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we strive to protect your personal information, we cannot guarantee the security of your personal information transmitted to the Service. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Service.

Once we receive your transmission, we will use reasonable efforts to ensure its security on our internal systems. Depending on the nature of the inquiry, your communication may be discarded or archived. Please note that your e-mail, like most, if not all, non-encrypted Internet communications, may be accessed and viewed by other Internet users without your knowledge and permission, while in transit to us. For that reason, to protect your privacy, please do not use e-mail to communicate information to us that you consider sensitive or confidential. If you wish, you may contact us instead via telephone at the numbers provided throughout the Service or at the address below.

10. EXTERNAL LINKS

The Service may provide links to various websites that we do not control. When you click on one of these links, you will be transferred out of the Service and connected to the website of the organization that you selected.

We are not responsible for the nature, quality, or accuracy of the content or opinions expressed on such websites, and such websites are not investigated, monitored, or checked for quality, accuracy, or completeness by us.

Inclusion of any linked website on the Service does not imply or express our approval or endorsement of the linked website or any of the content, opinions, products, or services provided through the Service. We exercise no control over linked sites even if an affiliation exists between the Service and a third-party website.

Each of these linked sites maintains its own independent privacy and data collection policies and procedures. While we expect our business partners and affiliates to respect the privacy of our users, we cannot be responsible for the actions of third parties. If you visit a website that is linked to or from the Service, we encourage you to consult that website's privacy policy before providing any personal information and whenever interacting with any website.

11. CONSENT TO PRIVACY NOTICE; BINDING AGREEMENT

All parts of the Service are controlled, operated, and administered entirely within the United States. By using any part of the Service, you signify your agreement to the terms of this Privacy Notice. If you do not agree with any provision of this Privacy Notice, please do not disclose any personal information through the Service.

This Privacy Notice is part of our Terms of Use (<https://ship.cars/terms-and-conditions-mobile>). The use of the Service is governed by our Terms of Use (<https://ship.cars/terms-and-conditions-mobile>) and the laws of the State of Illinois.

This Privacy Notice and the notices outlined herein are not intended to and do not create any contractual or other legal rights in or on behalf of any third party, except to the extent you have agreed to the Terms of Use on behalf of your employer, as described in the Terms of Use.

12. SPECIAL NOTICE TO CALIFORNIA RESIDENTS

Under California Civil Code § 1798.83, residents of the State of California that have provided any Personally Identifiable Information to us have the right to request a list of all third parties to which we have disclosed Personally Identifiable Information during the preceding year for direct marketing purposes.

Alternatively, the law provides that if we have a privacy policy that gives either an opt out or opt-in choice for use of Personally Identifiable Information by third parties (such as advertisers or affiliated companies) for marketing purposes, we may instead provide you with information on how to exercise your disclosure choice options.

If you are a resident of the State of California and request information about how to exercise your third-party disclosure choices, please send a request to privacy@ship.cars with a preference on how our response to your request should be sent.

Additionally, CalOPPA requires us to disclose how we respond to "do-not-track" requests from our customer-users. At this time, we do not currently respond to "do-not-track" requests from our customers.

13. MODIFICATIONS TO THIS PRIVACY NOTICE

We may modify this Privacy Notice at any time, at our discretion, and modifications are effective upon being posted on any part of the Service.

It is our policy to post any changes we make to our privacy policies on this page. The date on which this Privacy Notice was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable e-mail address for you, and for periodically visiting the Service and this Privacy Notice to check for any changes.

If we make material changes to how we treat our users' Personally Identifiable Information, we will notify you through a notice on the Service's home page or by other reasonable means.

14. ACCOUNT REVISIONS, REVOKING AND DELETING PERSONAL INFORMATION

We welcome your questions, comments and all feedback pertaining to your privacy or any other issue with regard to the Service.

At any time, you may ask us to cease any further use of your e-mail address and direct us to delete any Personally Identifiable Information you have supplied. Although it is not always possible to remove or modify such information, we will make reasonable efforts to do so. In some cases, we cannot delete your Personally Identifiable Information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. If you have given us information for one of those third parties we mentioned above and we have already passed it on, we may not be able to delete or change the information.

In the event that you have given us Personally Identifiable Information in the past and then have second thoughts or want to update it, or if you have any other questions regarding this Privacy Notice or any part of the Service, you may contact us by sending us an e-mail stating your request to privacy@ship.cars or by contacting us in writing at the address provided below:

Address:

Ship.Cars USA, LLC
Attn: Webmaster
1105 N. Market Street, Suite 1300
Wilmington, DE 19801

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