

Empirium Privacy Notice

Last Updated: June 8, 2025

This Privacy Notice applies to the processing of personal information by Empirium, Inc. (“**Empirium**,” “**we**,” “**us**,” or “**our**”) including on our website available at <https://empirium.co/> (“**Site**”), our marketplace platform available at <https://empirium.co/marketplace> (“**Platform**”), and our other online or offline offerings which link to, or are otherwise subject to, this Privacy Notice (collectively, the “**Services**”).

Disclosure Regarding Customer Data. Empirium’s Platform connects and facilitates sales and purchases of industrial and government goods between suppliers (“**Sellers**”) and buyers (“**Buyers**”) (collectively, the “**Customers**”). The Platform is made available for use by businesses only for business-to-business transactions and is not meant for individual or personal use. This Privacy Notice does not apply to the personal information that we process on behalf of our Customers as a processor or service provider pursuant to a written agreement we have entered into with such customers (“**Customer Data**”). Our Customers’ respective privacy notices or policies govern their collection and use of Customer Data. Our processing of Customer Data is governed by the contracts that we have in place with our Customers, not this Privacy Notice. Any questions or requests relating to Customer Data should be directed to our Customers.

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1. UPDATES TO THIS PRIVACY NOTICE

We may update this Privacy Notice from time to time at our sole discretion. If we do, we’ll let you know by posting the updated Privacy Notice on our website, and/or we may also send other communications.

2. PERSONAL INFORMATION WE COLLECT

We collect personal information that you provide to us, personal information we collect automatically when you use the Services, and personal information from third-party sources, as described below.

A. Personal Information You Provide to Us Directly

We may collect personal information that you provide to us.

- **Account Information.** We may collect personal information in connection with the creation or administration of your account. This personal information may include, but is not limited to, your full name, email address, phone number, company name, title, and other information you store with your account.
- **Business Information.** We may collect personal information and details associated with your business, such as identity information, tax registration and/or related information about your business, such as your company name, registration number and date, company official website, business type and industry, corporate registration details and information about your business license, proof of business operation including lease agreement, property deed, and utility bills.
- **WorkOS and User Data.** We may collect personal information, such as your name, phone, email address, and password when you complete user authentication on our Platform subject to [WorkOS legal policies](#).
- **Transaction Information.** We may collect personal information and details associated with your transactions, such as transaction statements, billing and delivery address of the recipient of your order, orders placed, and other details of the products and services you have supplied or purchased through the Platform.
- **Payment Information.** We may collect personal information and details associated with your purchases, including payment information. 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).
- **Customer and Business Verification Data.** We may collect personal information to conduct identity verification and security checks on Sellers and Buyers using Know Your Customer, Know Your Business, and anti-money laundering tools.
- **Your Communications with Us.** We, and our service provider, may collect the information you communicate to us, such as through email, web forms, or our web chat tool.
- **User-Generated Content.** We may collect any personal information that you choose to upload to the Platform as part of product reviews or by sharing content in socializing within the Platform, including but not limited to profile photos, videos or audio recordings. Additionally, to facilitate your use of the services available on the Platform (including on mobile-optimized websites [or mobile applications]), we may request for access to, and you may provide us with, contents stored on your devices including but not limited to photos, videos, calendar and other files. If you are using the communication tools available on the Platform (particularly those enabling voice communication), we may require access to your camera and microphone.
- **Surveys.** We may contact you to participate in surveys. If you decide to participate, we may collect personal information from you in connection with the survey.
- **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). Any information you provide using the public sharing features of the Services will be considered “public.”

- **Sweepstakes or Contests.** We may collect personal information you provide for any sweepstakes or contests that we offer. In some jurisdictions, we are required to publicly share information of sweepstakes and contest winners.
- **Conferences, Trade Shows, and Other Events.** We may collect personal information from individuals when we attend or host conferences, trade shows, and other events.
- **Business Development and Strategic Partnerships.** We may collect personal information from individuals and third parties to assess and pursue potential business opportunities.
- **Job Applications.** If you apply for a job with us, we will collect any personal information you provide in connection with your application, such as your contact information and CV.

B. Personal Information Collected Automatically

We may collect personal information automatically when you use the Services.

- **Device Information.** We may collect personal information about your device, such as your Internet protocol (IP) address, user settings, cookie identifiers, other unique identifiers, browser or device information, Internet service provider, and location information (including, as applicable, approximate location derived from IP address and precise geo-location information).
- **Usage Information.** We may collect personal information about your use of the Services, such as the pages that you visit, items that you search for, the types of content you interact with, information about the links you click, the frequency and duration of your activities, and other information about how you use the Services.
- **Cookie Notice (and Other Technologies).** We, as well as third parties, may use cookies, pixel tags, and other technologies (“Technologies”) to automatically collect personal information through your use of the Services.
 - **Cookies.** Cookies are small text files stored in device browsers.
 - **Pixel Tags/Web Beacons.** A pixel tag (also known as a web beacon) is a piece of code embedded in the Services that collects personal information about use of or engagement with the Services. The use of a pixel tag allows us to record, for example, that a user has visited a particular web page or clicked on a particular advertisement. We may also include web beacons in e-mails to understand whether messages have been opened, acted on, or forwarded.

See [“Your Privacy Choices”](#) below to understand your choices regarding these Technologies.

C. Personal Information Collected from Third Parties

We may collect personal information about you from third parties. These third parties may include, but are not limited to, the examples described below.

- **Third-Party Services.** We may collect personal information about you from third parties. For example, we may collect your name, email address, company details, and contact information from Third-Party Services (defined below) providing Know Your Customer, Know Your Business, and anti-money laundering services when we conduct due diligence and verification of our Customers. In addition, our Customers may provide us with personal information about their end users.
- **Publicly Available Information.** We may collect personal information from publicly available sources.

3. HOW WE USE PERSONAL INFORMATION

We use personal information for a variety of business purposes, including to provide the Services, to improve the Services, to develop new products and services, to operate our business, and to provide you with marketing materials, as described below.

A. Provide the Services

We use personal information to fulfill our contract with you and provide the Services, such as:

- Managing your information;
- Providing you with recommendations and suggestions;
- Providing access to certain areas, functionalities, and features of the Services;
- Answering requests for support;
- Communicating with you;
- Sharing personal information with third parties as needed to provide the Services;
- Processing your financial information and other payment methods;
- Handling orders and delivering products and services;
- Providing logistics and warehousing services via the Platform;
- Facilitating customs clearance declarations or applications via the Platform;
- Ensuring internal quality control and safety;
- Assessing and managing credit risks; and
- Debugging to identify and repair errors with the Services.

B. Improve the Services and Develop New Products and Services

We use personal information to improve the Services and to develop new products and services, such as:

- Developing, training, fine tuning, and prompting models and algorithms; and
- Improving, upgrading, or enhancing the Services.

C. Operate Our Business

We use personal information to operate our business, such as:

- Pursuing our legitimate interests such as direct marketing, research and development (including marketing research), network and information security, and fraud prevention;
- Detecting security incidents, protecting against malicious, deceptive, fraudulent or illegal activity, and prosecuting those responsible for that activity;
- Carrying out analytics;
- Measuring interest and engagement in the Services;
- Creating de-identified and/or aggregated information;
- Authenticating and verifying individual identities;
- Processing applications if you apply for a job we post on our Services;
- Allowing you to register for events;
- Verifying Customers' identity and conducting security checks, KYC (Know Your Customer), KYB (Know Your Business), and anti-money laundering due diligence;
- Auditing relating to interactions, transactions, and other compliance activities;
- Enforcing our agreements and policies; and
- Carrying out activities that are required to comply with our legal obligations.

A. Marketing

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

However, when we interact with end users on behalf of our Customers, we do not use their personal information for Empirium's own marketing purposes.

If you have any questions about our marketing practices, you may contact us at any time as set forth in "[Contact Us](#)" below.

B. With Your Consent or Direction

We may use personal information for other purposes that are clearly disclosed to you at the time you provide personal information, with your consent, or as otherwise directed by you.

C. Automated Decision Making

We may engage in automated decision making, including profiling. Empirium's processing of your personal information will not result in a decision based solely on automated processing that has a legal or other similarly significant effect on you unless such a decision is necessary as part of a contract we have with you, we have your consent, or we are permitted by law to engage in such automated decision making.

If you have questions about our automated decision making, you may contact us as set forth in "[Contact Us](#)" below.

4. HOW WE DISCLOSE PERSONAL INFORMATION

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

A. Disclosures to Provide the Services

We may disclose any of the personal information we collect to the categories of third parties described below.

- **Service Providers.** We may disclose personal information to third-party service providers that assist us with the provision of the Services. This may include, but is not limited to, service providers that provide us with data hosting and storage, customer service, payment processing, identity verification, Know Your Customer, Know Your Business, anti-money laundering, credit risk assessment, analytics, marketing services, IT support, logistics and supply chain management, and related services. In addition, personal information and chat communications may be disclosed to service providers that help provide our chat features.

Some of the service providers we may use include:

- **Google Analytics.** For more information about how Google uses your personal information, please visit [Google Analytics' Privacy Policy](#). To learn more about how to opt-out of Google Analytics' use of your personal information, please click [here](#).
- **LinkedIn Analytics.** For more information about how LinkedIn uses your personal information, please visit [LinkedIn Analytics' Privacy Policy](#). To learn more about how to opt-out of LinkedIn's use of your information, please click [here](#).
- **Other Users You Share or Interact With.** The Services may allow Empirium users to share personal information or interact with other users of the Services. For instance, if you are a Seller and interact with a Buyer, the Buyer will see your Emporium Seller business profile information.
- **Third-Party Services You Share or Interact With.** The Services may link to or allow you to interface, interact, share information with, direct us to share information with, access and/or use third-party websites, applications, services, products, and technology (each a "Third-Party Service").

Any personal information shared with a Third-Party Service will be subject to the Third-Party Service's privacy policy. We are not responsible for the processing of personal information by Third-Party Services.

- **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 with business partners with whom we jointly offer products or services.

Once your personal information is shared with our business partner, it will also be subject to our business partner's privacy policy. We are not responsible for the processing of personal information by our business partners.

- **Empirium Customers (Authorized Users Only).** In cases where you use our Services as an employee, contractor, or other authorized user of an Empirium Customer, 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 Empirium Customer's privacy policy. We are not responsible for the processing of your personal information by an Empirium Customer.

- **Affiliates.** We may share your personal information with our corporate affiliates.
- **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 IP address, cookie identifiers, page(s) visited, location, time of day). 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", "personalized advertising", or "targeted advertising."

B. Disclosures to Protect Us or Others

We may access, preserve, 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' rights, property, 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.

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

If we are involved in a merger, acquisition, financing, reorganization, bankruptcy, receivership, purchase or sale of assets, transition of service to another provider, or other similar corporate transaction, your personal information may be disclosed, sold, or transferred as part of such a transaction.

5. YOUR PRIVACY CHOICES

The privacy choices you may have about your personal information are described below.

- **Email Communications.** If you receive an unwanted email from us, you can use the unsubscribe functionality found at the bottom of the email to opt out of receiving future emails. Note that you will continue to receive transaction-related emails. We may also send you certain non-promotional communications regarding us and the Services, and you will not be able to opt out of those communications (e.g., communications regarding the Services or updates to this Privacy Notice).
- **Text Messages.** If you receive an unwanted text message from us, you may opt out of receiving future text messages from us by following the instructions in the text message you have received from us or by otherwise contacting us as set forth in ["Contact Us"](#) below.
- **Mobile Devices.** We may send you push notifications through our mobile application. You may opt out from receiving these push notifications by changing the settings on your mobile device. With your consent, we may also collect precise location-based information

via our mobile application. You may opt out of this collection by changing the settings on your mobile device. To request deletion of your account, please use the standard deletion functionality available via the Services, or contact us using the information set forth in ["Contact Us"](#) below.

- **"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.
- **Cookies.** You may stop or restrict the placement of Technologies on your device or remove them by adjusting your preferences as your browser or device permits. However, if you adjust your preferences, the Services may not work properly.

Please note that cookie-based opt-outs are not effective on mobile applications. However, you may opt-out of certain tracking on some mobile applications by following the instructions for [Android](#), [iOS](#), and [others](#).

The online advertising industry also provides mechanisms that may allow you to opt out of receiving targeted ads from organizations that participate in self-regulatory programs. To learn more, visit the [Network Advertising Initiative](#), [the Digital Advertising Alliance](#), and [the European Digital Advertising Alliance](#).

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

6. INTERNATIONAL TRANSFERS OF PERSONAL INFORMATION

All personal information processed by us may be transferred, processed, 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. These countries may or may not have adequate data protection laws as defined by the data protection authority in your country.

If we transfer personal information from the European Economic Area, Switzerland, and/or the United Kingdom to a country that does not provide an adequate level of protection under applicable data protection laws, one of the safeguards we may use to support such transfer is the [EU Standard Contractual Clauses](#).

For more information about the safeguards we use for international transfers of your personal information, please contact us as set forth below.

7. RETENTION OF PERSONAL INFORMATION

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

To determine the appropriate retention period for personal information, we may consider applicable legal requirements, the amount, nature, and sensitivity of the personal information,

certain risk factors, the purposes for which we process your personal information, and whether we can achieve those purposes through other means.

8. SUPPLEMENTAL NOTICE FOR EU/UK GDPR

This Supplemental Notice for EU/UK GDPR only applies to our processing of personal information that is subject to the EU or UK General Data Protection Regulation.

In some cases, providing personal information may be a requirement under applicable law, a contractual requirement, or a requirement necessary to enter into a contract. If you choose not to provide personal information in cases where it is required, we will inform you of the consequences at the time of your refusal to provide the personal information.

Empirium's processing of your personal information may be supported by one or more of the following lawful bases:

<u>Privacy Notice Section</u>	<u>Lawful Basis:</u> Performance of a Contract (i.e., to provide the Services to you)	<u>Lawful Basis:</u> Legitimate Interest	<u>Lawful Basis:</u> Consent	<u>Lawful Basis:</u> For Compliance with Legal Obligations
<u>Section 3A:</u> Provide the Services	✓	✓	✓	✓
<u>Section 3B:</u> Administrative Purposes	✓	✓	✓	✓
<u>Section 3C:</u> Marketing		✓	✓	
<u>Section 3D:</u> With Your Consent or Direction	✓	✓	✓	
<u>Section 3E:</u> Automated Decision Making	✓	✓	✓	✓

If we process personal information that is considered a "special category of personal data", then our processing of this personal information may be supported by one or more of the following conditions:

- **Explicit Consent:** You may have provided your explicit consent for our processing of your personal information.
- **Publicly Available Personal Information:** Our processing of your personal information may relate to personal information which has been manifestly made public by you.
- **Necessary for the Establishment, Exercise or Defense of Legal Claims:** Our processing of your personal information may be necessary for the establishment, exercise or defense of legal claims.

If your personal information is subject to the EU GDPR or the UK GDPR, you may have the right to:

- Request Access to or Portability of Your Personal Information.
- Request Rectification of Your Personal Information.
- Request Erasure of Your Personal Information.
- Request Restriction of or Object to Our Processing of Your Personal Information.
- Withdraw Your Consent to Our Processing of Your Personal Information. Please note that your withdrawal will only take effect for future processing and will not affect the lawfulness of processing before the withdrawal.
- Right not to Be Subject to a Decision Based Solely on Automated Processing, including profiling, which produces legal effects concerning you or similarly significantly affects you.
- Lodge a Complaint with the Competent Supervisory Authority if you believe our processing of your personal information violates applicable law.

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 the EU GDPR and the UK GDPR.

9. CHILDREN’S PERSONAL INFORMATION

The Services are not directed to children under 18 (or other age as required by local law outside the United States), 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 the Services in violation of applicable law, you may contact us as described in [“Contact Us”](#) below.

10. 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 endorse, screen, or approve, 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.

11. CONTACT US

Empirium is the controller of the personal information we process under this Privacy Notice.

If you have any questions about our privacy practices or this Privacy Notice, or to exercise your rights as detailed in this Privacy Notice, please contact us at: support@empirium.co.

Data Protection Officer: Calum Belden, COO