

Guidesly – Services Privacy Notice

1. Overview

This services privacy notice (“**Services Privacy Notice**”) describes how Guidesly, Inc. (“**Guidesly**”, “**we**”, “**our**”, or “**us**”): (a) collects, uses, retains, shares, or otherwise processes your data (“**process**” or “**processes**”); and (b) describes your rights regarding your personal data (as defined below) and how to exercise those rights. Please read this Services Privacy Notice carefully to understand our policies and practices regarding your data and how we will treat it when you use our Services. For information on how we will treat your data outside the use of our Services, please see our [Privacy Notice](#) (“**Privacy Notice**” and together with Services Privacy Notice, the “**Privacy Statement**”). Wherever appropriate in this Services Privacy Notice, a singular term shall be construed to mean the plural where necessary, and a plural term the singular.

1.1. Modifications to This Services Privacy Notice

This Services Privacy Notice may be modified from time to time. We advise you to frequently check this Services Privacy Notice for any changes. The date this Services Privacy Notice was “last updated” is at the top of this page. If we make a material change to this Services Privacy Notice, we will publish the updated Services Privacy Notice to: <https://guidesly.com/privacy-policy>. We may also provide notice of such changes to you in other ways, at our discretion, such as emailing you at the email we have on file for you. YOUR USE OF THE SERVICES, AND CONTINUED USE OF THE SERVICES FOLLOWING ANY CHANGES TO THIS SERVICES PRIVACY NOTICE, SIGNIFIES YOU READ AND UNDERSTAND THE TERMS OF THIS SERVICES PRIVACY NOTICE. IF YOU DO NOT AGREE WITH THE TERMS OF THIS SERVICES PRIVACY NOTICE, YOUR CHOICE IS TO NOT USE SERVICES.

1.2. When This Services Privacy Notice Applies

This Services Privacy Notice applies to the data we collect from or about you when you access, use, or purchase our services which provides a business to consumer marketplace for outdoor reactional guides and managed services for the providers on our marketplace (collectively, the “**Services**”).

This Services Privacy Notice does not apply to your data if you:

- (a) interact with us, including through websites or mobile apps owned or managed by us or any other online presence we have (the “**Digital Assets**”), outside the use of our Services. Please see our [Privacy Notice](#) which shall apply in such cases; or
- (b) interact with third-party digital assets that are linked to or accessible from the Digital Assets.

2. Type of Data Collected; Source of Data

The types of data we collect about you depend on your interactions with us and on our Services. In this section, we describe the categories of data we collect, organized by the sources of this data.

By interacting with the Services, you grant us the right to use your data to enable us to provide the Services to you, to improve the Services, and other uses as stated in this Services Privacy Notice, in any ancillary agreements you may have entered with us related to our Services. If you do not provide your data when requested, you may not be able to use our Services or certain features of our Services in whole or in part: (a) if that data is necessary to provide you with our Services or such features or (b) if we are legally required to collect the requested data.

2.1. Data You Directly Provide to Us

In addition to any other categories of data we state we are collecting at the time of collection, we may also collect the following data that you provide directly to us:

- (a) Personal Data. Data by which you may be personally identified such as, first and last name, email, phone number, physical address, or any other data that could be used to identify you or that associated with such identifiable data that could identify you (“**personal data**”);
- (b) Demographic Data. Data that is about you but that as an individual piece of data does not specifically identify you, such as birth date, gender, zip code, age, and language spoken;
- (c) Employee Data. If you are a guide, data about your employment such as employer name, position/title, and certifications held;
- (d) Communications Data. Data contained in your communications with us through our Services, such as when you request additional information about our Services, provide us with feedback, fill out forms on the Services, or interact with our customer service team team (including chat logs and call recordings)] including personal data used to contact you, the date and time of your communications, and the content of your communications;
- (e) Login Data. Data related to your account such as username, password, and security questions;
- (f) Transaction Data. Data related to our Services such as the type of Services requested or provided, order details, delivery information, or the amount charged. To complete a transaction, you may be required to provide payment and financial data such as the type of card, card number, expiration date, security code, and billing address. When you provide such data, it is processed directly by a third-party payment processor. We do not have direct access to, process, transmit, handle, or store any of your credit or debit card details; or

- (g) Sensitive Data. Data that is sensitive such as data related to your medical history (in so far as you provide it to us), biometric data to identify you in photos or videos taken during your guided trip, or personal data of a known child if they are part of the guided trip.

2.2. Data Automatically Collect About You

As you navigate through and interact with our Services, we, our service providers, or other third parties may use cookies, log files, pixels tags, software development kits (SDKs), and other client-side or server-side automatic data tracking technologies (“**Automatic Tracking Technologies**”), to collect certain data about your equipment, browsing actions, and patterns, including the following types of data:

- (a) Device Data. Data when you interact with the Services such as technical data about your device including your IP address; unique identifiers and device type; domain, browser type, version, and language; operating system and system settings; and similar device data.
- (b) Usage Data. Data about your visits to and usage of our Services including: usage details (i.e., date/time/duration on a given Digital Assets page), traffic data, logs, general location and time zone based on your IP address, heat maps that show where your mouse is on a Digital Assets page, other communication data and the resources that you access and use on the Digital Assets, and navigation paths within the Digital Assets. This data may include links clicked, Digital Assets page views, searches, features used, items viewed, or time spent on the Digital Assets.

The Automatic Tracking Technologies we may use include the following:

- (a) Cookies (or browser cookies). A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate settings on your browser. However, if you select this setting, you may be unable to access certain parts of our Digital Assets. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Digital Assets.
- (b) Log Files. Log files are software-generated files containing data about the operations, activities, and usage patterns of an application, server, or IT system, such as what was done and at what time.
- (c) SDKs. A Software Development Kit or “SDK” represents a consolidated package of pre-existing code, enhancement tools, and guidance documents that can be installed and used to develop applications for a particular digital asset. SDKs allow our partners to directly extract data from our Digital Assets. The data collected has numerous applications including offering us insightful analytics about our Digital Assets’ usage, enabling social media incorporation, introducing

new attributes or capabilities to our Digital Assets, or assisting in tracking and enhancing the efficacy of our online advertisements.

- (d) Web Beacons. Pages of our Digital Assets may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit us, for example, to count users who have visited those pages or for other related Digital Assets statistics (for example, recording the popularity of certain Digital Assets content and verifying system and server integrity).

2.3. Data We Collect from Other Sources

We may receive the data described above from other sources such as service providers and other third parties who help us provide the Services or market our Services to you. These other sources we may receive data from include the following:

- (a) Service Providers. We may use service providers to provide the Services to you or for any other purpose described in the How We Use Your Data section below. These service providers have contractual obligations with us to use the data we provide to them to carry out the purpose in which we provide it and for no other purpose. This may include your data.
- (b) Other Third Parties. We may use other third parties to assist us with providing the Services to you or for any other purpose described in the How We Use Your Data section below, and so we may provide such third parties data about how you interact with our Services, marketing campaigns, or events in which we and you participate. These third parties' privacy policies govern the collection and disclosure of your data by such third parties.
 - (i) Data Providers. We may use data providers to collect additional data about you which assists us with improving the Services, marketing our Services to you, or for any other purpose described in the How We Use Your Data section below.
 - (ii) Publicly Available Source. We may collect data from publicly available sources across the web which could contain personal data about you such as public reviews you've posted about a guided tour.

In addition to the types of data and sources of data we describe above, we may also draw inferences or derive data about you based on other types of data we collect to create a profile reflecting your interest, preferences, and characteristics. We may use this data to enhance your experience on the Services, to track analytics about the usage of our Digital Assets, or to serve advertisements, including targeted advertisements to you.

3. **How We Use Your Data**

We, along with our service providers or other third parties, may use your data for the purposes described below. As part of these purposes, your data may be processed using Artificial Intelligence technologies (“AI”) including AI that generates images, text, audio, or video from user inputs (generative AI). We may use your data for the following purposes:

- (a) Provide and Improve our Services. To effectively deliver the products or services your request as well as to, administer, present, support, maintain, and improve our products or services.
- (b) Communicate with You. To communicate with you, including when you request additional information from us, or when we contact you about your account such as reminders about your subscription renewal or a material change to our policies that affect you, or in connection with the Services you have purchased from us.
- (c) Advertise and Market to You and Other Customers. To send advertising or marketing communications (including targeted advertisements) about products, or services offered by us and others, and provide news and information that we believe may be of interest to you and to analyze and enhance our marketing communications and strategies. For information about managing your marketing preferences, see the Your Choices About Your Data section below.
- (d) Provide Safety and Security. To detect and protect against malicious, deceptive, or illegal activity, including fraudulent transactions, errors, negligence, violations of any applicable terms, security incidents, and harm to the rights, property, or safety of us and our users, customers, employees, or others.
- (e) Troubleshoot. To identify and debug errors that impair the existing intended functionality of our Services.
- (f) Facilitate Corporate Transactions. In anticipation of or in connection with a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Guidesly’ assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which the data held by Guidesly is among the assets transferred.
- (g) Obtain Your Consent. In accordance with: (i) the way we describe to you when you provide the data to us; (ii) your instruction or intentional direction; or (iii) any other way when you consent.
- (h) Comply with Legal Obligations. To comply with our legal or regulatory obligations, including our tax obligations and those related to the prevention of fraud and money laundering, and those required for you to benefit from rights recognized by law, or any regulatory requirements or provisions.

In addition to the descriptions above regarding how we may use your data, we may also use it in the following ways:

- (i) Aggregated or De-identified Data. The data we collect via Automatic Tracking Technologies may include personal data. We may process it or associate it with data we collect in other ways or receive from other sources. We may use that aggregated data to enhance and personalize your experience with us, for promotional purposes, testing our IT systems, research, data analysis, improving our Site, developing new products and features, and for other purposes described in this Services Privacy Notice. We may use, without restriction, data that is aggregated or de-identified and is maintained in a form that cannot reasonably be used to infer data about, or otherwise be linked to, a particular individual or household.
- (j) Inferences from Your Data. In addition to the types of data and sources of data we describe above, we may also draw inferences or derive data about you based on other types of data we collect about you to create a profile reflecting your interest, preferences, and characteristics. We may use this data to enhance your experience on the Site, to track analytics about the usage of our Site, or to serve advertisements, including targeted advertisements to you.

4. Who We Share Your Data With & The Purpose of Disclosure

We may disclose data that we collect from you or that you provide as described in this Services Privacy Notice to the following categories and for the purposes set forth below:

- (a) Service Providers. We disclose data to unaffiliated companies or individuals we hire or work with that perform services on our behalf, including customer support, web hosting, software developers, information technology services, database management, direct mail and email distribution. These service providers may have access to data we collect from you to perform the specific services we request from them.
- (b) Other Third Parties.
 - (i) *Analytics and Advertising Providers*. We engage third parties to provide analytics services, serve advertisements, and perform related services across the web and in mobile applications. These entities may use Automatic Tracking Technologies to collect data about your use of the Services, and on other third-party digital assets, including your IP address and other identifiers, web browser network information, pages viewed, time spent on pages or in mobile apps, links clicked, and conversion data. These third parties may use this data to deliver advertisements that are more relevant to you across the web and in mobile applications, to analyze and track data, determine the popularity of certain content, and better understand your online activity.

The activities described above may constitute “targeted advertising,” “sharing,” or “selling” under certain laws. For information on opting out of having your data used for these purposes, please see the Your Choices About Your Data section below.

- (c) Corporate Transaction. Your data may be disclosed or transferred in anticipation of or in connection with a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Guidesly’ assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which data held by Guidesly is among the assets transferred.
- (d) Law Enforcement Authorities and Individuals Involved in Legal Proceedings. We disclose data when we believe doing so is reasonably necessary to comply with applicable law or legal process (including an enforceable request from authorities), to respond to claims (including inquiries by you in connection with your purchases from us), enforce or apply our other policies, or to protect the rights, property, or personal safety of us, our users, employees, or others.
- (e) Professional Advisors. We may disclose your data to professional advisors, such as lawyers, bankers, auditors, and insurers, where necessary in the course of the professional services that they render to us.
- (f) Your Consent or at Your Direction. We disclose data, to third parties when we have your consent or direction to do so. We may also disclose your data to third parties, such as when you expressly direct us to do so or when you use our products or services to intentionally interact with third parties. In these cases, we disclose your data to carry out your request.

We may also disclose aggregated, anonymized, or de-identified data, which cannot reasonably be used to identify you, without restriction. We process, this data only in a de-identified fashion and will not attempt to re-identify such data, except as permitted by law.

Notwithstanding anything to the contrary in this Privacy Notice, other than those parties and for those specific purpose which you consented to, your mobile phone number will not be shared with third parties/affiliates, including for such third parties/affiliates marketing purposes, and we will not transfer your opt-in consent to receive text messages from us to any third parties.

5. How We Protect Your Data

We have implemented measures designed to secure your data from accidental loss and unauthorized access, use, alteration, and disclosure.

The safety and security of your data also depend on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Services, you are responsible for keeping this password confidential. Do not share your password with anyone.

Unfortunately, the transmission of data via the Internet is not completely secure. Although we use reasonable efforts to protect your data, we cannot guarantee the security of your data transmitted to our Services. Any transmission of data is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained in the Services.

6. Retention of Your Data

We may retain your data for as long as we need it to provide you with the Services. If you ask us to delete your data or you delete your account through your settings, there may be some latency in deleting this data from our servers and back-up storage and some data may not be completely removed from our logs and other records. In addition, we may retain this data if necessary to comply with our legal obligations, resolve disputes, or enforce our agreements.

When we process personal data, we determine the retention period taking into account various criteria, such as the type of Services provided to you, the nature and length of our relationship with you, the impact on our Services we provide to you if we delete some data from or about you, and mandatory retention periods provided by law.

7. Your Choices About Your Data

We strive to provide you with choices regarding the personal data you provide to us. Depending on applicable law, you may have the right to confirm whether we are processing your personal information, request correction, deletion or access to your data, request to opt-out of certain processing activities and in certain instances you may also request to opt-out of certain processing activities. 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 applicable laws.

Only you, or someone legally authorized to act on your behalf in certain jurisdictions, may make a request to exercise the rights listed above regarding your personal information. If your personal information is subject to a law that allows an authorized agent to act on your behalf in exercising your privacy rights and you wish to designate an authorized agent, please provide written authorization signed by you and your designated agent using the information found in “Contact Us” below and ask us for additional instructions.

To protect your privacy, we will take steps to verify your identity before fulfilling requests submitted under applicable privacy laws. These steps may involve asking you to provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative. Examples of our verification process may include asking you to confirm the email address we have associated with you.

Some laws may allow you to appeal our decision if we decline to process your request. If applicable laws grant you an appeal right and you would like to appeal our decision with respect to your request, you may do so by informing us of this and providing us with information supporting your appeal. In the event your data request is denied and applicable state law allows you to submit an appeal, we will provide you with confirmation of the action being taken

regarding your appeal within 60 days of receipt of your appeal. We will not ‘discriminate’ against you or treat you differently for opting to exercise any applicable data rights.

8. Accessing, Correcting, and Deleting Your Data

You can review and change your personal data by logging on to your account and correcting the data. If you wish to access or correct additional data that we hold about you and is not accessible through your account or if you do not have an account with us, please contact us via email at the email listed in the How to Contact Us section below and we will try to assist you with your request.

8.1. Automatic Tracking Technologies

We and other third parties may use Automatic Tracking Technologies on the Digital Assets. This Services Privacy Notice does not apply to these third-party Automatic Tracking Technologies because we do not control the data collected by them. You may be able to block or disable Automatic Tracking Technologies on your device at any time by changing your preferences or options menus in your browser. You may also be able to reject or delete the Automatic Tracking Technologies that are stored on your device. However, blocking, disabling, or deleting Automatic Tracking Technologies may limit your ability to view all the pages on our Digital Assets. Each browser provides different mechanisms for managing Automatic Tracking Technologies. Look at your browser’s help menu to determine the best way to modify your browser's Automatic Tracking Technologies storage. You can usually find these settings in the “Options” or “Preferences” menu of your browser. You can use the “Help” or similar option in your browser for more details. You can still use our Digital Assets if you block or delete our Automatic Tracking Technologies, but your ability to access certain Digital Assets features may be limited.

To specifically find out more about cookies, including how to see what cookies have been set and how to block and delete cookies, please visit: <https://www.aboutcookies.org/>.

8.1.1. Targeted Advertising

We work with certain analytics and advertising providers, as described in the Who We Share Your Data With & the Purpose of Disclosure section and allow these analytics and advertising providers through our Digital Assets to place Automatic Tracking Technologies on your browser or device to collect data about you. The data they collect may be associated with your personal data or they may collect data, including personal data, about your online activities over time and across different websites and other online services. They may use this data to provide you with interest-based (behavioral) advertising or other targeted content. We do not control these third parties’ Automatic Tracking Technologies or how they may be used.

Some of our analytics and advertising providers may be members of the Network Advertising Initiative (“NAI”) and/or are subject to the Self-Regulatory Principles for Online Behavioral Advertising published by the Digital Advertising Alliance (“DAA”). You can obtain more information about these companies’ information collection practices and opt-out of receiving

interest-based advertising from participating NAI and DAA members by going to the NAI's website at <http://optout.networkadvertising.org/?c=1> or the DAA's website at optout.aboutads.info. In addition, your mobile device settings may provide the functionality to limit our, or our partners', ability to engage in ad tracking or targeted advertising using the Google Advertising ID or Apple ID for Advertising associated with your mobile device.

If you opt-out of targeted advertisements, you will still see advertisements online, but they may be less relevant to you. Please note that we may also work with companies that do not participate in the opt-out mechanisms described above. Even after using these opt-out mechanisms, you may receive targeted advertising from other companies. We do not control these third-party opt-out links and we do not control whether our advertising partners participate in these programs. We are not responsible for any choices you make using these programs or links or their continued availability or accuracy.

8.2. Our Email Marketing to You

If you do not wish to receive our marketing emails, you may unsubscribe by following the unsubscribe instructions at the bottom of the email or by contacting us through the contact information in the How to Contact Us section at the bottom of this Privacy Notice. After you unsubscribe, however, you may continue to receive product or service-related and other non-marketing emails. If you have provided more than one email address to us, you may continue to be contacted unless you request to unsubscribe each email address you have provided.

8.3. Texting

You can opt-out of texting communications at any time by following the Opt-Out Command instructions below.

You can opt out by replying "STOP", "QUIT", "CANCEL", "OPT-OUT", and/or "UNSUBSCRIBE" to the respective text messages ("**Opt-Out Command**"). When we receive your Opt-Out Command, we may respond with a confirmatory text message in return that will confirm receipt of your cancellation request as well as indicate that you will no longer receive SMS from us. For more information about our texting communications, please see our [Terms of Service](#)

8.4. Do Not Track Signals

Some web browsers (including Safari, Internet Explorer, Firefox, and Chrome) incorporate a "Do Not Track" ("**DNT**") or similar feature that signals to websites that a user does not want to have his or her online activity and behavior tracked.

Please note that we recognize and respond to signals which your browser might transmit through the DNT feature your browser has.

9. **Links to Other Third-Party Digital Assets**

We may provide links to digital assets such as websites, applications of services that we do not own or operate (“**third-party digital assets**”). Those links are provided for your convenience. If you follow the link and visit those third-party digital assets, they too may collect data about you. We do not own or control any third-party digital assets, and we are not responsible for the practices employed by third-party digital assets linked to or from our Digital Assets. We recommend that you review the privacy notices of other third-party digital assets before authorizing third-party access to your data.

10. Children Under the Age of 18

Our Services is **not** directed at or intended for children under 18 years of age. No one under the age of 18 may provide any data to or on the Services. We do not knowingly collect data from children under 18. If you are under 18, do not use or provide any data on the Digital Asset or on or through any of its features/register or in connection with the Services. If we learn we have collected or received data from a child under 18 without verification of parental consent, we will delete that data. If you believe we might have any data from or about a child under 18, please contact us through the data at the How to Contact Us section below.

11. International Visitors

We are based in the United States. When we obtain data about you, we may process such data outside of the country in which you reside, including in the United States. By using the Services, you consent to the transfer to and processing of your data in countries outside of your country of residence, which may have different data protection laws than those in the country where you reside.

12. Disabilities

This Services Privacy Notice is available to consumers with disabilities. To access this Services Privacy Notice in an alternative downloadable format, please click [here](#)

13. How to Contact Us

To ask questions or comment about this Services Privacy Notice and our practices in general, contact us at:

Physical Address 1 Seneca Street, 24th Floor, Buffalo NY
14203
Email privacy@guidesly.com