

## Privacy Policy

**Last Updated:** August 16, 2021

This Privacy Policy sets out how Triangle Tube Phase III Co., Inc., doing business as Triangle Tube collects information about you and how it is shared or otherwise used, what rights and choices you have over your personal information and our use of it, and the measures we take to protect your information. This privacy policy applies to personal information collected by or on behalf of Triangle Tube Phase III Co., Inc. ("**Triangle Tube**", "**we**", "**us**", or "**our**"), including information collected through our website at <https://www.triangletube.com> and mobile versions of our website (collectively, the "**Site**"), our mobile application (the "**App**"), by email, phone, in-person or anywhere else we post this Privacy Policy (collectively, the "**Platform**"). By using the Platform, you accept and agree to the terms of our Privacy Policy in effect at the time of your visit.

### Privacy Policy Effective for Canada

It is Triangle Tube's policy to comply with the privacy legislation within each jurisdiction in which we operate. Sometimes the privacy legislation and / or an individual's right to privacy are different from one jurisdiction to another. This Privacy Policy covers only those activities that are subject to the provisions of Canada's federal and provincial privacy laws, as applicable.

This Privacy Policy has a limited scope and application. Consequently, the rights and obligations contained in this Privacy Policy may not be available to all individuals or in all jurisdictions. If you are unsure if or how this Privacy Policy applies to you, please contact our Privacy Officer for more information.

If you are unsure of which Privacy Policy applies to you, please contact our Privacy Officer for more information.

### What is Personal Information?

For the purposes of this Privacy Policy, personal information is any information about an identifiable individual, other than the person's business title or business contact information when used or disclosed for the purpose of business communications.

### Information We Collect

The information we collect, how we use it and your rights with regard to that information may vary, depending on how you interact with the Platform. For example, we collect information from general visitors to the Site ("**Visitors**"), boiler sellers or installers that register and use the App ("**Installers**"), prospective customers or business contacts that interact with the Platform ("**Business Contacts**") and homeowners who purchase and use our products ("**Homeowners**") in different ways. We generally collect information about you in the following manner:

*Information you provide.* We may collect information that you provide to us, such as:

- Contact information, including name, address, phone number, email, and password.
- Device information, including make, model, IP address, and location.
- Installer name, email, password, business contact information, and time zone used to set up your Installer account and send you notices associated with your account.
- Information used for product registration and set up for **T-Sync** functionality, depending on the features the Homeowner or Installer elect to activate, such as:

- Installer name and email address,
- Homeowner name, email address and street address,
- Product details such as product type, model number, serial number, installation type and date, and
- Combustion information about your boiler and other related details you upload or provide.
- Information used to submit a warranty claim or labor allowance request form, such as: boiler model and serial number; date of service visit, labor request and description of service; Installer company name, address and phone number; and information included on the W-9 tax form.
- Homeowner address for the physical location of the boiler, in order for the Installer to provide support services for the boiler and Homeowner Wi-Fi information as needed for the App to establish the Bluetooth connection with a **T-Sync**, when applicable.
- Other information you choose to provide if you contact us by phone, email or offline method.
- Business relationship information, including information related to your agreements, preferences, advisors and decision makers, feedback and information requested by or provided to you.
- Information from your boiler, which generates boiler data that are not tied to the consumer's day-to-day activities or usage, but will include information regarding whether your boiler is turned on, functioning properly, and other technical information ("**Boiler Data**").

You can choose not to provide your information to us. However, some information is required for us to provide our services to you or respond to your requests, to provide or respond to a warranty claim, and set up your account.

From time to time, we may utilize the services of third parties in our business and may also receive personal information collected by those third parties in the course of the performance of their services for us or otherwise. Where this is the case, we will take reasonable steps to ensure that such third parties have represented to us that they have the right to disclose your personal information to us.

Where permitted or required by applicable law or regulatory requirements, we may collect information about you without your knowledge or consent.

*Information collected automatically.* We also collect information automatically when you use the Platform, such as through cookies or other tracking technology. A cookie is a small file placed on your device or computer's hard drive. Cookies allow web applications to respond to you individually such as by remembering your likes and dislikes by gathering and remembering information about your preferences. We use cookies to identify which pages of the Site are being used. This helps us analyze data about web page traffic and improve our Site in order to customize your experience. We only use this information for statistical analysis and not to identify individual visitors to the Site. Overall, cookies help us provide you with a better experience, by enabling us to monitor which pages you find useful and other ways in which you use (or do not use) the Site.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but you can modify your browser setting to decline cookies if you prefer. This may prevent you from experiencing all features of the Site.

### **Why Do We Collect Personal Information?**

Triangle Tube collects personal information to enable us to manage, maintain, and develop our business and operations, including:

- To establish, maintain and manage our relationship with you so that we may provide you with, or receive from you, the products and services that have been requested.

- To be able to review the products and services that we provide to you so that we may understand your requirements for our products and services and so that we may work to improve our products and services.
- To be able to review the products and services that we obtain from you so that we may work with you and so that you may understand our requirements for such products and services.
- To be able to comply with your requests (for example, if you prefer to be contacted at a business or residential telephone number and advise us of your preference, we will use this information to contact you at that number).
- To protect us against error, fraud, theft and damage to our goods and property.
- To enable us to comply with applicable law or regulatory requirements; and
- Any other reasonable purpose to which you consent.

### **Do-Not-Track Signals**

We do not knowingly permit third parties to collect personal information through the Site concerning your online activities over time across different websites. Our Site does not presently respond to browser-based do-not-track signals.

### **How We Use Your Information**

We use your information to provide our services and to improve our products and offerings. We may also use the information we collect for other reasons, including:

- To use your Boiler Data to help you diagnose and address problems, which may include sharing the Boiler Data with a technician or Installer.
- To improve our Platform, products and services or provide you with technical support.
- To respond to your questions, warranty claims or other requests or to otherwise communicate with you.
- To customize the Site and App according to your interests.
- To provide you notices or updates related to your Installer account.
- To verify your identity when you create an account.
- To maintain the security and integrity of our Platform and protect against and prevent fraud and other unlawful activity.
- To comply with and enforce applicable legal requirements, contractual obligations and our Terms of Use.
- Other purposes with your consent.
- As otherwise required or permitted by law.

We may also collect and use market-related information, which may include personal information, concerning market trends and activities impacting our business. This information may include contract terms, financial information and other information for the purpose of market analysis and strategic planning. We may also collect and use information related to our media, investor and public relations activities and information related to our interactions with financial and other analysts and advisors.

## **When We Share Your Information**

We may share your personal information with our employees, contractors, consultants, affiliates and other parties who require such information to assist us with establishing, maintaining, and managing our relationship with you. We may share your personal information with third parties, including:

- Service providers and business partners to perform functions on our behalf or otherwise facilitate our business operations.
- To comply with a legal obligation, at the request of governmental authorities, to verify or enforce our policies or legal rights, to respond to an emergency, or to protect the rights, property, safety, or security of you or others.
- In the event of a potential or actual merger or sale involving our business, including without limitation any transfer made as part of insolvency or bankruptcy proceedings, provided that the acquiring entity is bound by appropriate agreements or obligations and required to use and disclose your personal information in a manner consistent with the use and disclosure provisions of this Privacy Policy, unless you consent otherwise.
- To protect the rights and property of Triangle Tube.
- During emergency situations or where necessary to protect the safety of a person or group of persons.
- Where the information is publicly available.
- With your consent.
- As otherwise required or permitted by law.

Any third-party service providers used in the course of fulfilling the above business purposes are contractually obligated to use personal information received from Triangle Tube solely for the purpose of providing the service providers' service to us.

## **Security**

We use physical, technical and administrative safeguards to help prevent unauthorized access, use and disclosure of your personal information. However, because no such measures are 100% effective when transmitting information over the Internet, we do not guarantee that your information will be secure from theft, loss or unauthorized access or use and we make no representation as to the reasonableness, efficacy or appropriateness of the measures we use to safeguard information.

## **Your Choices**

It is important to us that we collect, use or disclose your personal information where we have your consent to do so. Depending on the sensitivity of the personal information, your consent may be implied, deemed (using an opt-out mechanism) or express. Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from your action or inaction. For example, when you enter into an agreement with us, we will assume your consent to the collection, use and disclosure of your personal information for purposes related to the performance of that agreement and for any other purposes identified to you at the relevant time.

Typically, we will seek your consent at the time that we collect your personal information. In certain circumstances, your consent may be obtained after collection but prior to our use or disclosure of your

personal information. If we plan to use or disclose your personal information for a purpose not previously identified (either in this Privacy Policy or separately), we will endeavor to advise you of that purpose before such use or disclosure.

As we have described above, we may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

### **Opt-Out**

You may change or withdraw your consent at any time, subject to legal or contractual obligations and reasonable notice, by contacting our Privacy Officer using the contact information set out below. All communications with respect to such withdrawal or variation of consent should be in writing and addressed to our Privacy Officer.

We assume that, unless you advise us otherwise, that you have consented to the collection, use and disclosure of your personal information as explained in this Privacy Policy.

You may opt out of cookies and other tracking technologies deployed through the Site by adjusting your browser settings as described above. You can contact us at 856.228.8881 to update your personal or account information or for any questions about your information. You may also opt-out of marketing emails by clicking the unsubscribe link in the email and following the instructions. Please note that even if you unsubscribe from our marketing emails, we may still send you non-marketing emails about your boiler, your account and your transactions with us.

### **Updating Your Personal Information**

It is important that the information contained in our records is both accurate and current. If your personal information happens to change during the course of our relationship, please keep us informed of such changes.

In some circumstances we may not agree with your request to change your personal information and will instead append an alternative text to the record in question.

### **Access to Your Personal Information**

You can ask to see your personal information. If you want to review, verify or correct your personal information, please contact our Privacy Officer. We will respond to your requests within 30 days, unless we are permitted by law to extend that time. Please note that any such communication must be in writing.

When requesting access to your personal information, please note that we may request specific information from you to enable us to confirm your identity and right to access, as well as to search for and provide you with the personal information that we hold about you. We may charge you a fee to access your personal information; however, we will advise you of any fee in advance. If you require assistance in preparing your request, please contact the office of our Privacy Officer.

Your right to access the personal information that we hold about you is not absolute. There are instances where applicable law or regulatory requirements allow or require us to refuse to provide some or all of the personal information that we hold about you. In addition, the personal information may have been destroyed, erased or made anonymous in accordance with our record retention obligations and practices. In the event that we cannot provide you with access to your personal information, we will endeavor to inform you of the reasons why, subject to any legal or regulatory restrictions.

## **Retention**

Triangle Tube will retain your personal information only for so long as it is necessary for the identified purposes for which the information was collected or in accordance with applicable laws. Personal Information that is no longer required to fulfill its identified purposes will be securely destroyed, erased, or made anonymous. We may, in accordance with applicable law, revise the retention schedule as is reasonable and appropriate in the circumstances. Your non-personal information may be disclosed to others and permanently archived for future use.

## **International Users**

Triangle Tube is located and operated in the United States. Our products and Platform are not targeted at individuals outside the United States and Canada. If you are visiting the Platforms from outside the United States and provide us with personal information, please note that your information will be accessed, transferred, stored and processed by us in the United States, where data protection laws may differ from those in the country where you are located. By doing business with or interacting with our Platform, you acknowledge and agree to the transfers of your personal information to the United States and Canada and understand that such information will be stored and processed in accordance with this Privacy Policy and the laws of the United States and Canada, as applicable.

## **Children's Privacy**

Our Site is not directed to or permitted for use by minors. We do not knowingly collect personal information from children under age 14. If you are a parent or guardian and believe your child has provided personal information to us, please contact us using the contact information at the end of this Privacy Policy. If we become aware that a child under age 14 has provided us with such information, we will delete it from our files.

## **Third-Party Links**

The Site may contain links to websites and third-party content that is not owned or operated by us. This Privacy Policy does not apply to services offered by other persons, including products or sites that may be displayed to you on the or through the Platform. We do not control the privacy practices of third-party platforms and encourage you to review the privacy policies of third-party platforms for more information regarding their applicable privacy practices.

## **Changes to Privacy Policy**

Please review this Privacy Policy periodically, as we may change it at any time and without prior notice to you. Any changes will be effective as of the last updated date indicated at the top of this Privacy Policy. We will post a notice on the Platform to notify you of changes to this Privacy Policy. Your continued use of the Platform indicates your consent to the changes as of the last updated date.

## **Interpretation of this Privacy Policy**

Any interpretation associated with this Privacy Policy will be made by our Privacy Officer. This Privacy Policy includes examples but is not intended to be restricted in its application to such examples, therefore where the word 'including' is used, it shall mean 'including without limitation'.

This Privacy Policy does not create or confer upon any individual any rights, or impose upon Triangle Tube any obligations outside of, or in addition to, any rights or obligations imposed by Canada's federal and provincial privacy laws, as applicable. Should there be, in a specific case, any inconsistency between

this Privacy Policy and Canada's federal and provincial privacy laws, as applicable, this Privacy Policy shall be interpreted, in respect of that case, to give effect to, and comply with, such privacy laws.

### **Contact Us**

Triangle Tube has appointed a Privacy Officer. If you believe your Personal Information has been used in a way that is not consistent with this Privacy Policy, or if you have further questions related to this Privacy Policy, please contact the Privacy Officer. Written inquiries may be addressed to:

Triangle Tube Technical Support  
856.228.8881  
1240 Forest Parkway, Suite 100  
West Deptford, NJ 08066, USA  
[info@triangletube.com](mailto:info@triangletube.com)