

YSHAPE, INC. - PRIVACY POLICY

Effective January 23, 2014

Overview. YSHAPE, Inc. is a provider of energy monitoring services ("YSHAPE Application" or "YSHAPE Software"). For the purposes of this Privacy Policy, the terms "we," "us," "our," "Company," and "YSHAPE" refers to YSHAPE, Inc. The term "you" refers to you (whether an individual or corporate entity), your employees, agents, and contractors, and any other entity who uses a YSHAPE Application on heating equipment or a computer device owned or operated by you as a user of our equipment, services and website. Our application enables you to monitor heating fuel consumption and related data ("ENERGY DATA") that are sent and received by you on your mobile phone, tablet or computer, and by those whom you authorize to have access to the ENERGY DATA.

This privacy policy explains our privacy practices as they pertain to how we collect, use and safeguard the personal information you provide to us when you use the YSHAPE Equipment, YSHAPE Mobile Applications or YSHAPE Computer Software and the related services ("Service") and the YSHAPE, Inc. Website ("Website").

Your Consent. By using our Services and Website, you consent to our collection, disclosure and use of your personal information as described in this Privacy Policy. The Company's privacy policy applies to customers of YSHAPE, Inc. and to visitors of the Website. We reserve the right to change this Privacy Policy, along with related procedures, at any time.

The YSHAPE, Inc. Service.

1. **Overview of the Service.** The Service, through the use of customer installed YSHAPE monitoring equipment, and YSHAPE software on your computer or internet enabled device, to record, store, exchange and obtain comparative data of all consumer ENERGY DATA monitored by YSHAPE Equipment. There is no monthly fee associated with the use of this Service.
2. **Information Collected By the Service.** YSHAPE, Inc. collects information about you when you first activate the Service and as you continue to use the Service.
 - a. **Personally Identifiable Information (PII).** PII is information that can be directly associated with a specific person or entity, and includes your name, telephone number, email address, physical address, and your energy usage. Furthermore, under certain circumstances, we may send you emails and ENERGY DATA when we feel we have an important announcement to share regarding your Service.
 - b. **Non-Personally Identifiable Information.** We also collect Non-Personally Identifiable Information ("Non-PII") in connection with the Service. Non-PII is information that cannot by itself be used to identify or locate a particular person or entity. The Non-PII we collect automatically includes the type of heating system, fuel, quantity of fuel consumed, timing of the heating system's on/off cycles, size of the space being heated, the location by zip code of your YSHAPE equipment, the method you use to access the Service.

The YSHAPE, Inc. Website.

1. **Overview.** The Website is designed for our clients and prospective clients, which are both individuals and businesses.
2. **Information Collected on the Website.**
 - a. **Personally Identifiable Information.** We collect PII from the Website when you choose to provide it to us. When you register for our Services you may provide us with personal information (such as your name, email address, address, and telephone number(s)) that you knowingly choose to disclose that is collected on an individual basis. If you choose to correspond with us through e-mail or text messages, we may retain the content of your e-mail or text messages and our response so that we can more efficiently handle any follow-up questions you may have. We may also collect PPI that is contained in any text messages and associated data that is stored on servers through your use of the YSHAPE Application.
 - b. **Non-Personally Identifiable Information.** We electronically receive and record information from your YSHAPE Equipment, computer and browser, as well as your mobile device, including your IP address, the YSHAPE Equipment IP address, cookie information, software and hardware attributes, and the page you request. Non-PII information is then accumulated, assimilated, factored and analyzed to provide you with useable data to amend, adjust and compare your energy usage. Your Non-PII will become part of the YSHAPE public data.

Privacy Information for both the Website and the Service.

1. **Disclosure of PII and Non-PII.** We share your PII internally within our Company in order to provide you with support for the internal operations of the Service and Website. Except as explained in this Privacy Policy, we do not sell, license or disclose PII to third-parties without your consent. We may disclose PII to third-parties in certain circumstances, such as:
 - a. to comply with state or federal laws or to comply with valid legal process including subpoenas, court orders or search warrants, and as otherwise authorized by law;
 - b. in cases involving danger of death or serious physical injury to any person or other emergencies;
 - c. to protect our rights or property, or the safety of our customers or employees;
 - d. to protect against fraudulent, abusive, unauthorized or unlawful use of or subscription to our services and to protect our network, services and users from such use;
 - e. to advance or defend against legal claims, in court and elsewhere;
 - f. to credit bureaus or collection agencies in order to obtain payment for billed services;
 - g. to a third-party that you have authorized to verify your account information;
 - h. to outside auditors and regulators;
 - i. to other third parties if your Non-PPI information has been combined or aggregated with information from other persons or entities using our so that it represents broad based compilations and analysis of your Non-PPI with other Non-PPI information relating to other persons; or
 - j. with your consent.

In the event that YSHAPE, Inc. is acquired by or merged with a third party entity, we reserve the right to transfer or assign the information we have collected as part of such merger, acquisition, sale, or other change of control. In the unlikely event of our bankruptcy, insolvency, reorganization, receivership, or assignment for the benefit of creditors, or the application of laws or equitable principles affecting creditors' rights generally, we may not be able to control how your personal information is treated, transferred, or used. You will be notified by us of any such change in ownership or control of your PII.

2. **Your Privacy Choices.** You may update, correct, or delete the information you have provided via the Service at any time by sending an email to info@yshape.com. You may also update information you have provided via the Website by emailing us at info@yshape.com, and we will act upon your request in a reasonable time. To protect your privacy and security, we take reasonable steps to verify your identity before granting you access or making corrections. You are responsible for maintaining the secrecy of your unique password and account information at all times.
3. **Data Security.** The security of your information is important to us, including but not limited to the PII collected via the Service and the Website. We have implemented reasonable security measures to protect the information in our care, both during transmission and once we receive it. This includes, but is not limited to the use of firewalls and encryption. No method of transmission over the Internet, or method of electronic storage, however, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your information, we cannot guarantee its absolute security.
4. **International.** The Website is hosted in the United States, and we do not currently offer the Service outside of the U.S. If you are visiting the Website from the European Union or other regions with laws governing data collection and use that may differ from U.S. law, please note that you are transferring any PII you provide on this Website or via the Service to the United States and by providing your PII you consent to that transfer.

Other Web Sites Linked to Our Site.

We are not responsible for the practices employed by web sites linked to or from our Site nor the information or content contained therein. Often links to other web sites are provided solely as pointers to information on topics that may be useful to the users of our Site.

Please remember that when you use a link to go from our Site to another web site, our Privacy Policy is no longer in effect. Your browsing and interaction on any other web site, including web sites that have a link to our Site, is subject to that web site's own rules and policies. Please read over those rules and policies before proceeding.

Third Party Privacy Issues. We may use third parties to help operate our website and deliver products and services (such as Website or database hosting companies, address list hosting companies, email service providers, analytics companies, distribution companies, fulfillment companies, and other similar service providers that use such information on our behalf). Unless otherwise stated, these companies do not have any right to use the personal information we provide to them beyond what is necessary for them to assist us. When you conduct e-commerce with one of the e-commerce affiliates or service providers to

which the website may be linked, certain personal information such as your email and home address may be collected by the service provider's server and made available to us.

Third Party Applications – We may make available third party applications, such as gadgets or extensions, through our services. The information collected by us when you enable a third party application is processed under this Privacy Policy. Information collected by the third party application provider is governed by their privacy policies.

Changes and Updates to this Privacy Policy. Please note that this Privacy Policy may change from time to time. We will not reduce your rights under this Privacy Policy without your explicit consent. We will post any Privacy Policy changes on this page and, if the changes are significant, we will provide a more prominent notice (including, for certain services, email notification of Privacy Policy changes). We will also keep prior versions of this Privacy Policy in an archive for your review.

Contact Information. For questions or concerns relating to privacy, please send us an email at info@yshape.com .