

# NABLA MOBILITY PRIVACY POLICY

*Effective August 26, 2022*

NABLA Mobility, Inc. and our affiliates and subsidiaries (“We”, “NABLA Mobility”, “our”, or “us”) are committed to protecting our users (“users”, “you” or “your”) personal data, handling it responsibly and respecting your privacy.

The Privacy Policy explains how NABLA Mobility may collect, use, and disclose the information we obtain through our “Services” Any capitalized terms used and not defined in this Privacy Policy shall have the meaning given to them in the NABLA Mobility End User License Agreement (“EULA”)

**IMPORTANT NOTE:** By accessing or using the “services”, you expressly consent to NABLA Mobility’s collection, use, and disclosure of your Personal Information in accordance with the terms and conditions of this Privacy Policy. This Privacy Policy is incorporated into and subject to the terms of the EULA.

## Table of Contents

1. Introduction
2. Personal Data We Collect
3. How We Use Your Data
4. How We Share Personal Data
5. Your Choices and Obligations
6. Cookie Policy
7. Other Important Information
8. Contact Information

## 1. Introduction

This Privacy Policy applies to NABLA Mobility’s corporate webpage, NABLA Mobility Weave Pilot (“Weave Pilot”), and any other our applications, APS, communications and services (“services” as a whole), Excluding services that state that they are offered under a different privacy policy. For residents in the specific countries or regions, additional rights or disclosures under their laws may be found in 5.2 Rights to Access and Control Your Personal Data.

## **2. Personal Data We Collect**

### **2.1 Name and Contact**

When you create an account for services (“NABLA Mobility account”) we ask you to provide your email address. Also, we may ask you to provide additional personal and contact information to provide better services (e.g. name, telephone number, company name, job role, etc.)

### **2.2 Financial Information**

When you make payments through the services, you may need to provide financial account information, such as your credit card number or bank account information, to our third-party payment processors. This information is provided directly to such payment processors, and we do not collect or store such information, though we may receive summary information about transactions that do not include credit card or bank account numbers.

### **2.3 Aircraft**

When you add an aircraft to your NABLA Mobility account, we may ask for additional information, such as the make, model, series name, tail number, year and serial number of the aircraft.

### **2.4 Location**

When you use services, we process the aircraft’s location information, such as tail number, latitude, longitude, heading, barometric altitude, destination, estimated time enroute, and associated flight details. Without location information, services’ navigational features will not function properly. This data is uploaded to your NABLA Mobility account.

### **2.5 Historical Flight Data**

When you use the history feature on services, we process information about your flights, including but not limited to the take-off and landing airports, dates and times, and notes you choose to submit.

## **2.6 Web and Mobile Data**

When you use our services app, such as the Weave Pilot app, we process information about you and your device including a device ID, IP address, mobile software and hardware information, pages or areas visited within the services, what time said pages and areas are visited, and web browser information, so that we can provide and customize functionality, such as push notifications.

## **2.7 Customer Help Data**

When you interact with our customer Help representatives via email, telephone, or online, we collect personal data, such as your name, mailing address, phone number, email address, and contact preferences; and information about the NABLA Mobility products you own. We also may create event logs that are useful in diagnosing product or app performance-related issues, and capture information relating to the support or services issue. To improve customer help, subject to applicable laws, we may also record and review conversations with customer help representatives, and analyze any feedback provided to us through voluntary customer surveys.

When you contact NABLA Mobility for technical support, diagnostic data and feedback, including logs from the device on which you use our application, may be automatically uploaded to NABLA Mobility to help the technical support team resolve your concerns.

# **3. How We Use Your Data**

## **3.1 Services**

We process your email address because you use your email address and your password to sign in to your account. We use your data to authorize access to our service and honor your settings. The legal ground for processing your email address for this purpose is based on NABLA Mobility's legitimate interest in protecting the security of your account.

We use data about your aircraft and the performance of your aircraft to provide better calculations and optimization about your flight. The legal ground for processing this information is our legitimate interest in providing a better product that incorporates the performance of your aircraft in making calculations.

Your financial account information, such as your credit card, is required to make a payment for a product. This information is provided directly to such payment processors, and we do not collect or store such information, though we may receive summary information about transactions that do not include credit card or bank account numbers.

## **3.2 Marketing**

NABLA Mobility also processes your email address for the purpose of sending you important information about your NABLA Mobility products, apps or account, such as important safety information or material changes to this Privacy Policy. The name you provide is associated with your account profile. The legal ground for processing your email address and name for these purposes is NABLA Mobility's legitimate interest in providing you important safety or other information about your NABLA Mobility products, apps or account or material changes to this Privacy Policy.

For EU citizens, if you provide your opt-in consent to receiving marketing information from NABLA Mobility, NABLA Mobility will also process your email address for the purpose of sending you marketing information about NABLA Mobility products and apps, newsletters, and other occasional emails. For non-EU citizens, by giving NABLA Mobility your email address, you consent to receiving marketing information from NABLA Mobility and NABLA Mobility will also process your email address for the purpose of sending you marketing information about NABLA Mobility products and apps, newsletters, and other occasional emails. The legal ground for processing your email address for this purpose is your consent. You may withdraw your consent at any time by changing your preferences in your NABLA Mobility account or through the unsubscribe link at the bottom of our marketing emails. The marketing emails you receive from NABLA Mobility are based on the preferences you provide in your NABLA Mobility account, the locale indicated by your Internet Protocol (IP) address, the types of NABLA Mobility devices you have added to your NABLA Mobility account, and any subscriptions included in your NABLA Mobility account. The legal ground for processing this data for this purpose is NABLA Mobility's legitimate interest in reducing the number of marketing emails sent to each particular customer by selecting which customers receive a particular marketing email rather than sending every marketing email to every customer who has consented to receiving marketing emails.

### **3.3 Customer Help**

We process your email address to associate it with your NABLA Mobility account when you interact with our customer help representatives. We also use the information that you provide us while communicating with us to provide you with customer and product support and to monitor the quality and types of customer and product support we provide to our customers. The legal ground for this processing is our legitimate interest in providing quality customer support.

### **3.4 Service Development and Research**

We use your data, (e.g. feedback, pages or areas visited within the services, flight records) to develop better function by understanding the performance of your aircraft to improve our services and provide you better user experience (e.g. build better optimization algorithms, create better turbulence and weather, prediction model). This also includes improving our beta version products. The legal ground for processing this information is our legitimate interest in providing a better product that provides the user with a better experience.

### **3.5 Security and Investigations**

We also process your personal data as part of our fraud detection processes. The legal ground for processing your personal data for that purpose is our legitimate interest in protecting NABLA Mobility and our customers from attempts to engage in fraudulent transactions.

## **4. How We Share Personal Data**

We will share your personal data with the following recipients;

### **4.1 Service Providers**

We will share your personal data with our commercial partners, so they can advise us on how best to communicate with you on their behalf. We do not give your data to partners for them to communicate with you directly.

Our commercial partners and how we partnering with them are;

**The University of Tokyo (“UTokyo”):** NABLA Mobility has contracted the joint research project agreement with UTokyo. This joint research agreement’s purpose and scope are to improve our algorithms and models used to provide services.

**The Japan Aerospace Exploration Agency (“JAXA”):** NABLA Mobility has been accepted to “JAXA Aviation Innovation Challenge 2022 Powered by DBJ”. We are working with JAXA to improve our algorithms and models to provide services.

We will share your personal data with our third-party suppliers involved in data insights; website hosting; advertising; systems maintenance; database management; identity checking; payment processing; delivery logistics;

We are using the following commercial partners and how we partnering with them are;

**Google:** Google Analytics is used to track site statistics and user demographics, interests, and behavior on websites. We also use Google Search Console to help understand how our website visitors find our website and to improve our search engine optimization. For more information, see the [Google privacy policy](#). You may opt out at <https://tools.google.com/dlpage/gaoptout>.

**Cookiebot:** Cookiebot is used to record and store cookie and cookie consent data from our users. For more information, see the [Cybot Privacy Policy](#).

## 4-2. Legal Disclosures

We will share your personal data with government authorities to assist with their official requests and comply with our legal obligations.

We may disclose personal data about you to others: (a) if we have your valid consent to do so; (b) to comply with a valid subpoena, legal order, court order, legal process, or other legal obligation; (c) to enforce any of our terms and conditions or policies; or (d) as necessary to pursue available legal remedies or defend legal claims.

Our advisers and any new owners of the business (in the event our business is sold or integrated with another business)

## 4-3. Change in Control or Sale

If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of NABLA Mobility assets, or transition of service to another provider, your information may be sold or transferred as part of such a transaction as permitted by law and/or contract. We cannot control how such entities may use or disclose such information, and we disclaim any liability arising out of such entity's failure to comply with the terms of the EULA or this Privacy Policy.

## **5. Your Choices and Obligations**

### **5.1 Data Retention**

We generally retain your personal data as long as you keep your account open or as needed to provide you services. This includes data you or others provided to us and data generated or inferred from your use of our services. We will retain your information and keep your profile open unless you meet either condition stated below.

- If you closed your NABLA Mobility account.
- If your last access to NABLA Mobility account was two (2) years and one (1) day ago.

In some cases we choose to retain certain information (e.g., insights about services use) in a depersonalized or aggregated form.

### **5.2 Rights to Access and Control Your Personal Data**

We provide many choices about the collection, use and sharing of your data, from deleting or correcting data you include in your profile and controlling the visibility of your posts to advertising opt-outs and communication controls. We offer you settings to control and manage the personal data we have about you.

For personal data that we have about you, you can:

- **Delete Data:** You can ask us to erase or delete all or some of your personal data (e.g., the data that no longer necessary to provide services to you).
- **Change or Correct Data:** You can edit some of your personal data through your account. You can also ask us to change, update or fix your data in certain cases, particularly if it's inaccurate.
- **Object to, or Limit or Restrict, Use of Data:** You can ask us to stop using all or some of your personal data (e.g., if we have no legal right to keep using it) or to limit our use of it (e.g., if your personal data is inaccurate or unlawfully held).
- **Right to Access and/or Take Your Data:** You can ask us for a copy of your personal data and can ask for a copy of personal data you provided in machine readable form.

Residents in the specific countries or regions may have additional rights under their laws.

## **EUROPEAN UNION, EUROPEAN ECONOMIC AREA, AND SWITZERLAND**

The General Data Protection Regulation (“GDPR”) is a comprehensive European data protection law that provides greater data rights for individuals and increases compliance responsibilities for organizations. At its core, the GDPR grants EU residents greater control over their personal data and gives national regulators new powers to impose significant fines on organizations that breach this law.

NABLA Mobility is taking a global approach to the GDPR to help ensure all users benefit from increased control and clarity, which is in line with our commitment to putting our users first and working every day to maintain the trust they put in us.

You have the following rights under the GDPR:

- Access your personal data
- Correct errors in your personal data
- Erase your personal data
- Object to the processing of your personal data
- Export your personal data

How to contact the NABLA Mobility Data Protection Officer

In compliance with the GDPR, NABLA Mobility has appointed a DPO. To learn more about our DPO and how to contact them or if you would like to take the following actions, please see [8.Contact](#).

- To request access to or rectification, portability or erasure of your personal data, or to delete your NABLA Mobility account,
- If you live in the European Union and you wish to exercise your right to restriction of processing or your right to object to processing
- If you do not live in the European Union but you believe you have a right to restriction of processing or a right to object to the processing under your local laws

NABLA Mobility has a GDPR-compliant process for transferring data from Europe.

NABLA Mobility uses Standard Contractual Clauses (also known as EU Model Clauses) for the transfer of personal data out of the EU.

## **CALIFORNIA, THE UNITED STATES OF AMERICA**

This section applies solely to the personal data of users who reside in the State of California (“consumers” or “you”), the United States of America, and supplements the



information contained in NABLA Mobility's Privacy Policy. We have included this section to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this notice.

Your Rights and Choices: The CCPA provides consumers with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

- *Access to Specific Information and Data Portability Rights.* You have the right to request that NABLA Mobility disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable request, we will disclose to you: (i) the categories of personal information we collected about you; (ii) the categories of sources for the personal information we collected about you; (iii) our business or commercial purpose for collecting or selling that personal information; (iv) the categories of third parties with whom we share that personal information, if any; (v) the specific pieces of personal information we collected about you (also called a data portability request); (vi) if we sold or disclosed your personal information for a business purpose, two separate lists disclosing: (a) sales, identifying the personal information categories that each category of recipient purchased; and (b) disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.
- *Deletion Request Rights.* You have the right to request that NABLA Mobility delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies. We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to: (i) complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you; (ii) detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities; (iii) debug products to identify and repair errors that impair existing intended functionality; (iv) exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law; (v) comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.); (vi) engage in public or peer-reviewed research in accordance with Section 1798.105 (d)(6) of the CCPA; (vii) enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us; (viii) comply with a legal obligation; or (ix) make other internal and lawful uses of that information that are compatible with the context in which you provided it.

- o *Exercising Access, Data Portability, and Deletion Rights.* To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us (Please see 8. Contact).

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must: (i) provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative; and (ii) describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it. We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

- *Response Timing and Format.* We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily usable and should allow you to transmit the information from one entity to another entity without hindrance. We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.
- *Non-Discrimination.* We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not: (i) deny you goods or services; (ii) Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties; (iii) provide you a different level or quality of goods or services; (iv) suggests that you may receive a different price or rate for goods or services or a different level or quality of goods or services. However, we may offer you certain financial incentives permitted by the CCPA that can result in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Contact Information: If you have any questions or comments about this notice, the ways in which NABLA Mobility collects and uses your information described in this section, your choices and rights regarding such use, or wish to exercise your rights under California law, please see 8. Contact.

## **JAPAN**

As noted in our Privacy Policy, we process data both inside and outside of Japan and rely on legally-provided mechanisms to lawfully transfer data across borders. Our data centers, which store our personal data, are currently located in the United States.

Our users whose data is protected by Japan's Act on the Protection of Personal Information should refer to the article on the Japanese Personal Information Protection Commission's website (published only in Japanese) for more information on that Commission's review of the personal data protection systems for certain countries, including the U.S.

Our Privacy Policy describes how we collect, use, and share your information. If you would like further information regarding the disclosure of your personal information, please contact us. How to contact us, please see 8.Contact.

## **BRAZIL**

The Lei Geral de Proteção de Dados ("LGPD") is a comprehensive Brazilian data protection law that provides greater data rights for individuals and increases compliance responsibilities for organizations. At its core, the LGPD grants Brazil residents greater control over their personal data and gives national regulators new powers to impose significant fines on organizations that breach this law. It creates rights and protections similar to those created for European residents by the GDPR.

NABLA Mobility takes a global approach to ensure all members benefit from increased control and clarity, which is in line with our commitment to putting our members first and working every day to maintain the trust they put in us.

You have rights under the LGPD, including the right to take the following actions:

- Access your personal data
- Correct errors in your personal data
- Erase your personal data
- Object to the processing of your personal data
- Export your personal data

In compliance with the LGPD, NABLA Mobility has appointed a DPO. To learn more about our DPO and how to contact them, please see 8.Contact

## **6.Cookie Policy**

### **6.1 Websites**

To help analyze how you and other visitors navigate the NABLA Mobility websites, we compile aggregate statistics about site usage and response rates to help diagnose any problems with NABLA Mobility's servers, administer the NABLA Mobility websites, and maintain user experience continuity across website pages and site visits, we, with assistance from third-party analytics service providers, collect certain information when you visit our site.

This information includes IP address, geographic location of the device, browser type, browser language, date and time of your request, time(s) of your visit(s), page views and page elements (e.g., links) that you click. We may use cookies, pixel tags, web beacons, clear GIFs or other similar tools on our sites or in our email messages to assist us in collecting and analyzing such information. We use this information to provide better, more relevant content on our sites, identify and fix problems, and improve your overall experience on our sites.

If you do not want information collected through the use of these technologies, there is a simple procedure in most browsers that allow you to automatically decline many of these technologies, or to be given the choice of declining or accepting them.

If you reside in the European Union or other jurisdiction that requires us to obtain your consent to use cookies on our sites, then you will have an opportunity to manage your cookie preferences on the sites; except that certain cookies are required to enable core site functionality, and you cannot choose to disable those cookies.

### **6.2 NABLA Mobility Applications**

We also collect data from users about their usage of the NABLA Mobility apps. The types of analytical information that are collected include the date and time the app accesses our servers, app version, the location of the device, language setting, what information and files have been downloaded to the app, user behavior (e.g., features used, frequency of use), device state information, device model, hardware and operating system information, and information relating to how the app functions.

NABLA Mobility uses this data to improve the quality and functionality of the NABLA Mobility apps; to develop and market products and features that best serve you and other users; and to help identify and fix app stability issues and other usability problems as quickly as possible.

The legal ground for processing this analytical information is our legitimate interest in understanding how our customers interact with our products, apps, and websites so we can enhance the user experience and functionality of our products, apps, and websites.

Regarding third-party providers of analytics and similar services we currently use, please refer to 4.1 Service Providers

## **7. Other Important Information**

### **7.1 Cross-Border Transfers of Personal Data**

NABLA Mobility is a global business. To offer our products, apps, and services, we may need to transfer your personal data to other NABLA Mobility companies and affiliates in other countries. When you create a NABLA Mobility account, add personal data to your account profile, or upload data to your NABLA Mobility account, your personal data will be collected and stored on NABLA Mobility, Inc.'s servers in the United States. Personal data regarding individuals who reside in a country in the European Economic Area or in Switzerland is also controlled by and processed by NABLA Mobility, Inc.

Any transfers of personal data from NABLA Mobility companies in the European Economic Area ("EEA") or Switzerland to NABLA Mobility, Inc. in Japan are done pursuant to European Commission-approved Model Contractual Clauses.

All NABLA Mobility companies and affiliates are required to follow the privacy practices set forth in this Privacy Policy.

### **7.2 Securities**

We implement security safeguards designed to protect your data, such as HTTPS. We regularly monitor our systems for possible vulnerabilities and attacks. However, we cannot warrant the security of any information that you send us. There is no guarantee that data may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards.

Neither NABLA Mobility, nor its affiliates, nor any of their respective employees, officers or agents or the provider of the internet services on behalf of NABLA Mobility (nor any other person involved in the management or establishment of the Service) can give any representation or warranty as to the absolute security of the data transmitted using the Service, and cannot give any guarantee that such data will not

be compromised by bad actors. If you choose to provide data to or allow the collection of data by NABLA Mobility, then you do so understanding the aforesaid risk.

By using the Service or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Service. If we learn of a security system breach, we may attempt to notify you electronically by posting a notice on the Service or sending an email to you. You may have a legal right to receive this notice by mail.

### **7.3 Children's Privacy**

We do not knowingly collect, maintain, or use Personal Information from children under 13 years of age, and no part of the Service is directed to children under the age of 13. If you learn that your child has provided us with Personal Information without your consent, you may alert us at [corporate@nabla-mobility.com](mailto:corporate@nabla-mobility.com). If we learn that we have collected any Personal Information from children under 13 in a manner that is inconsistent with the U.S. Children's Online Privacy Protection Act, we will promptly take steps to delete such information and terminate the child's account as soon as practicable.

### **7.4 Marketing**

We currently do not rent, sell, or share personal data with third parties for their direct marketing purposes without your permission. We may allow access to other data collected by the Service to send information we think may be useful or relevant to you. Note that we may use your name, usage history and email address without further consent for non-marketing or administrative purposes (such as notifying you of major updates, customer service needs, tips on using the Service, notifications of unused features of the Service, or items for which you have requested communication).

### **7.5 Updates**

We may update this Privacy Policy from time to time as we add new products and apps, as we improve our current product offerings and as technologies and laws change. Any changes will become effective upon our posting of the revised Privacy Policy.

We will provide notice to you if these changes are material and, where required by applicable law, we will obtain your consent. This notice will be provided by email or by posting notice of the changes on the NABLA Mobility website and through the NABLA Mobility app.

## 8. Contact Information

If you have questions or complaints regarding this Policy, please first contact NABLA Mobility online. You can also reach us by physical mail.

Residents in the specific countries or other regions may also have the right to contact our Data Protection Officer. If this does not resolve your complaint, Residents in the specific countries or other regions may have more options under their laws.

### Our contact list:

For general inquiry

- Corporate Department ([corporate@nabla-mobility.com](mailto:corporate@nabla-mobility.com))
- Sakanoue Terrace #7, 9 Haraikatamachi, Shinjuku-ku, Tokyo, Japan. 162-0841

Data Protection Officer

- Sakanoue Terrace #7, 9 Haraikatamachi, Shinjuku-ku, Tokyo, Japan. 162-0841
- [corporate@nabla-mobility.com](mailto:corporate@nabla-mobility.com)