

Data Privacy Framework Policy

MFExchange US, Inc. d/b/a QuessGTS (“QuessGTS”) complies with the EU-U.S. Data Privacy Framework (EU-U.S. DPF), the UK Extension to the EU-U.S. Data Privacy Framework (UK Extension to the EU-U.S. DPF), and the Swiss-U.S. Data Privacy Framework (Swiss-U.S. DPF) as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal information transferred from the European Union / European Economic Area, the United Kingdom (and Gibraltar), and Switzerland to United States. MFExchange US, Inc. has certified to the Department of Commerce that it adheres to the Data Privacy Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement, and Liability. If there is any conflict between the terms in this privacy policy and the Data Privacy Framework Principles, the Data Privacy Principles shall govern. To learn more about the Data Privacy Framework, and to view our certification, please visit

<https://www.dataprivacyframework.gov/s/>

This Data Privacy Framework Policy (this “Policy”) sets forth the privacy principles followed by QuessGTS in connection with the transfer and protection of Personal Data (as defined below) received from countries in the EU/EEA, the United Kingdom and Switzerland. This Policy describes how QuessGTS handles Personal Data from its customers in connection with the services provided by QuessGTS. This Policy may be changed at any time in accordance with the requirements of the Data Privacy Framework. QuessGTS also collects certain information from our website visitors. More detail about what information we collect on our Website, how it is used, and each visitor’s rights and obligations may be found in QuessGTS’s Privacy Policy which is located at <https://www.quessgts.com/wp-content/uploads/2023/10/Privacy-Policy--Quess-GTS.pdf>

Scope

This Statement governs Personal Data transferred from countries in the EU, the United Kingdom and Switzerland to the United States on behalf of QuessGTS or its customers. It applies to Personal Data in electronic and off-line formats. “Personal Data” means information that can directly or indirectly lead to the identification of a living person, such as an individual’s name, address, e-mail, telephone number, license number, social security number, medical identification number, photograph, or other identifying characteristic. The identification can occur by reference to one or more factors specific to the individual’s physical, physiological, mental, economic, cultural, or social identity. Personal Data does not include information that has been anonymized, encoded, or otherwise stripped of its identifiers, or information that is publicly available, unless combined with other non-public personal information.

QuessGTS may receive Personal Data from its customers for purposes of providing services to its customers. In connection with providing the services, QuessGTS may collect passwords, usernames, and other data from customer networks, which may incidentally include Personal Data for the exclusive purposes of performing the services on behalf of its customers. At all times with respect to Personal data collected on behalf of its customers, and not for any other purpose under US federal or state law, QuessGTS acts as a mere “data processor” (as that term is defined under applicable EU, UK and Swiss law or otherwise referred to under the Data Privacy Framework as an “agent”).

Choice

You have the right to choose (opt out) whether your personal information is to be disclosed to a third party or be used for a purpose that is materially different from the purpose for which it was originally collected or subsequently authorized by you. If you wish to opt out or have questions, please contact QuessGTS at privacy@quessgts.com or in writing at MFXchange US, Inc. Attention: Privacy Officer, 201 Littleton Road, Suite 250, Morris Plains, NJ 07950.

Responsibility

You have a right to access any of your Personal Data which QuessGTS may collect or process. You also have a right to request that this data be corrected or removed from our servers. If you wish have questions, please contact QuessGTS at privacy@quessgts.com or in writing at MFXchange US, Inc. Attention: Privacy Officer, 201 Littleton Road, Suite 250, Morris Plains, NJ 07950.

Resolution of Complaints

In compliance with the Data Privacy Framework Principles, Quess GTS commits to resolve complaints about our collection or use of your personal information. (EU, UK and Swiss individuals with inquiries or complaints regarding our Data Privacy Framework policy should first contact QuessGTS at MFXchange US, Inc. Attention: Privacy Officer, 201 Littleton Road, Suite 250, Morris Plains, NJ 07950)

QuessGTS commits to cooperate with the International Centre for Dispute Resolution /American Arbitration Association (ICDR/AAA), <http://go.adr.org/dataprivacy.html> in the event you do not receive acknowledgement of your inquiry or your inquiry has not been satisfactorily addressed.

The Federal Trade Commission has jurisdiction over QuessGTS's compliance with the Data Privacy Framework.

Other Disclosures

QuessGTS may also disclose Personal Data as necessary in connection with the sale or transfer of all or part of its business. QuessGTS does not currently disclose our customers' Personal Data to third parties or use third parties for the purposes of processing Personal Data. If such a situation were to occur in the future, and QuessGTS were to disclose Personal Data to any third parties acting as "agents" on behalf of QuessGTS, QuessGTS will require the recipient to protect the Personal Data in accordance with the relevant principles of the Data Privacy Framework, or otherwise take steps to ensure that the Personal Data is appropriately protected. In the context of such an onward transfer, QuessGTS has responsibility for the processing of Personal Data it receives and subsequently transfers to a third party acting as an agent on its behalf. QuessGTS shall remain liable under the principles if its agent processes such Personal Data in a manner inconsistent with the Principles, unless QuessGTS proves that it is not responsible for the event giving rise to the damage. QuessGTS may disclose Personal Data where required or permitted by law, where QuessGTS believes that such disclosures are appropriate in connection with a law enforcement request or otherwise permitted by the Data Privacy Framework, or in order to investigate, prevent, or take action regarding illegal activities or suspected fraud, or enforce, administer or apply QuessGTS's agreements.

An individual has the possibility, under certain conditions, to invoke binding arbitration for complaints regarding Data Privacy Framework compliance not resolved by any of the other Data Privacy Framework mechanisms. For additional information, see <https://www.dataprivacyframework.gov/s/article/ANNEX-I-introduction-dpf?tabset-35584=2>

Questions

If you have any questions about this Policy, or if you would like to request access to Personal Data that QessGTS may maintain about you, please contact QessGTS at privacy@quessgts.com or in writing at: MFXchange US, Inc. Attention: Privacy Officer, 201 Littleton Road, Suite 250, Morris Plains, NJ 07950.