

## **Privacy Policy**

Your privacy is important to us. It is PingLend, Inc.'s dba Pesto ("Pesto") policy to respect your privacy and comply with any applicable law and regulation regarding any personal information we may collect about you, including across our products and services (collectively "Services") and website, [www.getpesto.com](http://www.getpesto.com) (referred to as the "Site").

Personal information is any information about you which can be used to identify you. This includes information about you as a person (such as name, address, and date of birth), your devices, and even information about how you use a website or online service.

By accessing or using the Site and Services, you agree to this Policy. If you do not agree to this Policy, please do not access or use the Site or Services.

In the event the Site contains links to third-party websites and services, please be aware that those websites and services have their own privacy policies and we do not exercise control over those third-party websites. After following a link to any third-party content, you should read their posted privacy policy information about how they collect and use personal information. This Privacy Policy does not apply to any of your activities after you leave the Site.

Last updated: November 29, 2023

## **Information We Collect Categories**

Information we collect falls into one of two categories: "voluntarily provided" information and "automatically collected" information.

"Voluntarily provided" information refers to any information you knowingly and actively provide us when using the Site.

"Automatically collected" information refers to any information automatically sent by your devices in the course of accessing the Site.

## **Log Data**

When you visit our Site, our servers may automatically log the standard data provided by your web browser. It may include your device's Internet Protocol (IP) address, your browser type and version, the pages you visit, the time and date of your visit, the time spent on each page, and other details about your visit.

Additionally, if you encounter certain errors while using the Site, we may automatically collect data about the error and the circumstances surrounding its occurrence. This data may include technical details about your device, what you were trying to do when the error happened, and other technical information relating to the problem. You may or may not receive notice of such errors, even in the moment they occur, that they have occurred, or what the nature of the error is.

Please be aware that while this information may not be personally identifying by itself, it may be possible to combine it with other data to personally identify individual persons.

## **Personal Information We May Collect**

We will ask for personal information — for example, when you register for an account or when you apply for a Pesto credit card — which may include one or more of the following:

- First Name and Last Name
- Email
- Phone Number
- Address
- Information to verify your identity and make decisions about your credit card application such as your Date of Birth, last four digits of your Social Security Number or Individual Taxpayer Identification Number, and a copy of a government issued and non-expired photo identification.

\*Federal laws require financial institutions to verify the identities of each person who opens an account to prevent and combat money laundering, terrorism financing and other financial crimes.

## **Legitimate Reasons for Processing Your Personal Information**

We only collect and use your personal information when we have a legitimate reason for doing so. In which instance, we only collect personal information that is reasonably necessary to provide our Site and Services to you.

## **Collection and Use of Information**

We may collect personal information from you when you do any of the following on our Site:

- Register for an account
- Sign up to receive updates from us via email or social media channels
- Apply for a Pesto credit card
- Communicate with us

We may collect, hold, use, and disclose information for the following purposes, and personal information will not be further processed in a manner that is incompatible with these purposes:

- to provide you with our Site's core features and Services, including to register you for an account
- for analytics, market research, and business development, including to operate and improve our Site, associated applications, and associated social media platforms
- to communicate with you, including to communicate about your account, inquiries, as well as to send marketing and promotional information about our Services
- to enable you to access and use the Site, associated mobile applications, and associated social media platforms
- for internal record keeping and administrative purposes
- to comply with our legal obligations and resolve any disputes that we may have
- to verify your identity

We may combine voluntarily provided and automatically collected personal information with general information or research data we receive from other trusted sources. For example, our marketing and

market research activities may uncover data and insights, which we may combine with information about how visitors use our Site to improve our Site and your experience on it.

## **SMS Communications**

If you create an account, apply for a Pesto credit card or otherwise provide your contact information to us, you will provide us with personal information that may include your phone number. By providing us with your phone number, you authorize us to contact you via text message (SMS) at that phone number, and you thereby consent to the receipt of such messages. You may opt-out of receiving most of these messages at any time by sending us a request at support@getpesto.com or by responding “STOP” to any text message. You acknowledge that opting out of receiving text messages may impact your use of the Pesto Services. More generally, we may use your contact information to send you messages about the Pesto Services. You may unsubscribe from some of these messages, although we reserve the right to contact you when we believe it is necessary, such as for account recovery purposes.

## **Disclosure of Personal Information to Third Parties**

We may disclose personal information to selected trusted third parties to the extent necessary to perform services for us as set forth below:

- third-party service providers for the purpose of enabling them to provide their services, including IT service providers, data storage, security, hosting and server providers, analytics, error loggers, and maintenance or problem-solving providers
- third party service providers who assist us in providing marketing communications, and collateral valuation information and our card issuing partners that issue the Pesto credit card to our customers and facilitate associated services including identity verification, customer service management, credit card processing, and payment processing.

We may also be required to share your information with courts, tribunals, regulatory authorities, and law enforcement officers, as required by law, in connection with any actual or prospective legal proceedings, or in order to establish, exercise, or defend our legal rights

We do not sell or rent your personal information to third-parties.

## **Security of Your Personal Information**

When we collect and process personal information, and while we retain this information, we will protect it within commercially acceptable means to prevent loss and theft, as well as unauthorized access, disclosure, copying, use, or modification including safeguards such as firewalls and data encryption.

You are responsible for selecting any password and its overall security strength and ensuring any passwords associated with accessing your personal information and accounts are secure and confidential. We recommend that you choose a strong password and do not reveal your password to others.

## **How Long We Keep Your Personal Information**

We keep your personal information only for as long as we need to. This time period may depend on what we are using your information for, in accordance with this privacy policy. If you have provided us with

personal information as part of creating an account with us, we may retain this information to ensure compliance with our legal obligations.

## **Children’s Online Privacy Protection Act (“COPPA”)**

Our Site and Services are intended for adults and are not directed to children. We do not knowingly collect personal information from children under 13. If we discover that an individual under the age of 13 has provided us with personal information, we will delete the personal information to the extent required by the Children’s Online Privacy Protection Act.

## **International Transfers of Personal Information**

Our Services are provided in the U.S. and the personal information we collect is stored and/or processed in the U.S. We will not transfer your personal information to third parties in other countries. If you reside outside of the U.S., you acknowledge and agree that by using our Site and Services offered on or through it that your personal information will be transferred to the U.S. and stored and/or processed in the U.S.

## **Your Rights and Controlling Your Personal Information**

**Your choice:** By providing personal information to us, you understand we will collect, hold, use, and disclose your personal information in accordance with this privacy policy. You do not have to provide personal information to us, however, if you do not, it will affect your use of the Site or the Services offered on or through it.

**Information from third parties:** If we receive personal information about you from a third party, we will protect it as set out in this privacy policy. If you are a third party providing personal information about somebody else, you represent and warrant that you have such person’s consent to provide the personal information to us.

**Marketing permission:** If you have previously agreed to us using your personal information for direct marketing purposes, you may change your mind at any time by contacting us using the details below.

**Access:** You may request details of the personal information that we hold about you.

**Correction:** If you believe that any information we hold about you is inaccurate, out of date, incomplete, irrelevant, or misleading, please contact us using the details provided in this privacy policy. We will take reasonable steps to correct any information found to be inaccurate, incomplete, misleading, or out of date.

**Notification of data breaches:** We will comply with laws applicable to us in respect of any data breach.

**Complaints:** If you believe that we have breached a relevant data protection law and wish to make a complaint, please contact us using the details below and provide us with full details of the alleged breach. We will promptly investigate your complaint and respond to you, in writing, setting out the outcome of our investigation and the steps we will take to deal with your complaint. You also have the right to contact a regulatory body or data protection authority in relation to your complaint.

**Unsubscribe:** To unsubscribe from our email database or opt-out of communications (including marketing communications), please contact us using the details provided in this privacy policy, or opt-out using the

opt-out facilities provided in the communication. We may need to request specific information from you to help us confirm your identity.

## **Use of Cookies**

A cookie is a small piece of data that a website stores on your device when you visit. It typically contains information about the website itself, a unique identifier that allows the site to recognize your web browser when you return, additional data that serves the cookie's purpose, and the lifespan of the cookie itself. Most web browsers automatically accept cookies and similar technologies, but if you prefer, you can change your browser to prevent this. However, you may not be able to take full advantage of our Site and Services if you do so.

Types of cookies and how we use them:

### **Essential cookies**

Essential cookies are crucial to your experience of a website, enabling core features like user logins and account management.

We use essential cookies to enable certain functions on our Site.

### **Performance cookies**

Performance cookies track how you use a website during your visit. Typically, this information is anonymous and aggregated, with information tracked across all site users. They help companies understand visitor usage patterns, identify and diagnose problems or errors their users may encounter, and make better strategic decisions in improving their audience's overall website experience. These cookies may be set by the website you are visiting (first-party) or by third-party services. They do not collect personal information about you.

We use performance cookies on our Site.

### **Functionality cookies**

Functionality cookies are used to collect information about your device and any settings you may configure on the website you're visiting (like language and time zone settings). With this information, websites can provide you with customized, enhanced, or optimized content and services. These cookies may be set by the website you are visiting (first-party) or by third-party services.

We use functionality cookies on our Site.

## **Use of Analytics**

We may use third-party web analytics services on the Site. The third-party analytics will help us analyze how users use the Site, including by noting the third-party website from which you arrive. The information collected by the technology will be disclosed to or collected directly by these service providers, who use the information to evaluate your use of the Site.

## **Business Transfers**

If we or our assets are acquired, or in the unlikely event that we go out of business or enter bankruptcy, we would include data, including your personal information, among the assets transferred to any parties who acquire us. You acknowledge that such transfers may occur, and that any parties who acquire us may, to the extent permitted by applicable law, continue to use your personal information according to this policy, which they will be required to assume as it is the basis for any ownership or use rights we have over such information.

## **Limits of Our Policy**

The Site may link to external websites that are not operated by us. Please be aware that we have no control over the content and policies of those websites, and cannot accept responsibility or liability for their respective privacy practices.

## **Changes to This Policy**

At our discretion, we may change our privacy policy to reflect updates to our business processes, current acceptable practices, or legislative or regulatory changes. If we decide to make minor changes to this privacy policy, we will post the changes here at the same link by which you are accessing this privacy policy. Consequently, we encourage you to visit the Site from time to time to review any updates. If the changes are material, or that we are required to disclose by applicable law, we will notify you via a prominent notice on our Site or email.

If required by law, we will get your permission or give you the opportunity to opt in to or opt out of, as applicable, any new uses of your personal information.

## **California Do Not Track Disclosure**

Some browsers have a “Do Not Track” feature that lets you tell websites that you do not want to have your online activities tracked. At this time, we do not respond to browser “Do Not Track” signals.

We adhere to the standards outlined in this privacy policy, ensuring we collect and process personal information lawfully, fairly, transparently, and with legitimate, legal reasons for doing so.

## **Contact Us**

For any questions or concerns regarding your privacy, you may contact us using the following email address:

[privacy@getpesto.com](mailto:privacy@getpesto.com)