

## Municibid Privacy Policy

Effective Date: 10/23/2020

This Privacy Policy is provided by Municibid.com, LLC (“Municibid”), a Pennsylvania limited liability company. This Privacy Policy is intended to inform Municibid’s Users (as defined below), the Users of the Municibid website (“Website”), of Municibid’s practices related to Personal Data or Personally Identifiable Information.

Municibid respects data privacy and all data privacy rights. Municibid aims to process and store Personal Data received from Users and Customers or any third-party in accordance with applicable data protection laws.

### **1. Definitions.**

- a. “Customer” means a User of Municibid who creates a User Account with the Website.
- b. “Data Subject”, “You”, or “Your” means any person whose Personal Data is collected or processed by Municibid.
- c. “Personal Data” or “Data” is defined as any information relating to an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural, or social identify of that natural person; (Art. 4, GDPR).
- d. “Website” means the Municibid Website and associated services.
- e. “User” means any user of the Municibid Website, including Customers. Users may be defined as individuals who utilize Municibid’s services for buying or selling.
- f. “User Account” means an account provided by Municibid to Customers, which provides additional access to the Website and certain services specific only to Users who create a User Account.

### **2. Data Collected.**

Municibid collects data in two manners. First, Municibid collects general data that the User generates automatically when the User connects to the Website. This information includes cookies, website analytics, IP address, device information, and other technical data that is not geared to identify the User, but rather is collected for record keeping purposes regarding who visits the Website (“Technical Data”).

Municibid also collects personally identifiable information, provided by the User by making a User Account. This information includes the User's name, email address, mailing address, phone number, credit card information, and other related data ("Customer Data"). Less invasive data is also collected, including contact information and preferences related to marketing and viewing of the Website ("Marketing Data").

Additionally, there is often Data that is collected and retained pertaining to the transactions that occur through Municibid's services ("Business Data"). Business Data is collected in a manner that is intuitively obvious to the User, making it easy to understand the information they provide is the Data collected. This Data includes, but is not limited to, information pertaining to the auctions, sale, posting, and displayed information provided by the User when attempting to sell a product or service through Municibid's Website. Business Data is also obtained when Users place bids on these offered products or services by other Users. This Data includes, but is not limited to, financial information, communication between the Users, mailing addresses for deliveries, and other related data that Municibid requires or is entitled to by applicable law to collect and process and that Municibid may need for the User's authentication or identification, or for the verification of the Data Municibid has collected.

### **3. Data Collection Methods.**

Municibid collects Data in a few ways. Users generate Data for Municibid when Users create User Accounts, place a listing, subscribe to newsletters, fill out forms, use Municibid's Live Chat feature, open a support ticket, or when entering information on the Website to provide Municibid with feedback. Users are not notified each time Data is collected, rather Users are on notice that information submitted through the Website is voluntary and Municibid preserves the right to collect such Data.

### **4. Use of Data.**

Municibid collects all Data in order to fulfill our contract with the User.

a. *Fulfillment of Contract.* Municibid has a contractual duty to broker the sales between Users, please see Municibid's Terms of Use Agreement. To accomplish this duty, Data is used first to enter into a contractual relationship with the User. Second, Data is used to enabling and performing transactions with other Users, including transmission of Personal Data, where necessary to perform the transaction, including transactions that are not completed, but started. Data is also used to enable the delivery of the purchased items. This Data is often on display, via an auction page set up by a User, but will be retained by Municibid and transferred to other Users when appropriate for the transaction. This Data includes drop off/pick up locations for

transactions, contact information of the User selling or buying the product, and other related information only necessary to enable the transfer.

b. *Release of Data for Legal Obligations.* Due to the transactional nature of Municibid's Website, sometimes legal obligations or court orders requires disclosure of Data. These proceedings, if valid, will be adhered to by Municibid.

c. *Vital Interests of Another Natural Person.* At some points, Data may be disclosed to prevent, detect, mitigate, or investigate unlawful activities that may result in impairment of a User's vital interests or the vital interests of another natural person. In this event, Municibid may disclose Data to aid in the prevention of this harm.

d. *Additional Information for Payments.* In addition to Municibid's duty to fulfil its contractual obligations to its Users, Municibid also maintains a duty of professional secrecy regarding its payment process. Data may be shared with third-party financial institutions in order to perform transactions. This Data is shared only with institutions that require such Data to perform the transaction. User's agree to allow these third-party financial institutions to utilize their Data in a manner appropriate for the transaction. Third-party financial institutions shall not use User's Data in any manner other than to aid the financial transaction.

e. *Consent.* For other purposes, not disclosed in another enumerated scenario listed in this section, Municibid may use Data from Users if Users consent.

f. *Miscellaneous.* In events not already described in this section, Municibid may use User's Data to optimize the Website, the User experience, or the overall ease of Municibid's services. This Data usage includes User's preferences, general flow of the User experience, and User's feedback. This type of Data is only used to make the User experience more optimal, and is not utilized by any third-party company.

## **5. Protection of Data.**

Municibid makes security a priority and utilizes security measures to protect against unauthorized access to or the unauthorized modification, publication or destruction of Data. These security measures include internal audits of data collection, storage and processing practices and security as well as physical security measures to protect against unauthorized access to the systems where Municibid stores Data.

Municibid restricts Data access to Municibid employees, contract workers, and agents who need such information in order to provide, develop or improve the Website. These individuals are

subject to confidentiality obligations and may be subject to disciplinary action, including dismissal and prosecution, if they fail to meet these obligations.

Municibid does not maintain all its Data independently. In the event that Data is stored through third-party companies, these third-party companies only maintain the Data without interruption or alteration. This Data stored by third-party companies is not utilized by third-party companies in any manner, beyond what is previously disclosed in this Privacy Policy.

Data is maintained on an indefinite basis. There is not regular deletion, extraction, or modification of User's Data. User Accounts are maintained indefinitely.

## **6. Cookies.**

Cookies are portions of information about when and how Users access the Website. Municibid collects cookies from Users that utilize the Website to improve the User's experience and Municibid's services. Users can set their external browser to notify the User when a cookie is sent. Users can decide whether they accept or refuse the tracking of cookies. But, if the User chooses to turn off cookies, it may affect the User's ability to access or use the Website.

## **7. Third-Party Services.**

Municibid may need to share or transmit Data to third-party service providers to provide the services through the Website. Municibid will advise Users when Data is shared with third-party service providers or vendors. Disclosures of Data to third-party companies will only occur for transactions, or other types of services that Municibid utilizes third-party companies to fulfill their contractual obligations to Users.

For Third-party services, any collection, processing, transfer, or storage of Data will be handled according to the third-party's privacy policy. Users should refer to these parties' policies and terms of use for additional information.

## **8. California Privacy Rights.**

California residents have a right to request that Municibid disclose what Personal Data we collect from you and whether, and how, we disclose or sell that Personal Data. California residents may also request that Municibid delete any Personal Data collected or maintained by Municibid from the User. To submit a request for a list of the categories of Personal Data collected from you or to request that Municibid delete your personal information, please email us at [support@municibid.com](mailto:support@municibid.com) or send a letter to our US-based legal counsel at the following address:

Municibid.com, LLC  
c/o Revision Legal, PLLC  
444 Cass St., Suite D  
Traverse City, MI 49684  
United States of America

**9. Rights as a User.**

a. *Right to Access and Correction.* Users may request that Municibid confirm to Users whether Municibid are processing User's Personal Data and what Data Municibid is processing. If Users' information is incorrect or incomplete, Users may request that the User information be corrected or completed. If Municibid has shared User's information with third-parties, Municibid will inform them of the correction, to the extent required by law.

b. *Right to Erasure.* If the legal requirements exist, Users can request immediate deletion of User Personal Data from Municibid. This is especially the case when:

i. Users' Personal Data is no longer needed for the purposes for which it was collected;

ii. The legal basis for the processing was User consent only and the User has revoked it;

iii. User has objected to processing for promotional purposes;

iv. User has objected to processing based on the legal basis balance of interests for personal reasons and Municibid cannot prove that there are legitimate reasons for processing;

v. Users' Personal Data has been processed unlawfully; or

vi. Users' Personal Data must be deleted in order to comply with legal requirements.

If Municibid has forwarded User's Data to third-parties, Municibid will inform the User about the deletion, insofar as required by law. Please note that User's erasure right is subject to restrictions. For example, Municibid may not or must not delete Data that Municibid still needs to retain due to legal retention requirements. Also, Data that Municibid needs in order to assert, exercise or defend Municibid's legal rights is excluded from Users' cancellation right.

*c. Right to Object to Processing.* If the legal requirements are met, Users' can request a limitation of Data processing from Municibid. Relevant circumstances include when:

i. User disputes the accuracy of User's Personal Data that Municibid has (Municibid must have the opportunity to verify this);

ii. The processing is not lawful, and User requires a restriction of use instead of erasure (see the previous section);

iii. Municibid no longer needs User's information for the purposes of processing, but User needs it to assert, exercise or defend User's rights;

iv. User has raised an objection for personal reasons, Municibid can halt processing until the User's objection has been evaluated.

If the User can show a valid right to restrict processing, Municibid marks the Data in question to ensure that it is processed only within the limits that apply to such restriction (for example, to defend legal claims or within the parameters of User's consent).

*d. Right to Data Portability.* Users have the right to receive personally identifiable information Users have given to Municibid for fulfillment of the contract or on the basis of consent in a transferable format. In this case, Users can also request that Municibid transmit this Data directly to a third-party, insofar as this is technically feasible.

*e. Right to Revoke Your Consent.* If the User has given Municibid consent to the processing of User's data, the User can withdraw it at any time for future processing. The lawfulness of the processing of User's Data prior to revocation remains unaffected.

*f. Right to Object to Direct Marketing.* Users can also object at any time to the processing of User Personal Data for advertising purposes. Please note that there may be an overlap between Users revocation and the use of Users' Data as part of an ongoing campaign.

*g. Right to Object for Personal Reasons.* Users have the right, for reasons that arise from Users' particular situation, to object to Municibid's processing of Users' Data to the extent that the processing is based on a legitimate interest basis. Municibid will then stop processing Users' data, unless Municibid can, in accordance with legal requirements, prove compelling legitimate reasons for further processing that outweigh Your rights.

*h. European Union Right of Appeal to a Supervisory Authority.* European Union residents have the right to file a complaint with a data protection authority. In particular, EU residents can

contact the data protection authority, which is responsible for their place of residence or state, or who is responsible for the place where the violation of data protection law has taken place.

## **10. Asserting Rights**

If a User wishes to assert any of the above described rights, please address the User's request by stating the User's current address, User's date of birth and User's email address to: [support@municibid.com](mailto:support@municibid.com)

Municibid will use User's information provided in this request exclusively for comparison with the information in our database and thus for the protection of User's Personal Data against access by unauthorized third-parties.

### *Questions and Suggestions*

If Users have any questions or suggestions about data protection, Municibid looks forward to receiving Users' mail.

Please send written inquiries to: [support@municibid.com](mailto:support@municibid.com)