

[Last Updated: March 13, 2018]

PRIVACY POLICY

This Privacy Policy for ENCORED, Inc. Products and Services (“[Privacy Policy](#)”) describes information that ENCORED, Inc., a Delaware corporation (“[ENCORED Inc.](#),” “we,” “us,” and “our”) collect, use, share, and store, including personal information (i.e., information that personally identifies you, such as your name, email address or billing information, or other data that can be reasonably used to infer this information).

This Privacy Policy is part of our Terms of Service. By accessing or using our Products or Services, you agree to this Privacy Policy and our Terms of Service. The provisions contained in this Privacy Policy supersede all previous notices and statements regarding our privacy practices with respect to our Products and Services. Terms not defined herein are defined in the ENCORED, Inc. [Terms of Service](#).

Your Consent

Consent to Data Collection and Processing. By accessing or using our Products or Services, you agree to allow us to collect and process information as described in this Privacy Policy.

Consent to International Data Transfers and Management by Encored Korea. Your personal information may be collected, processed and stored by ENCORED, Inc., Encored Technologies, Inc. (a company duly incorporated and existing under the laws of the Republic of Korea and a subsidiary of ENCORED, Inc.) (“[Encored Korea](#)”), its other subsidiaries, or its service providers in the United States and other countries where our servers reside, including South Korea. You hereby consent to your personal information and other related data being transferred to, processed and managed by Encored Korea. Please be aware that the privacy protections and legal requirements, including the rights of authorities to access your personal information, in some of these countries, including South Korea, may not be equivalent to those in the United States.

Information Collected

Green Button Data. We collect detailed data about the usage of electricity and other information through third party service providers, such as utility companies. We collect detailed wattage and voltage information, and uses this data to generate hypotheses about specific devices in use. A subset of this data is sent to our servers, where it is stored indefinitely.

Product Data. We collect detailed data about the usage of electricity through the electrical panel in which it is installed. We collect detailed wattage and voltage information, and uses this data to generate hypotheses about specific devices in use. A subset of this data is sent to our servers, where it is stored indefinitely.

Service Data. We collect various information at setup time, and in the course of usage. We collect location data, device information and power usage information. We track application usage information to monitor customer experience, and we collect crash and error information for improving application experience.

Information for Purchase. We collect information about the purchase and delivery of the Product. This includes your email address, billing and shipping address, and your phone number. Credit card information is not collected by ENCORED, Inc. and is processed by a third party.

Account Information and Other Personal Information. We collect information about your EnerTalk account, such as basic profile information, wi-fi network information, authorized users information, email addresses and mobile location data, and other personal information, such as the size of your residence, number of family members residing in the residence, heating system used, etc.

General Website Data. We collect information about you in various ways when you use the Sites. We collect personal information you provide to us. For example, we collect your name, email address, and other information you provide via the Sites when you submit inquiries or request more information about our Products and Service.

When you visit our Sites, some information is automatically collected. For example, when you visit our Site your computer's operating system, Internet Protocol (IP) address, access times, browser type and language, and the website you visited before our site are logged automatically. We also collect information about your usage and activity of the Sites.

Cookies. We may automatically collect information using "cookies." Cookies are small data files stored on your hard drive by a website. Among other things, cookies help us improve our Sites and your experience. We use cookies to see which areas and features are popular and to count visits to our Sites.

Web Beacons. We may collect information using Web beacons. Web beacons are electronic images that may be used via the Service or in our emails. We use Web beacons to deliver cookies, count visits, understand usage and campaign effectiveness and to tell if an email has been opened and acted upon.

Third Party Applications

We may link to certain third party websites and applications. In those circumstances, your use of the Sites will be subject to this Privacy Policy and our Terms of Service, whether you are required to click through or otherwise. In addition, the third party website may also impose its own terms and conditions and privacy policies on your activities on their site. **HOWEVER YOU ACCESS OUR SITES, YOU AGREE TO BE BOUND BY AND COMPLY WITH THIS PRIVACY POLICY AND THE ENCORED, INC. TERMS OF SERVICE AND WAIVE ANY OBJECTION TO THE ENFORCEABILITY THEREOF WITH RESPECT TO YOUR USE OF THE SITES.**

Use of Information We Collect

We may combine the information we collect about you and use this information to:

- To provide, maintain, deliver and improve our Services, Products and Sites. This includes improvements that are specific to your installation and that improve the Products, Service, and Site.
- To identify opportunities for you to improve the efficiency of your home, such as ways to reduce electricity consumption, or identifying devices that are running inefficiently or may be failing.
- To send you alerts that you have enabled.
- To provide you with information specific to your house, like a summary of device usage over time, or comparative information relative to others.
- To understand you and your preferences to enhance your experience and enjoyment using our Site, Product, and Service.
- To respond to your comments and questions and provide customer service.
- To send you related information, including confirmations, invoices, technical notices, updates, security alerts, and support and administrative messages.
- To link or combine your information with other personal information we get from third parties, to help understand your needs and provide you with better service.

- Communicate with you about our and other companies' products, services, promotions, events and other news and information we think will be of interest to you.
- Monitor and analyze trends, usage and activities in connection with the Services.
- Detect and prevent fraudulent transactions and other illegal activities and protect the rights and property of ENCORED, Inc. and others.
- Carry out any other purpose for which the information was collected.

Disclosure of Information

We may disclose any information we collect about current and former customers with non-affiliated third parties, as follows:

- With third party vendors, consultants and other service providers who work for us and need access to your information to do that work.
- With providers of Third-Party Products and Services, such as utility companies, in order to enable the Third-Party Products and Services you have authorized. (Once this information is shared with the authorized provider of Third-Party Products and Service, its use will be governed by the third party's privacy policy.)
- To (i) comply with laws or to respond to lawful requests and legal process, (ii) to protect our rights and property and that of our agents, customers, members, and others including to enforce our agreements, policies and terms of use or (iii) in an emergency to protect the personal safety of any person.
- In connection with or during negotiation of any merger, financing, acquisition, or dissolution, transaction or proceeding involving sale, transfer, divestiture, or disclosure of all or a portion of our business or assets to another company.
- With other companies for our everyday business purposes, such as to process transactions and maintain accounts.
- With your consent or at your direction, including if we notify you that the information you provide will be shared in a particular manner and you provide such information.

We may also share aggregated or information which cannot be linked to your specific account or other personal information.

Advertising and Analytics Services Provided by Others.

We may allow others to provide analytics services and serve advertisements on our behalf across the internet and in mobile apps. These entities may use cookies, web beacons, device identifiers and other technologies to collect information about your use of the Services and other websites and apps, including your IP address, web browser, mobile network information, pages viewed, time spent on pages or in apps, links clicked and conversion information. This information may be used by ENCORED, Inc. and others to, among other things, analyze and track data, determine the popularity of certain content, deliver advertising and content targeted to your interests on the Services and other online services and better understand your online activity.

Information Security

Although we take reasonable steps to protect your information, no security program is foolproof and thus we cannot guarantee the absolute security of your personal or other information.

Opt-Out Rights

You may opt out of receiving promotional emails from us by following the instructions in those emails. If you opt out, we may still send you non-promotional emails, such as emails about your accounts or our ongoing business relations.

Collection of Information from Children

The Products and Services are not directed to children under the age of 18 and we do not knowingly collect personal information from anyone under the age of 18. If you are under the age of 18, do not use our Products or Services or submit any information to us.

Changes to This Privacy Policy in the Future

Privacy laws and guidelines are part of a constantly changing environment. We reserve the right, at our discretion, to change, modify, add, or remove portions of this Privacy Policy at any time. We encourage you to review this Privacy Policy periodically to ensure that you are aware of our current privacy practices, although we may also elect to notify you by e-mail or by posting something on some or all of our Sites. Your continued use of our Products or Services following any changes signifies your acceptance of these changes.

Questions or Comments

If you have any questions or comments regarding our Privacy Policy, please contact us at: ENCORED, Inc., 3031 Tisch Way, 110 Plaza West, San Jose, CA, 95128. Email: support@encoredtech.com.