

# Privacy Policy

Welcome to the Zyka, Inc. (“Zyka Eats”, “Zyka Chef”, “Zyka”, “we”, “us”, or “our”). Zyka is an online platform on which Chefs (defined below) can list, offer, sell and deliver food items and meal orders to the general public, and customers can browse and purchase Meals (collectively, as the “Service”).

This Privacy Policy explains what information we collect, how we use and share that data, and your choices concerning our data practices.

Before using the Service or submitting any information to Zyka, please review this Privacy Policy carefully and contact us at [support@zyka.io](mailto:support@zyka.io) if you have any questions. By using the Service, you agree to our **Terms of Services**, to see the Terms of Service located at <https://zyka.io/assets/tos.pdf>. and the practices described in this Privacy Policy. If you do not agree to this Privacy Policy and our Terms of Service, please do not access the Site or otherwise use the Service.

## 1. INFORMATION WE COLLECT

We collect information as follows:

**Information You Provide:** We collect information that you provide to Zyka when (i) filling out or updating required and optional profile information when signing up for and using the Service, (ii) contacting us by email, (iii) filling out a contact form on the Service; (iv) making a purchase; (v) participating in a promotion; or (vi) applying for a job. The information collected during these interactions may vary based on what you choose to share with us, but it will generally include name, e-mail address, telephone number, account credentials, demographic data (such as gender, race, and country), your delivery address, other profile data (such as your preferences and favorites), employment data (such as your employment and education history, transcripts, and references as necessary to consider you for open positions), the content of any message you send to us or reviews and feedback you submit about Chefs’ Meals that may be publicly posted on the Service at Chef’s discretion, and the financial information necessary to ensure payments can be processed by our payment processor Moov.io (“Moov”). Accordingly, in addition to this Privacy Policy and our Terms of Service, information related to your purchases is also processed according to Moov’s services agreement and privacy policy. We collect the content within any messages exchanged

between users and Chefs through the Service (such as if you use our chat functionality). We also collect data about your personal contacts, including the first and last name, email address, and phone number of your personal contacts. We collect data about your contacts with your consent and in order to fulfill a request by you, such as inviting your contacts to join the Service. Such functionality is only intended for U.S. residents. By using this functionality, you acknowledge and agree that both you and your contacts are based in the U.S. and that you have your contacts' consent for us to use their contact information to fulfill your request.

Information we collect through our social media pages and chatbots: We have pages on social media sites like Instagram, Twitter, LinkedIn, and Facebook ("Social Media Pages"). When you interact with our Social Media Pages (e.g., through our chatbot on Facebook Messenger), we will collect the information that you provide to us, such as your contact details. Also, if you publicly reference our Service on social media (e.g., by using a hashtag associated with Zyka in a tweet or post), we may use your reference on or in connection with our Service. In addition, the companies that host our Social Media Pages may provide us with aggregate information and analytics regarding the use of our Social Media Pages.

Information we collect when you Log-in through Social Media: We may embed a pixel or SDK on our Service that allows you to log-in to your Zyka account through social media. If you choose to engage with such integration, we may receive information from the social media platform that you have authorized to share with us. Please note that the social media platform may independently collect information about you through the integration.

Information we receive automatically from your use of the Service: When you visit, use and interact with the Service, we may receive certain information about your visit, use or interactions. For example, we may monitor the number of people that visit the Service, peak hours of visits, which page(s) you visit, which links you click, what text you enter, how your mouse moves around the Service, the domains you come from (e.g., google.com, facebook.com, etc.), and which browsers you use to access the Service (e.g., Google Chrome, Firefox, Microsoft Internet Explorer, etc.), broad geographical information (such as location derived from an IP address or data that indicates a city or postal code level) and precise location data (such as latitude/longitude data when you enter your address for a Meal delivery), and navigation patterns. In particular, the following information is created and automatically logged in our systems:

- Log data: Information that your browser automatically sends whenever you visit the Site ("log data"). Log data includes your Internet Protocol address, browser type and settings, the date and time of your request, and how you interacted with the Site.

- Device information: Includes name of the device, operating system, internet service provider, your device's regional and language settings, device identifiers (e.g., IP address), and browser you are using. Information collected may depend on the type of device you use and its settings.
- Usage Information: We collect information about how you use our Service, such as the types of content that you view or engage with, the features you use, the actions you take (including the Meals you view and purchase), the emails you view, and the time, frequency and duration of your activities.

Information we receive from other sources: We collect information from (i) data brokers, from which we purchase data to supplement the data we collect; (ii) partners, who offer co-branded services, sell or distribute our products and services, or engage in joint marketing activities; and (iii) publicly-available sources, including data in the public domain.

Information we collect if you use the service as a Chef: If you sign up to be a Chef on the Service, we collect information about you such as your first and last name, email address, telephone number, postal address, health code enforcement agency permit number (where applicable), government issued I.D. (such as a driver's license), demographic data, account credentials, financial information, and other information collected by our service provider(s) who assist with providing the Service for Chefs. We use this information to create and administer your Zyka account and facilitate communications between you and individuals who purchase Meals from you through the Service.

Cookies: We use cookies to operate and administer our Site, gather Usage Information on our Site, support security features, bring you advertising off the Service, and improve your experience on it. A "cookie" is a piece of information sent to your browser by a website you visit. Cookies can be stored on your computer for different periods of time. Some cookies expire after a certain amount of time, or upon logging out (session cookies), others survive after your browser is closed until a defined expiration date set in the cookie (as determined by the party placing it), and help recognize your computer when you open your browser and browse the Internet again (persistent cookies). For more details on cookies please visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

Pixels: We use pixels (also known as web beacons), which is code embedded in a website, video, email, or advertisement, to send information about your use of the Service to a server. There are various types of pixels, including image pixels (which are small graphic images) and JavaScript pixels (which contains JavaScript code). When you access a website, video, email, or advertisement that contains a pixel, the pixel may permit us or a separate entity to drop or read cookies on your browser. Pixels are used in

combination with cookies to track activity by a particular browser on a particular device. We may incorporate pixels from separate entities, including Facebook and GetEmail, that allow us to track our conversions, bring you advertising off the Service (such as by associating an email address with the browser or device used to access the Service), and provide you with additional functionality, such as the ability to connect our Service with your social media account.

**Analytics:** We use analytics services, such as Google Analytics, a web analytics service provided by Google, Inc. (“Google”) and/or others. These analytics services use cookies to help us analyze how users use the Site and enhance your experience when you use the Site. For more information on how Google uses this data, go to [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). To opt out of the use of certain information collected by Google Analytics visit <https://tools.google.com/dlpage/gaoptout> and <https://www.google.com/settings/ads/onweb/> for Google Analytics for Display Advertising or the Google Display Network at.

**Online Tracking and Do Not Track Signals:** We and our analytics and advertising providers, including Facebook, may use cookies, pixels or other tracking technologies to collect information about your browsing activities over time and across different websites following your use of the Site and use that information to send targeted advertisements. For example, we place ads through Google and Facebook that you may view on their platforms as well as on other websites and services.

We also use audience matching services (which is a type of targeted advertising) to reach people (or people similar to people) who have visited our Service or are identified in one or more of our databases (“Matched Ads”). This is done by us providing a list of hashed email addresses to an ad partner or incorporating a pixel from an ad partner into our own Service, and the ad partner matching common factors between our data and their data. For instance, we incorporate the Facebook pixel on our Service and may share your email address with Facebook as part of our use of Facebook Custom Audiences.

The parties we work with to provide you with targeted advertising may act as our service providers, or in certain contexts, independently decide how to process your information. We encourage you to familiarize yourself with and consult their privacy policies and terms of use.

Our Site currently does not respond to “Do Not Track” (“DNT”) signals and operates as described in this Privacy Policy whether or not a DNT signal is received. If we do respond to DNT signals in the future, we will update this Privacy Policy to describe how we do so. For more information on DNT, visit <http://www.allaboutdnt.com>.

## 2. HOW WE USE INFORMATION

We collect and use information for business and commercial purposes in accordance with the practices described in this Privacy Policy. We use the information we collect for the following business purposes:

- To provide the Service, including the online marketplace in which Chefs can sell food items and meal orders to customers (each, a “Meal”) and customers can rate and provide feedback on those Meals;
- To respond to your inquiries, comments, feedback or questions;
- To facilitate your orders on the Service;
- To send administrative information to you, for example, information regarding the Service, requests for feedback, and changes to our terms, conditions, and policies;
- To analyze how you interact with our Service;
- To maintain and improve the content and functionality of the Service and other Zyka websites, apps, marketing efforts, products, and services;
- To develop new products and services;
- To prevent fraud, criminal activity, or misuses of our Service, breach of our policies and terms, and to ensure the security of our IT systems, architecture and networks;
- To conduct promotions, including verifying your eligibility and if applicable, delivering prizes in connection with your entries.
- To comply with legal obligations and legal process and to protect our rights, privacy, safety or property, and/or that of our affiliates, you or other third parties;
- To fulfil any other purpose at your direction; and
- With notice to you and your consent.

**Aggregated or De-Identified Information:** We may aggregate or de-identify information in a form that does not identify you and use such aggregated or de-identified information for any purpose except as prohibited by law.

**Marketing.** We use your information to contact you to tell you about products or services we believe may be of interest to you. For instance, if you elect to provide your email address or provide your consent to marketing communications sent to your telephone number, we use that information to send you special offers. You may opt out of receiving promotional emails by following the instructions contained in each promotional email we send you. You can also control the marketing emails and/or text messages you receive by updating your settings through your account. You can opt-out of receiving text messages or calls to your phone number at any time by (i) for text messages, texting “STOP” in response to any text message you receive from us; and (ii) for calls, requesting opt-out during any call you receive from us. In addition, if at any time you do not wish to

receive future marketing communications via your email address, you may contact us at support@Zyka.io. If you unsubscribe from our marketing lists, you will no longer receive marketing communications, but we may still contact you regarding management of your account, other administrative matters, and to respond to your requests.

### 3. SHARING AND DISCLOSURE OF INFORMATION

We share your information that we collect in accordance with the practices described in this Privacy Policy. The categories of parties with whom we share information is set forth below:

- **Service Providers:** To assist us in meeting business operations needs and to perform certain services and functions, we share information with service providers, including providers of hosting services, cloud services and other information technology services providers, email communication software and email newsletter services, payment processors, customer relationship management and customer support services, and web analytics services (for more details on the parties that place cookies through the Site, please see the “Cookies” and “Analytics” sections above). Pursuant to our instructions, these parties will access, process or store information in the course of performing their duties to us, although we may permit them to use information that does not identify you (including information that has been aggregated or de-identified) for any purpose except as prohibited by applicable law.
- **Chefs:** We share information with Chefs on the Service (each, a “Chef”) in order to facilitate your orders, provide Chefs your feedback and ratings on their Meals, respond to your questions, market and advertise to you, and otherwise comply with the law.
- **Vendors and Other Parties:** We share information with vendors and other parties for analytics, advertising, delivery and marketing related services. These parties may act as our service providers, or in certain contexts, independently decide how to process your information.
- **Other Users of the Zyka Website:** In certain jurisdictions where third party delivery may be restricted or limited, we share information with other users of the Service who need access to your information (for example your home address and telephone number) in order to complete an order (i.e. pick up a meal, deliver a meal, etc. ). If you receive another user’s information, you agree to use it only for the purpose in which it was provided (i.e. to complete the transaction).
- **Partners:** We share information with our partners in connection with offering co-branded services, selling or distributing our products, or engaging in joint marketing activities.
- **Promotions:** Our promotions may be jointly sponsored or offered by other parties. When you voluntarily enter a promotion, we share information as set out in the official rules that govern the promotion as well as for administrative purposes and as required by law (e.g.,

on a winners list). By entering a promotion, you agree to the official rules that govern that promotion, and may, except where prohibited by applicable law, allow the sponsor and/or other entities to use your name, voice and/or likeness in advertising or marketing materials.

- **Profile and Feedback:** We share information you make public through the Service, such as information in your profile (e.g., your profile picture) or your reviews of the Chefs and Meals on the Service. Please think carefully before making information public as you are solely responsible for any information you make public. Once you have posted information, you may not be able to edit or delete such information, subject to additional rights set out in this Privacy Policy.
- **Business Transfers:** If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of all or a portion of our assets, or transition of service to another provider, information will be shared in the diligence process with counterparties and others assisting with the transaction and transferred to a successor or affiliate as part of that transaction along with other assets.
- **Security, Safety and Legal Requirements:** We share information we collect if required to do so by law or in the good faith belief that such action is necessary to (i) comply with a legal obligation, including to meet national security or law enforcement requirements, (ii) protect and defend our rights or property, (iii) prevent fraud, (iv) act in urgent circumstances to protect the rights, property, life, health, security, and personal safety of us, the Service, users of the Service, anyone else, or the public, or (v) protect against legal liability. We review all government demands to ensure they are legally valid and appropriate. If we receive a demand for your information, to the extent permitted by law we will direct the requesting party to seek the data directly from you. If legally required or compelled to disclose or give access to your information, we will promptly notify you and provide a copy of the demand unless legally prohibited from doing so. In California, to the extent the Microenterprise Home Kitchen Operation law requires that we disclose information about MEHKO permit holders to the agency who oversees such permits (including customer complaints and /or customer lists), we will disclose such information as required by law.
- **Affiliates:** We may share information with our affiliates, meaning an entity that controls, is controlled by, or is under common control with Zyka. Our affiliates may use the information we share in a manner consistent with this Privacy Policy, including where they act as our service providers or for their own internal purposes.
- **Facilitating Requests:** We share information as requested by you or at your direction.
- **Consent:** We share information with notice to you and your consent.

Notwithstanding the above, we may share information that does not identify you (including information that has been aggregated or de-identified) except as prohibited by applicable law. For information on your rights and choices regarding how we share information about you, please see the “Your Rights and Choices” section below.

#### 4. DATA RETENTION AND DELETION

We keep information for as long as reasonably necessary for the purposes described in this Privacy Policy, while we have a business need to do so, or as required by law (e.g. for tax, legal, accounting or other purposes), whichever is the longer period of time.

Upon your request, we will take steps to delete the information we have collected from you; however, we may retain information that we have a legal obligation or business need to maintain so long as is reasonably necessary. You may request deletion of your information by emailing us at [support@Zyka.io](mailto:support@Zyka.io).

#### 5. UPDATE YOUR INFORMATION

Please log in to your account or contact us at [support@Zyka.io](mailto:support@Zyka.io) if you need to change, remove, or correct your information. Please note that we will retain and use information about you as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. If you are a California resident, please see the additional disclosures at the end of this Privacy Policy.

#### 6. CHILDREN

Our Service is not directed to children and is intended for a general audience. Zyka does not knowingly collect personal information (as defined by the U.S. Children's Online Privacy Protection Act, or "COPPA") from children. If you are a parent or guardian and have reason to believe that your child has provided information to Zyka through the Service, please contact us at [support@Zyka.io](mailto:support@Zyka.io) and we will endeavor to delete that information from our databases in accordance with COPPA.

#### 7. LINKS TO OTHER WEBSITES

The Service may contain links to other websites not operated or controlled by Zyka, including social media services. The information that you share with and that is collected by these other parties will be governed by the specific privacy policies and terms of service of the other party and not by this Privacy Policy. By providing these links we do not imply that we endorse or have reviewed these sites. Please contact the other party directly for information on their privacy practices and policies.

#### 8. SECURITY

You use the Service at your own risk. We implement and maintain commercially



reasonable technical, administrative, and organizational measures to protect information about you both online and offline from loss, misuse, and unauthorized access, disclosure, alteration or destruction. However, no Internet or e-mail transmission is ever fully secure or error free. In particular, e-mail sent to or from us may not be secure. Therefore, you should take special care in deciding what information you send to us via the Service or e-mail. Please keep this in mind when disclosing any information to Zyka via the Internet.

## 9. CHANGES TO THE PRIVACY POLICY

We may update this Privacy Policy at any time. When we do we will post an updated version on this page, unless another type of notice is required by the applicable law. By continuing to use our Service or providing us with information after we have posted an updated Privacy Policy, or notified you by other means if applicable, you consent to the then posted Privacy Policy and practices described in it.

## 10. CONTACT US

If you have any questions about our Privacy Policy or information practices, please feel free to contact us at [support@Zyka.io](mailto:support@Zyka.io).

This Privacy Policy has been designed to be accessible to people with disabilities. If you experience any difficulties accessing the information here, please contact us at [support@Zyka.io](mailto:support@Zyka.io).

We may require specific information from you to help us verify your identity and process your request. If we are unable to verify your identity, we may deny your request.

California Shine the Light.

If you are a California resident you may request (i) a list of the categories of personal information disclosed by us in the immediately preceding calendar year to third parties for their own direct marketing purposes; and (ii) a list of the categories of third parties to whom we disclosed such information. To exercise a request, please email Zyka at [support@Zyka.io](mailto:support@Zyka.io) and clearly state you're making a "California Shine the Light" request, including your name, mailing address, email address and phone number. We may

require additional information from you to allow us to verify your identity and are only required to respond to requests once during any calendar year.

Date of Last Revision: January 25<sup>th</sup>, 2024.