

# Finova Capital, LLC

## Privacy and Security Notice

To offer you business financing solutions, we may need to collect, use and disclose certain Personal Data (as defined below).

It is our goal to maintain your trust with respect to that Personal Data by being transparent in terms of:

- What Personal Data we may collect,
- How we may use that Personal Data,
- To whom we may share or disclose that Personal Data in connection with our business activities, as well as why we need to make these disclosures, and
- What safeguards we implement to protect the security of that Personal Data.

This Finova Capital, LLC Privacy and Security Notice (this “Privacy Notice”) is our way of providing that transparency to you.

For purposes of this Privacy Notice, however, “Personal Data” refers to any information relating to a specific individual person. This may include things such as personal identification information (e.g., name, physical address, IP address, social security number, driver’s license number or other personal identification number, email address and mobile phone number), internet or similar network activity, information on your credit history and past transactions, financial account information and geolocation data; however, it does not include publicly availability information or information that does not identify a specific individual person. Examples of information that does not identify a specific individual person would include information that has been aggregated or anonymized such that it no longer identifies a specific individual.

### Personal Data that we Collect, Use or Share

In connection with our business activities, we may collect, use, or share Personal Data.

## *Collection of Personal Data*

We may collect your Personal Data from the following sources (“**Sources**”).

- **You:** You may supply us with Personal Data directly when you inquire about, or seek your business financing from us, including in connection with your application for business financing, the preparation and processing of your financing agreements and the ongoing administration of your financing transaction or when subscribing to e-newsletters and business resources including but not limited to white papers, case studies and e-booklets.
- **Credit Reporting Agencies and Other Data and Analytics Providers:** We use credit reporting agencies and other providers of business and consumer data and analytics to supply us with information that we use for a number of the business and commercial purposes described in “Use of Personal Data” below, including the determination of eligibility for business financing, the administration and servicing of the financing and for marketing purposes. We may receive Personal Data from those credit reporting agencies and other business and consumer data and analytics providers.
- **Vendors and Equipment Suppliers:** The business supplying the assets or services which you are interested in financing or have financed may provide us with your Personal Data.
- **Unaffiliated Referral and Sales Relationships:** You may have supplied Personal Data to brokers or other financing sources in connection with a business financing you are seeking or have received. Those brokers or other financing sources may provide us with your Personal Data that they have collected to enable us to determine your eligibility for financing from us and the terms and conditions thereof or whether we wish to purchase your financing transaction from them.
- **Online Tools:** When you visit our websites or visit or post information on our social media pages, our systems may automatically collect Personal Data including your IP address, domain name, ISP, general geographic location, the link that you clicked to get the websites and your activity when navigating the websites. This may also include internet and browsing history website analytics and application or ad clicks.

## *Use of Personal Data*

It is our goal to provide our customers and potential customers with customized financing options for their specific business needs, fast credit decisioning and a simplified documentation process. After the initial transaction, our goal is to provide customer-centric service and offer new or enhanced finance products. We use Personal Data a number of different business and commercial purposes in order to achieve this goal, including:

- **To provide financing to your business.** When you inquire about, or seek your, business financing from us, we use Personal Data to provide you with information, products and services that you request from us. In addition, we use Personal Data to determine your business' eligibility for such financing and the terms and conditions thereof. Without use of this Personal Data, we would not be able to offer your business financing.
- **To perform services for you or in connection with your transaction and to improve the quality of those services.** If we have approved your business financing, we use Personal Data to complete the financing transaction, including preparation of the financing documents, due diligence matters to prevent fraud, confirmation of required insurance, and payment information. In addition, we use Personal Data to provide on-going customer service, on our behalf and on behalf of others, including billing and collection, matters relating to taxes and insurance, location of the property financed and, if necessary, enforcement of the contract. Without use of this Personal Data, we would not be able to enter into financing transactions with your business, perform these services for your business, improve the level of service we provide to your business or protect ourselves against fraudulent activity.
- **For marketing purposes.** We use Personal Data to develop, promote and provide a comprehensive line of finance products to customers and potential customers, to extend personalized and customized messaging, quality content and finance offers tailored to the specific needs of businesses, as well as to enhance our product and service offering to meet the changing needs of our customers, potential customers and the industries which they and we operate. Without use of your Personal Data, we would not be able to provide you with these tools.

- **To comply with Applicable Laws.** We are subject to state and federal rules, laws and regulations (“Applicable Laws”). We may use Personal Data to ensure our compliance with these Applicable Laws.

### *Disclosure of Personal Data*

We may disclose Personal Data to others for many of the same reasons that we use the Personal Data for our own internal purposes. Below is a description of the third parties we may disclose Personal Data and the reasons why we do so.

- **Our Unaffiliated Service Providers:** In the course of our dealings with these service providers, we may disclose your Personal Data that we have collected.
- **Vendors and Equipment Suppliers:** In connection with processing your request for business financing, processing that transaction and administering that transaction following closing, we may disclose your Personal Data to the business supplying the assets which you are financing or leasing in order to confirm the assets being financed, prevent fraud, complete the document package for the financing and provide customer service and other information to you or the vendor or equipment supplier.
- **Governmental Authorities:** We are subject to Applicable Laws, and pursuant to those Applicable Laws, we may be requested or required to provide Personal Data to state or federal governmental agencies or by a court or other judicial or legislative body (“Governmental Authorities”). We may also disclose personal information to courts and other judicial bodies as necessary to enforce our rights and remedies under our financing contracts
- **A third-party assuming control of us if the Personal Data is part of a merger, acquisition, bankruptcy or other transaction.**
- **Third-party funding and financing sources.** For example, we actively manage our portfolio of business financings and, like most companies who provide business financing, we use a number of different tools to do so. We may disclose Personal Data to our third-party referral and purchaser relationships, as well as parties who provide us with financing, their respective service providers and other participants in those transactions.
- **To other third parties pursuant to your direction, instruction or consent.**
- **Text Messaging Opt-Ins:** Sharing excludes text messaging originator opt-in data and consent; this information will not be shared with any third parties.

## **Pixel Tags, Cookies, Tracking and Third-Party Advertisers**

Finova Capital may display advertisements for Finova Capital and its products and services that may be of interest to you, based on information relating to your access to and use of our websites, our mobile applications and other online services. To do so, Finova Capital or these third-party advertising companies may place or recognize a unique cookie on your browser (this may include through the use of pixel tags). Please visit [www.networkadvertising.org/](http://www.networkadvertising.org/) if you would like more information about this practice and to learn about your choices in connection with it. We may not respond to browser do-not-track signals. We may use analytics providers that use cookies, pixel tags and other, similar technologies to collect information about your use of our websites, mobile applications and your use of other websites or online services. To be clear, we do not receive any monetary or other consideration from these third-party advertising companies or analytics providers.

## **How we Protect Your Personal Data**

We maintain safeguards to protect your Personal Data. Personal Data is restricted to employees who need access to that Personal Data to perform their jobs. All employees are instructed to respect customer privacy and receive training on Finova's data privacy and security policies, including updated training on an annual basis which includes up-to-date information and instruction on fraud techniques being used by third parties, including "phishing", "spearfishing", "spoofing" and social engineering.

Notwithstanding these safeguards, when data is being communicated by you to us (including via email and other electronic communications) that data could be accessed by unauthorized third parties. By transmitting data to us, you assume this risk and agree that neither Finova Capital LLC, its subsidiaries or affiliates, nor any of their respective officers, directors, employees or contractors is liable for any such unauthorized third-party access.

## **Contact Information**

If you have any questions regarding our privacy policies or the ways in which we collect, use, and disclose your Personal Data please do not hesitate to contact us at:

Finova Capital LLC  
Attn: Privacy Policy  
365 West Passaic Street, Suite 490  
Rochelle Park, NJ 07662