



SOARING  
SOFTWARE  
SOLUTIONS, INC.  
110 W. Airport Hwy  
Swanton, OH 43558  
(419) 442-7676

[www.soaringsoftware.com](http://www.soaringsoftware.com)

## Privacy Notice

This Privacy Policy covers the privacy practices of Soaring Software Solutions, Inc., an Ohio company, along with the Sites on which this Privacy Policy is posted (the "Sites").

**WHAT WE DO:** We write and support the TCMax® Asset Management Suite and support various computer hardware that may be used with TCMax.

**OUR PRIVACY PRACTICES:** While using our Sites and Services, and as part of the normal course of business, we may collect personal information ("Information") about you. We want you to understand how we use the information we collect, and that you share with us, and how you may protect your privacy while using our Sites.

**YOUR CONSENT:** When you provide your Information to us, you consent to the collection, storage and use of your Information by us, our Affiliates and third parties in accordance with the terms set out in this Policy.

**Before submitting your Information to us, please read this Privacy Policy carefully. By accessing and using our Sites and Services, you are accepting the practices described herein.**

### THIS PRIVACY POLICY COVERS:

- What information we collect from you and why we collect it.
- Cookies and other web technologies.
- Third-party use of cookies and other tracking technologies.
- How we use your Information.
- With whom we share your Information.
- How you may access your Information.
- Your choices with respect to the collection and use of your Information.

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- How we safeguard your Information.
- Children’s privacy.
- Visiting our Sites from outside the United States. □ Changes to this Privacy Notice.  
How you may contact us.

## WHAT INFORMATION WE COLLECT FROM YOU AND WHY:

**TYPES OF INFORMATION:** To enable visitors to take advantage of our services, we collect certain types of Information from both software vendors and software buyers, such as during registration or when submitting a review or support request. This Information may include your first and last name, job title, telephone number, postal/email addresses, support ID, and billing information. We receive, store and share this Information within our website, Customer Relations Management Software (CRM), or bookkeeping system.

**LEGITIMATE PURPOSE:** We collect this Information to support our legitimate interests in conducting our business: (i) to operate our programs; (ii) to fulfill your requests; (iii) to administer support; and (iv) to respond to your questions, concerns, or customer service inquiries. We retain this Information only for as long as is necessary for the purpose(s) for which it was collected.

**SOCIAL MEDIA:** If you connect to our Sites through third party social media Sites like LinkedIn, we will receive Information from your social media account as further described below. You may choose not to provide Information to us, but some Information about you is required in order for you to enjoy the full benefits of being a registered user of our Sites.

If you log on to our Sites through your social media account, we will receive, where possible:

1. Your profile Information and will automatically populate your profile on our Sites with your name, job title, company name, profile photo, industry and company size (Note: you may request that this Information not be shown publicly on our Sites).
2. Access to your connections /network to show you reviews written by your connections (Note: we will not access your connections’ contact information or send messages to your connections).

**COOKIES:** We automatically collect some information about your computer activity when you visit our Sites to help us customize your user experience. We will collect session data, including the time at which you visited our Sites, your IP address, web browser software, referring website and information collected through cookies, web beacons and other tracking technologies. We

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will also collect information about your online activity, such as content viewed, pages visited, and keywords searched.

The technologies we use for this automatic information collection may include:

**Cookies.** Cookies are small files placed on the hard drive of your computer. Unless you have adjusted your browser setting to refuse cookies, our system will issue cookies when you direct your browser to our Sites. We use Google analytics to track active users using cookies and client software.

We use these Web Technologies for the following general purposes:

- To help us recognize your browser as a previous visitor and save/remember any preferences you may have set while visiting our Sites. (e.g., we may use cookies to remember your registration information so you need not log into our Sites each time you visit.)
- To help us customize your user experience on our Sites and on other websites across the Internet. (e.g., when you access a web page on our Sites, a cookie is automatically set by us, our service providers or our partners to recognize your browser as you navigate the Internet and to present you with information we believe may be of interest.

You may opt out of any of the above-referenced uses through the Do Not Track functionality in your web browser. Some browsers offer similar settings for HTML5 local storage. Please note, however, that if you refuse to accept cookies, you may not be able to access some of the benefits offered on our Sites.

## **HOW WE USE YOUR INFORMATION TO SUPPORT OUR BUSINESS**

We use the Information you share and we collect about you primarily for the legitimate interest of administering our business; (i) for registration and to manage your profiles and listings, including to facilitate your access to and use of our Sites; (ii) to enable us to publish your reviews and other submitted content; (iii) to respond to your questions and requests and otherwise customize your digital markets experience; (iv) to measure interest in and improve our products and services; (v) to notify you about special offers available from us, which may be of interest to you; (vi) to resolve disputes and troubleshoot problems; (vii) to prevent prohibited or illegal activities and disclose to legal or government authorities upon lawful request; (viii) to enforce our policies; and as otherwise described to you at the point of collection.



## WITH WHOM WE SHARE YOUR INFORMATION

We may, in administering our Sites and Services to provide you the best possible online experience, share your Information with our Affiliates and with the following entities:

- **Social Media Services.** If you opt to access social media websites and services through our Sites (such as LinkedIn), you are sharing your Information with those sites under their privacy policies.
- **Legal Process.** We will share your Information in response to court orders and legal process; to defend against legal claims; or as otherwise required by law; when we believe it is necessary to investigate and prevent or protect and defend our rights, property, or safety as well as those of our customers; or in connection with a corporate transaction, such as a divestiture, investment, merger, consolidation, or asset sale, or in the unlikely event of bankruptcy.

We will notify you before we share your Information with third parties for reasons other than those listed above, and you will have an opportunity to opt out of such sharing. We also may share aggregate or anonymous information about you (which does not contain any personal information) to develop content and services and further improve your digital markets experience.

## HOW YOU MAY ACCESS YOUR INFORMATION

We ensure that the Information we collect about you is accurate, complete and used for its intended purpose. You may access, review, and amend your Information by sending an email to us per the notice section at the end of this Privacy Policy.

While we generally retain Information for so long as it may be relevant to the purpose for which it was collected or submitted, we also may retain certain Information associated with your account in our archives for analytical, archival and business continuity purposes.

Individuals in the European Union and some other jurisdictions outside the United States, in addition to the rights above, have certain legal rights (i) to obtain confirmation of whether we hold Information about them, (ii) to access the Information we hold about them (including, in some cases, in portable form), and (iii) to correct, update, amend or delete in appropriate circumstances such Information. These data subjects may also object to our uses or disclosures of their Information or exercise legal rights to withdraw their consent, though such actions typically will not have retroactive effect. They may also have the right to lodge a complaint with the relevant EU data

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protection supervisory authority. However, we encourage you to contact us first, and we will do our very best to resolve your concern.

To exercise these rights, please contact us via the contact information at end of this Privacy Notice.

## YOUR CHOICES WITH RESPECT TO THE COLLECTION AND USE OF YOUR INFORMATION

You have choices with regard to how your Information is collected and used.

**Informed Consent.** You may choose not to provide us with any Information about yourself and your preferences, although it may be needed to customize and get the most value from your TCMAX Asset Management Suite experience.

- **Unsubscribe.** While data privacy laws permit us to send you communications related to administration of your services without including an unsubscribe option (e.g., service announcements and messages relating to your account), we will, where legally required, provide both registered and unregistered users with an option to unsubscribe from our non-administrative emails, such as our promotional and marketing communications.
- **Access and Review.** As described above, you may access, review, correct, update and delete the Information we hold about you as described above.
- **Set Preferences.** Also, as described above, you may set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of the Sites may be inaccessible or not function properly.

## HOW WE SAFEGUARD YOUR INFORMATION

We are committed to safeguarding the Information you share with us. While we, like any software publisher, cannot guarantee your security on the internet, we have, in accordance with applicable law, implemented appropriate administrative, technical and physical security controls to help prevent unauthorized access, maintain data security and ensure proper and effective use of the data we collect.

In addition, only authorized employees are permitted to access Information, and only for permitted business functions. And, when available, we use encryption when transmitting your Information between your system and ours, and we, together with our Partners and third-party providers, employ firewalls and intrusion detection systems to help prevent unauthorized persons from gaining access to your Information.

In the end, you are responsible for activity on our Sites conducted with your credentials and for maintaining the secrecy of credentials that may be used

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to access your Account or Service; and you must immediately report to us, per the contact information at the end of this Policy, any suspected unauthorized activity.

## **CHILDREN'S PRIVACY**

Our Sites are intended for general business audiences and not for children under 13 years of age. We do not knowingly collect personal information from children under 13. If we learn that we have collected or received Information from a child under 13 without parental consent, we will delete or destroy such Information as soon as reasonably possible. If you believe we have collected Information from a child under 13, please contact us via the contact information at the end of this Privacy Policy.

## **SITE VISITORS FROM OUTSIDE THE US**

If you are visiting our Sites from outside the United States, you understand and agree that your Information may be transferred to, stored and used in the US where our servers are located, and our central database is operated. While US data protection laws may not be as comprehensive as those in your country, we have taken steps in accordance with US law to ensure that your privacy is protected. By visiting our Sites or using our Services, you acknowledge and agree that your Information may be transferred to our US facilities and those third parties with whom we share it as described in this Privacy Policy.

## **CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 permits California residents to request certain information regarding our disclosure of their Information to third parties for direct marketing purposes. To make such a request, please contact us via the contact information at the end of this Policy.

## **CHANGES TO THIS PRIVACY POLICY**

We may update this Privacy Policy from time to time as our business practices or the law requires. We will notify you about material changes to this Privacy Policy by placing a prominent notice on our Sites.

## **CONTACT US**

If you have questions regarding our Privacy practices or this Privacy Policy, or if you would like to send us requests or complaints relating to our use of your Information, please contact us via the contact information on the following page: <https://soaringsoftware.com/pages/contact.php> or via the contact information at the end of this privacy notice.

Sincerely,

Richard A Lederman  
President, Soaring Software Solutions, Inc.  
(419) 442-7676 Office  
(419) 442-8821 Cell  
110 W Airport Hwy Swanton, OH 43558  
USA <https://www.tcmx.com>

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