Privacy Policy

Last modified: Sept 29, 2025

INTRODUCTION

Second Peak Productions Ltd. (**"Company"** or **"We"**) respects your privacy and is committed to protecting it by complying with this policy.

This policy describes:

- How we collect, use, disclose, and protect the personal information of our customers and website users ("**you**").
- Describes the types of information we may collect from you or that you may provide when you visit the website www.xds-spark.com (our "**Website**").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

We will only use your personal information in accordance with this policy unless otherwise required by applicable law. We take steps to ensure that the personal information that we collect about you is adequate, relevant, not excessive, and used for limited purposes.

Privacy laws in Canada generally define "personal information" as any information about an identifiable individual, which includes information that can be used on its own or with other information to identify, contact, or locate a single person. Personal information does not include business contact information, including your name, title, or business contact information.

This policy applies to information we collect, use, or disclose about you:

- On this Website.
- In email, text, and other electronic messages between you and this Website.
- When you interact with our advertising and applications on third-party websites and services if those applications or advertising include links to this policy.

The Website may include links to third-party websites, plug-ins, services, social networks, or applications. Clicking on those links or enabling those connections may allow the third party to collect or share data about you. If you follow a link to a third-party website or engage a third-party plugin, please note that these third parties have their own privacy policies and we do not accept any responsibility or liability for these policies. We do not control these third-party websites, and we encourage you to read the privacy policy of every website you visit.

Please read this policy carefully to understand our policies and practices for collecting, processing, and storing your information. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you indicate that you understand, accept, and consent to the practices described in this policy. This policy may change from time to time (see *Changes to Our Privacy Policy* below).

INFORMATION WE COLLECT ABOUT YOU

We collect and use several types of information from and about you, including:

- **Personal information**, that we can reasonably use to directly or indirectly identify you, such as your full name, email address, phone number, mailing address, username or other similar identifier, and any other identifier we may use to contact you ("**personal information**").
- **Business-related information**, such as the company you work for and your title.
- **Billing Information**, such as credit card or bank details and transaction history.
- **Non-personal information**, that does not directly or indirectly reveal your identity or directly relate to an identifiable individual, such as statistical or aggregated information. Statistical or aggregated data does not directly identify a specific person, but we may derive non-personal statistical or aggregated data from personal information. For example, we may aggregate personal information to calculate the percentage of users accessing a specific Website feature.
- **Technical information**, including your browser type and version, time zone setting, browser plug-in types and versions, operating system and platform, or information about your internet connection, the equipment you use to access our Website, and usage details.
- **Non-personal details about your Website interactions**, including page response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), or methods used to browse away from the page.
- **Users may also upload or import personal information about their service providers** (such as names, email addresses, and company details). This information is processed solely for display within the importing user's account and is not shared externally.

HOW WE COLLECT INFORMATION ABOUT YOU

We use different methods to collect your information, including through:

- **Direct interactions with you when you provide it to us**, for example, by filling in forms or corresponding with us by phone, email, or otherwise.
- **User contributions.** You may also provide information for us to publish or display on public Website areas or transmit to other Website users or third parties.
- **Automated technologies or interactions**, as you navigate through our Website. Information collected automatically may include usage details and information collected through cookies and other tracking technologies.

Information You Provide to Us

The information we collect directly from you on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of registering to use our Website, subscribing to our service, posting material, or requesting further services. We may also ask you for information when you report a problem with our Website.
- Records and copies of your correspondence (including email addresses), if you contact us.

You may also provide information to be published or displayed (hereinafter, "**posted**") on public areas of the Website or transmitted to other users of the Website or third parties (collectively, "**User Contributions**"). Your User Contributions are posted on and transmitted to others at your own risk. Although we limit access to certain pages, please be aware that no security measures are perfect. Additionally, we cannot control the actions of other users of the Website with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that unauthorized persons will not view your User Contributions.

Third Party Links

The Website may contain advertisements or links to content or websites maintained by third parties that we do not control. We are not responsible for the privacy practices of these third parties, and the information practices of these third parties are not covered by this Privacy Policy. If you choose to access any such third party content or websites, you do so at your own risk, and you should refer to such third party websites to obtain information on their privacy practices.

Imported service provider information may be used to enable account-level display features, which remain private to the importing user.

HOW WE USE YOUR INFORMATION

We use information that we collect about you or that you provide to us, including any personal information:

- To present our Website and its contents to you.
- To provide you with information, products, or services that you request from us.
- To create and manage user accounts or other user profiles.
- To fulfill the purposes for which you provided the information or that were described when it was collected, or any other purpose for which you provide it.
- To notify you about changes to our Website or any products or services we offer or provide though it.
- To personalize the services, Website content and communications based on users' preferences.
- To provide support and assistance for the Website or any products or services we offer or provide though it.
- To carry out fraud protection, security and debugging.
- To process subscriptions, orders or other transactions, and billing.
- To market and sell our services.
- To improve our Website, products or services, marketing, or customer relationships and experiences.
- To resolve disputes.
- To respond to correspondence from users, contact users when necessary or requested, and send users information about the Website or the Company's other services.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

We may also use your information to contact you about our goods and services that may be of interest to you, as permitted by law. If you do not want us to use your information in this way, use the unsubscribe mechanism at the bottom of our e-mails. For more information, see *Choices About How We Use and Disclose Your Information* below.

DISCLOSURE OF YOUR INFORMATION

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our subsidiaries and affiliates.
- In accordance with applicable law, to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by the Company about our customers and users is among the assets transferred.
- To contractors, service providers, and other third parties we use to support our business (such as our payment processors and analytics and search engine providers that assist us with Website improvement and optimization) and who are contractually obligated to keep personal information confidential, use it only for the purposes for which we disclose it to them, and to process the personal information with the same standards set out in this policy.
- To fulfill the purpose for which you provide it.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request, in accordance with applicable law.
- To enforce or apply our Terms of Service and other agreements you enter into with us, including for billing, payment, and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers, or others.
- To professional advisors, including lawyers, auditors, bankers, insurers, and consultants, to obtain advice or other professional services.

TRANSFERRING YOUR PERSONAL INFORMATION

We may process, store, and transfer your personal information in and to a foreign country, with different privacy laws that may or may not be as comprehensive as Canadian law. In these circumstances, the governments, courts, law enforcement, or regulatory agencies of that country may be able to obtain access to your personal information through the laws of the foreign country. Whenever we engage a service provider, we require that its privacy and security standards adhere to this policy and applicable Canadian privacy legislation.

By submitting your personal information or engaging with the Website, you consent to this transfer, storage, or processing.

CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Promotional Offers from the Company.** If you have opted in to receive certain emails from us but no longer wish to have your contact information used by the Company to promote our own products or services, you can opt-out by clicking the unsubscribe link we have included in our emails or at any other time by sending us an email stating your request to info@xds-spark.com.

DATA SECURITY

The security of your personal information is very important to us. We use physical, electronic, and administrative measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our products or services, you are responsible for keeping this password confidential. Do not share your login credentials with anyone. We urge you to be careful about giving out information in public areas of the Website, which any visitor can view.

The transmission and storage of information via the Internet is not completely secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website or through our services. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website or used in connection with our products or services.

Additionally, to reduce the risk of unauthorized access or disclosure of your personal information, our employees, agents, and contractors may access your personal information only if they have a need to know and only if they are subject to appropriate confidentiality obligations.

Branding data (logos, trademarks, and color schemes) uploaded for account customization is stored only for the duration of the account and is not accessible to other users.

DATA RETENTION

Except as otherwise permitted or required by applicable law or regulation, we will only retain your personal information for as long as necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. The exact retention period for a particular item of personal information will depend on a number of factors, such as the nature of the personal information, the reason why the personal information was collected, legal requirements, the sensitivity of the personal information, and the risk of harm that would flow from its unauthorized access or disclosure. At the end of the applicable retention period for a particular item of personal information, we will either dispose of that personal information or anonymize it.

Under some circumstances we may anonymize your personal information before the end of its retention period. By anonymize, we mean to irreversibly modify your personal information so that it no longer can be associated with you. We reserve the right to use anonymous data for any legitimate business purpose without further notice to you or your consent.

CHILDREN UNDER THE AGE OF 13

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website or on or through any of its features or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or username you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information.

ACCESSING AND CORRECTING YOUR PERSONAL INFORMATION

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes. By law you have the right to request access to and to correct the personal information that we hold about you.

If you want to review, verify, correct, or withdraw consent to the use of your personal information you may also send us an email at info@xds-spark.com to request access to, correct, or delete any personal information that you have provided to us. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

We may request specific information from you to help us confirm your identity and your right to access, and to provide you with the personal information that we hold about you or make your requested changes. Applicable law may allow or require us to refuse to provide you with access to some or all of the personal information that we hold about you, or we may have destroyed, erased, or made your personal information anonymous in accordance with our record retention obligations and practices. If we cannot provide you with access to your personal information, we will inform you of the reasons why, subject to any legal or regulatory restrictions.

We will provide access to your personal information, subject to exceptions set out in applicable privacy legislation.

If you are concerned about our response or would like to correct the information provided, you may contact our Privacy Officer at info@xds-spark.com.

WITHDRAWING YOUR CONSENT

Where you have provided your consent to the collection, use, and transfer of your personal information, you may have the legal right to withdraw your consent under certain circumstances. To withdraw your consent, if applicable, contact us at info@xds-spark.com. Please note that if you withdraw your consent we may not be able to provide you with a particular product or service. We will explain the impact to you at the time to help you with your decision.

CHANGES TO OUR PRIVACY POLICY

We may change this privacy policy from time to time. Any changes will be posted on our Website. It is our policy to post any changes we make to our privacy policy on this page with a notice that the privacy policy has been updated on our website home page. If we make material changes to how we treat our users' personal information, we will notify you by email to the email address specified in your account and through a notice on the Website home page. Please note that as you are responsible for providing us with your updated contact information, in the event that the last email address you provided us is not valid, or if you have not provided us with an email address, or if for any reason we are unable to deliver a notification to you, our posting the updated privacy policy on our Website will constitute effective notification of the changes made to this privacy policy.

We include the date the privacy policy was last revised at the top of the page. You are responsible for ensuring we have an up-to-date, active, and deliverable email address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

With respect to service provider or partner data uploaded by users, Spark acts as a data processor on behalf of the user, who remains the data controller responsible for lawful collection and use of that data.

CONTACT INFORMATION AND CHALLENGING COMPLIANCE

We welcome your questions, comments, and requests regarding this privacy policy and our privacy practices. Please contact us at: Privacy Officer info@xds-spark.com

We have procedures in place to receive and respond to complaints or inquiries about our handling of personal information, our compliance with this policy, and with applicable privacy laws. To discuss our compliance with this policy please contact our Privacy Officer using the contact information listed above.