

IDENTITY AND RESPONSIBLE ADDRESS

Upax GS, S.A. de C.V., (the “**Responsible**”) with conventional address at Insurgentes Sur 3579, Tlalpan La Joya, Tlalpan, Zip Code 14000, Mexico City, Mexico, only for privacy matters and for the legitimate, control and inform treatment of the personal data of the customers and users (“**Personal Data**”), according with their privacy politics and international and Mexican regulation on Data Protection field. With the purpose of regulate the legitimate, control and inform treatment of Personal Data to ensure the privacy and the right to self-determinate what information is share, the Responsible makes available to the Owner this privacy notice (the “**Privacy Notice**”) prior to the collection of the Personal Data, that could collect it through the following methods: **(i)** personally, when the Owner provides it in our installations; **(ii)** directly, when the Owner submits the data through the website www.upax.com.mx (the “**Website**”); **(iii)** directly, when the Owner provides it through the phone; **(iv)** indirectly, when private companies transfer the information to us; and **(v)** indirectly, when it is collect through publicly available sources allowed in Mexican legislation.

WHAT TYPE OF INFORMATION WE REQUEST

❖ Personal Non-Sensitive Data.

Identity and contact.- Customer or User: Name, second name, address, tax residence, place and date of birth, gender and/or sex, marital status, nationality, traditions, official ID, tax ID, autographic, electronic and/or reliable signature, photos, selfies, images and videos, telephone number, e-mail, GPS location.

Employment or Labor data.- Customer or User: Occupation or profession, extracurricular activities.

Academic data.- Customer or User: Educational background and career.

❖ Personal Sensitive Data.

Finance and wealth data.- Customer or User: Number card and bank account, outflows and inflows.

Biometrics.- Customer or User: Owner’s fingerprint, voice recognition and face recognition or of the person who signs at his/her plea.

PERSONAL DATA OF MINORS AND DISABLED PERSONS.

It is forbidden to establish a contractual relationship with minors or disabled persons, in consequence, the Responsible will never treat with this type of personal data. In case a minor or a disabled person register his/her data, the Responsible will cancel the information provided, releasing him of any administrative or legal responsibility.

PURPOSES OF THE PERSONAL DATA TREATMENT

- ❖ **Primary purposes.** Necessary for the existence and accomplish the contractual and legal relationship, resulting from the services and activities that the Owner request and formalize with the Responsible, which consists in:
 1. Verify and confirm the identity of the Owner.
 2. Provide the tools, functions and controls available in the Website.
 3. Accomplish the obligations and exercise the rights, resulting from the legal relationship between the Responsible and the Owner.
 4. Owner recruitment for interviews, focus groups and mystery shopper.
 5. Create assistance registration in interviews, capacity building, focus groups and mystery shopper.
 6. The attention to requirement of any competent authority.
 7. Make the necessary arrangements to maintain updated, correct and complete the personal data of the Owner.

- ❖ **Secondary purposes.** Not necessary for the existence and accomplish the contractual and legal relationship, resulting from the services and activities that the Owner request and formalize with the Responsible, none of less, they are complementary and important for providing a better service in the activities, which consist in:
 1. Develop profiles of customers and users of the services and activities.
 2. Send communications related to sales, promotional messages, announcements with purposes in marketing, advertising and commercial research for new and existing services.
 3. Promotion at the Website, visual media, television and social media of the services and activities, for which the Responsible could use the following personal data of the Owner: Name, photos, videos, interviews, publications and any other publicity media known or to be known.
 4. Apply surveys, market research, participate in events, social media, chats and information that allows us to evaluate the quality of services and activities.

WITH WHOM WE SHARE THE PERSONAL DATA

According to international and Mexican legislation and regulation, the Responsible will communicate the Personal Data to those business partners with whom it has entered into a commercial contract for the marketing of goods and services, in Owner benefit.

In the same way, with competent authorities that requires as part of a procedure, requirement or supervision of administrative and/or legal character, or in specific case, for a judicial order.

The national and international transfer of personal data could be carried out without the owner's consent when any of the following events occur:

1. When the transfer is provided for in a law or an agreement that Mexico is part.

2. When the transfer is necessary for the medical prevention or the diagnosis, provision of health care, medical treatment or health care arrangements.
3. When the transfer is made to a holding, subsidiary or affiliated company related to the Responsible, a parent or any company of the same business group that proceeds the same way at politics and operations as the Responsible.
4. When the transfer is necessary under a contract entered or to be entered into the Owner, Responsible or a third part interest.
5. When the transfer is necessary or legally demand for the safeguarding a public interest or for the administration of the justice.
6. When the transfer is precise for the recognition, exercise or defense of a judicial process right.
7. When the transfer is precise for the maintenance or compliance of a legal relation between the Responsible and the Owner.

PUBLIC REGISTER TO AVOID THE PUBLICITY (“REPEP” for its acronym in Spanish) OF THE FEDERAL CONSUMER PROTECTION AGENCY (“PROFECO” for its acronym in Spanish)

With purpose to limit the use and disclosure of Personal Data, the Owner may additionally register in the REPEP, so that the Personal Data will not be used to receive advertising or promotions by suppliers or companies in their marketing practices. For further information on this registration, the Owner may consult PROFECO’s website: <http://www.gob.mx/profeco>, or call 800 468 8722.

MECHANISM TO EXERCISE THE RIGHT TO DATA PROTECTION.

The Owner has the right to express the opposition or revocation of consent at all time by requesting it to the Responsible Data Protection Department, as well as a clarification, comment, complaint or disagreement, for which de Owner shall execute the following:

Steps For Generating The Request On Rights In Data Protection (the “Request”)

First.- The Owner must access to the website www.datospersonalesgs.com.mx (the “DDP Website”)

Second.- Click on the “**Exercise your ARCO Rights**” section, where it will appear a box (Register and Login), fill in the personal information indicated to create the user name and password (the “Profile”), and click on the “**Register and Login**” button. Once is created the Profile, the Owner could follow with the request.

Third.- Next, the Owner needs to click in the “**New Request**” icon, in the screen will appear some logos, he/she must click in the logo of the Responsible.

Fourth.- Finally, the Owner will choose the type of right he/she decides to exercise, or the revocation of consent, by completing the information indicated and click on the information indicated and click on the “**Send Request**” button.

The Personal Data Department will receive the Request and will contact the Owner through the email address established for such purpose. Likewise, the Owner may consult the status of the Request at any time by clicking on the “**Exercise your ARCO Rights**” section and clicking on the “**Request Tracking**” icon.

Regarding the Request is for access to your Personal Data, it will proceed prior proof of Owner’s identity or his/her legal representative, through the issuance of simple copies or electronic documents held by the Responsible, and free of charge except for shipping costs and the cost of reproduction of copies and other formats. In case the Owner withdrawn the Request in less than twelve months, he/she shall cover the corresponding costs equivalent to no more than three times the value of the “UMA*”, in compliance with Mexican Regulation.

Regarding the Request is for a rectification in your Personal Data, the Owner must indicate the modification to be made, as well as provide the documentation supporting the request.

For purposes of cancellation of Personal Data, in addition to the provisions in this Privacy Notice, will be complied with Mexican regulation.

The Owner at all time has the right to request the opposition to use his/her Personal Data for some purposes or to solicitate the termination of their use in order to avoid harm to his/her person, in case this Request is merit, the Responsible will not be able to treat anymore with them. It will not proceed this right to oppose when the treatment considers necessary to comply with a legal obligation imposed to the Responsible.

According to Mexican legislation, the Responsible will communicate to the Owner, in a maximum term of 20 business days since the date he/she receive the Request, the determination adopted, so in case it is merit, it becomes effective within 15 business days since the date on which the response is communicated to the Owner.

The Responsible could refuse the access to the Personal Data or make the rectification, the cancellation or grant the opposition in the following cases:

1. When the applicant is not the Owner or his/her legal representative.
2. When the Personal Data is not in the database of the Responsible.
3. When it harms third party’s rights.
4. When there is a legal barrier or a resolution of a competent authority that restricts the access to the Personal Data or does not allow their rectification, cancellation or opposition.
5. When the rectification, cancellation or opposition have been made.

The refusal referred in the paragraph below may be partial, in which case the Responsible will carry out the access, rectification, cancellation or opposition required by the Owner.

PERSONAL DATA DEPARTMENT.

For any clarification, comment, complaint or disagreement regarding to the privacy policy of the Responsible, the Owner could send an email to datospersonalesupax@upax.com.mx with his/her

petition to the Personal Data Department, the respond should be send in a maximum term of 20 business days.

In case the Owner is unable to generate and send the Request on Rights in Data Protection, as well as manifest the revocation to his/her consent under the terms set forth in this Privacy Notice, for technical issues in the DDP Website, he/she could send it to the Personal Data Department, through an email to datospersonalesupax@upax.com.mx, prior accreditation to the failure occurred, according to the requirements and conditions considered in this Privacy Notice/ in Mexican regulation.

CONSERVATION AND SECURITY TO PERSONAL DATA.

The Responsible and/or his managers protect and guarantee the safety and confidentiality of the Owner's information and documentation, as well as the acts, operations and services reported, for at least 10 years since it concludes the legal relationship between the Owner and the Responsible, without impinging to the fulfillment of the duties set forth in Mexican legislation.

NATIONAL INSTITUTE OF TRANSPARENCY, ACCESS TO INFORMATION AND PROTECTION OF PERSONAL DATA ("INAI" for its acronym in Spanish)

In case the Owner consider that his/her rights in Data Protection have been violated for an improper treatment in his/her Personal Data, he/she could file a complaint or a lawsuit to INAI and may consult their website www.inai.org.mx for further information.

COOKIES, WEB BEACONS AND OTHER TECHNOLOGIES.

The Website use mechanism for remote and local resources of electronic, optical or any other technologies communications that allow the collection of Personal Data at the same time that the Owner get in touch with them, among the Cookies and Web beacons, to simplify the surfing.

The Cookies are small blocks of data that are automatically unloaded and stored in the Owner's device as is browsing on a website, that enable to record the Internet services some information about the Owner, including his/her shopping preferences for viewing pages on that server, name, and password.

The Web Beacons are images inserted in a website or an email, that can be used to monitor the visitor's behave, store information about his/ her IP Address, the interaction time at a web site, the browser type, among others.

Through this Privacy Notice we inform to the Owner that we use Cookies and Web Beacons to obtain Personal Data about him/her, as the following: (i) The browser type and the operating system; (ii) Other websites that he/she visit before and after log in our Website; (iii) The tracking links and permanence in the Website; (iv) The IP Address; (v) Location from which he/she log in to the Website and browsing statistics. These Cookies and other technologies can be disable. You can search for information about popular browser and find out how to adjust your Cookie preferences on the following sites:

Microsoft Internet Explorer:

<http://www.microsoft.com/info/cookies.htm>

Mozilla Firefox:

http://www.mozilla.org/projects/security/pki/psm/help_21/using_priv_help.html

Google Chrome:

<https://support.google.com/accounts/answer/61416?co=GENIE.Platform%3DDesktop&hl=es>

Apple Safari:

<https://support.apple.com/es-es/guide/safari/sfri11471/mac>

In the case of using Cookies, the “help” button, usually located at the toolbar, will indicate how to avoid new Cookies, how to make the browser notifies when you receive a new Cookie and how you can be disable.

LIABILITY EXCLUSION

The Website may contain links, hyperlinks or hypertexts, banners, buttons and/or search internet tools, which when they are used by the Owner, transport him/her to other websites that may be owned by third parties. The Responsible does not control such sites, neither is responsible for their privacy notices that they display, or the lack of them; the Personal Data that the Owner may provide through such websites are under his/her risk and excludes from liability to the Responsible.

Some links, banners and/or buttons that request for Personal Data inside the Website are liability to third parties, who are sometimes service providers and therefore, govern by their own terms and privacy policies. For more information, we invite the Owner to consult the terms and conditions section.

MODIFICATIONS TO THE PRIVACY NOTICE.

The Responsible reserves the right to periodically update this Privacy Notice, according to changes in information and Protection Data practices, in response to new legislation, internal policies or new requirements for the provision of services.

Such updates will be available to the public, so the Owner could consult them in the Website. It is recommended and/or required to the Owner to consult the Privacy Notice, at least each six months, in order to be informed to the updates and the changes it may suffer.

CONSENT FOR TREAT THE PERSONAL DATA.

The Owner declares that he/she has read, understood and accepted the terms exposed in this Privacy Notice, which constitutes the free, specific, unequivocal and informed consent, including the modifies in the updates set forth below, to treat the Personal Data, in compliance with Mexican regulation.