Privacy Policy

Effective as of November 13, 2025.

This Privacy Policy describes how Foundational Labs Inc. ("**Foundational**," "**we**," "**us**" or "**our**") processes personal information that we collect through our digital or online properties or services that link to this Privacy Policy (including as applicable, our website and social media pages) as well as our marketing activities, live events, and other activities described in this Privacy Policy (collectively, the "**Service**")).

This Privacy Policy does not apply to information that we process on behalf of our business customers (such as businesses and other organizations) while providing the Foundational services to them. Our use of information that we process on behalf of our business customers is governed by our agreements with such customers. If you have concerns regarding your personal information that we process on behalf of a business, please direct your concerns to that business.

Our websites, products and services are designed for enterprise customers and their representatives. We do not offer products or services for use by individuals for their personal, family or household purposes. Accordingly, we treat all personal information we collect as pertaining to individuals in their capacities as representatives of the relevant enterprise and not their individual capacities.

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Personal information we collect

Information you provide to us. Personal information you may provide to us through the Service or otherwise includes:

- **Contact data**, such as your first and last name, salutation, email address, professional title and company name, and phone number.
- **Demographic data**, such as your city, state, country of residence, postal code, and age.
- **Communications data** based on our exchanges with you, including when you contact us through the Service, social media, or otherwise.
- **Marketing data**, such as your preferences for receiving our marketing communications and

details about your engagement with them.

- **Other data** not specifically listed here, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.

Third-party sources. We may combine personal information we receive from you with personal information falling within one of the categories identified above that we obtain from other sources, such as:

- **Public sources**, such as government agencies, public records, social media platforms, and other publicly available sources.
- **Data providers,** such as information services and data licensors.
- **Partners**, such marketing partners and event co-sponsors.
- **Business transaction partners**. We may receive personal information in connection with an actual or prospective business transaction. For example, we may receive your personal information from an entity we acquire or are acquired by, a successor, or assignee or any party involved in a business transaction such as a merger, acquisition, sale of assets, or similar transaction, and/or in the context of an insolvency, bankruptcy, or receivership.

Automatic data collection. We, our service providers, and our business partners may automatically log information about you, your computer or mobile device, and your interaction over time with the Service, our communications and other online services, such as:

- **Device data**, such as your computer or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM and disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or geographic area.
- **Online activity data**, such as pages or screens you viewed, how long you spent on a page or screen, the website you visited before browsing to the Service, navigation paths between pages or screens, information about your activity on a page or screen, access times and duration of access, and whether you have opened our emails or clicked links within them.
- **Communication interaction data** such as your interactions with our email, text or other communications (e.g., whether you open and/or forward emails) – we may do this through use of pixel tags (which are also known as clear GIFs), which may be embedded invisibly in our emails.

Tracking & Other Technologies

Cookies and other technologies. Some of the automatic collection described above is facilitated by the following technologies:

- **Cookies**, which are small text files that websites store on user devices and that allow web servers to record users' web browsing activities and remember their submissions, preferences, and login status as they navigate a site. Cookies used on our sites include both "session cookies" that are deleted when a session ends, "persistent cookies" that remain longer, "first party" cookies that we place and "third party" cookies that our third-party business partners and service providers place.

- **Local storage technologies**, like HTML5, that provide cookie-equivalent functionality but can store larger amounts of data on your device outside of your browser in connection with specific applications.
- **Web beacons**, also known as pixel tags or clear GIFs, which are used to demonstrate that a webpage or email was accessed or opened, or that certain content was viewed or clicked.

How we use your personal information

We may use your personal information for the following purposes or as otherwise described at the time of collection:

Service delivery and operations. We may use your personal information to:

- provide the Service;
- enable security features of the Service;
- communicate with you about the Service, including by sending Service-related announcements, updates, security alerts, and support and administrative messages;
- communicate with you about events or contests in which you participate; and
- provide support for the Service, and respond to your requests, questions and feedback.

Service personalization, which may include using your personal information to:

- understand your needs and interests;
- personalize your experience with the Service and our Service-related communications; and
- remember your selections and preferences as you navigate webpages.

Service improvement and analytics. We may use your personal information to analyze your usage of the Service, improve the Service, improve the rest of our business, help us understand user activity on the Service, including which pages are most and least visited and how visitors move around the Service, as well as user interactions with our emails, and to develop new products and services.

Marketing. We and our service providers may send you direct marketing communications and may personalize these messages based on your needs and interests. You may opt-out of our marketing communications as described in the Opt-out of marketing section below.

Compliance and protection. We may use your personal information to:

- comply with applicable laws, lawful requests, and legal process, such as to respond to subpoenas, investigations or requests from government authorities;
- protect our, your or others' rights, privacy, safety or property (including by making and defending legal claims);
- audit our internal processes for compliance with legal and contractual requirements or our internal policies;
- enforce the terms and conditions that govern the Service; and
- prevent, identify, investigate and deter fraudulent, harmful, unauthorized, unethical or illegal activity, including cyberattacks and identity theft.

Data sharing in the context of corporate events, we may share certain personal information in the

context of actual or prospective corporate events – for more information, see How we share your personal information, below.

To create aggregated, de-identified and/or anonymized data. We may create aggregated, de-identified and/or anonymized data from your personal information and other individuals whose personal information we collect. We make personal information into de-identified and/or anonymized data by removing information that makes the data identifiable to you. We may use this aggregated, de-identified and/or anonymized data and share it with third parties for our lawful business purposes, including to analyze and improve the Service and promote our business.

Further uses, in some cases, we may use your personal information for further uses, in which case we will ask for your consent to use of your personal information for those further purposes if they are not compatible with the initial purpose for which information was collected.

How we share your personal information

We may share your personal information with the following parties (or as otherwise described in this Privacy Policy, in other applicable notices, or at the time of collection).

Affiliates. Our corporate parent, subsidiaries, and affiliates.

Service providers. Third parties that provide services on our behalf or help us operate the Service or our business (such as hosting, information technology, customer support, email delivery, marketing, consumer research and website analytics).

Third parties designated by you. We may share your personal information with third parties where you have instructed us or provided your consent to do so.

Partners. Third parties with whom we partner, including parties with whom we co-sponsor events or promotions, with whom we jointly offer products or services, or whose products or services may be of interest to you.

Professional advisors. Professional advisors, such as lawyers, auditors, bankers and insurers, where necessary in the course of the professional services that they render to us.

Authorities and others. Law enforcement, government authorities, and private parties, as we believe in good faith to be necessary or appropriate for the Compliance and protection purposes described above.

Business transferees/Corporate events. We may disclose personal information in the context of actual or prospective business transactions (*e.g.,* investments in Foundational, financing of Foundational, public stock offerings, or the sale, transfer or merger of all or part of our business, assets or shares). For example, we may need to share certain personal information with prospective counterparties and their advisers. We may also disclose your personal information to an acquirer, successor, or assignee of Foundational as part of any merger, acquisition, sale of assets, or similar transaction, and/or in the event of an insolvency, bankruptcy, or receivership in which personal information is transferred to one or more third parties as one of our business assets.

Your choices

Opt-out of communications. You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or by contacting us. Please note that if you choose to opt-out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.

Cookies and other technologies. Most browsers let you remove or reject cookies. To do this, follow the instructions in your browser settings. Many browsers accept cookies by default until you change your settings. Please note that if you set your browser to disable cookies, the Service may not work properly. For more information about cookies, including how to see what cookies have been set on your browser and how to manage and delete them, visit www.allaboutcookies.org. You can also configure your device to prevent images from loading to prevent web beacons from functioning.

Blocking images/clear gifs: Most browsers and devices allow you to configure your device to prevent images from loading. To do this, follow the instructions in your particular browser or device settings.

Do Not Track. Some Internet browsers may be configured to send "Do Not Track" signals to the online services that you visit. We currently do not respond to "Do Not Track" signals. To find out more about "Do Not Track," please visit http://www.allaboutdnt.com.

Declining to provide information. We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

Other sites and services

The Service may contain links to websites, mobile applications, and other online services operated by third parties. In addition, our content may be integrated into web pages or other online services that are not associated with us. These links and integrations are not an endorsement of, or representation that we are affiliated with, any third party. We do not control websites, mobile applications or online services operated by third parties, and we are not responsible for their actions. We encourage you to read the privacy policies of the other websites, mobile applications and online services you use.

Security

We employ technical, organizational and physical safeguards designed to protect the personal information we collect. However, security risk is inherent in all internet and information technologies and we cannot guarantee the security of your personal information.

International data transfer

We are headquartered in the United States and may use service providers that operate in other countries. Your personal information may be transferred to the United States or other locations where privacy laws may not be as protective as those in your state, province, or country.

Children

The Service is not intended for use by anyone under 18 years of age. If you are a parent or guardian of a child from whom you believe we have collected personal information in a manner prohibited by law, please contact us. If we learn that we have collected personal information through the Service from a child without the consent of the child's parent or guardian as required by law, we will comply with applicable legal requirements to delete the information.

Changes to this Privacy Policy

We reserve the right to modify this Privacy Policy at any time. If we make material changes to this Privacy Policy, we will notify you by updating the date of this Privacy Policy and posting it on the Service or other appropriate means. Any modifications to this Privacy Policy will be effective upon our posting the

modified version (or as otherwise indicated at the time of posting). In all cases, your use of the Service after the effective date of any modified Privacy Policy indicates your acknowledging that the modified Privacy Policy applies to your interactions with the Service and our business.

How to contact us

- **Email**: support@withpace.com