Privacy Policy for Kosmic AI LLC

1. Introduction

1.1 Overview

Welcome to Kosmic AI LLC. We are committed to protecting your privacy and ensuring that your personal information is handled in a safe and responsible manner. This Privacy Policy explains how we collect, use, and protect your information when you use our website and services.

1.2 Purpose of the Privacy Policy

The purpose of this Privacy Policy is to inform you about the types of information we collect, how we use and share that information, and the steps we take to protect your information. By using our website and services, you agree to the collection and use of information in accordance with this Privacy Policy.

2. Data Collection

2.1 Personal Information Collected

- **Registration Information**: When you sign up for our services, we collect personal information such as your name, email address, phone number, and country.
- Automatically Collected Information: We collect information automatically when you use our website, including your IP address, browser type, operating system, referral URLs, and pages visited.
- Video Submissions for Seller Applications: As part of the seller application process, we collect videos that you submit to introduce yourself and your services.

2.2 Tracking Technologies

- **Cookies**: We use cookies to enhance your experience on our website. Cookies are small data files that are stored on your device.
- HubSpot Tracking: We use HubSpot to track user interactions and manage customer relationships.
- Pixels from Facebook, TikTok, and Others: We use tracking pixels from thirdparty services to gather information about user interactions and for marketing purposes.

3. Data Use

3.1 Purpose of Data Use

- Registration and Waitlist Management: We use your data to manage user registrations, maintain our waitlist, and ensure a smooth onboarding process for new users.
- Communication Updates: To send you updates and important information about our services, including newsletters, service announcements, and administrative messages.
- Website Usage Analysis: To analyze how our website is used, understand user behavior, and improve its functionality and performance.
- **Service Improvement**: To enhance and develop our services based on user feedback, usage data, and industry best practices.
- Transactions via Trustap: To manage payments and transactions securely, ensuring a smooth and trustworthy marketplace experience for buyers and sellers.
- Marketing and Promotional Purposes: To promote our services through targeted marketing communications, including emails, ads, and social media campaigns.
- **Beta Testing Program**: To manage and communicate with beta testers, collect feedback, and improve our services based on beta testing data.
- Affiliate Program: To manage and communicate with affiliates, track performance, and distribute commissions.

3.2 Sharing Data with Third Parties

- Service Providers: We share information with third-party service providers (such as HubSpot, Facebook, TikTok, Trustap) to help us operate, maintain, and improve our services. These providers are contractually obligated to protect your data and use it only for the purposes we specify.
- Legal Requirements: We may disclose information if required by law, in response
 to legal processes, or to protect the rights, property, or safety of Kosmic Al LLC,
 our users, or others.
- Business Transfers: We may share or transfer information in connection with business transactions, such as mergers, acquisitions, or asset sales. In such cases, we will notify you before your personal information is transferred and becomes subject to a different privacy policy.

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• With User Consent: We may share information with third parties if you have given your consent.

4. Beta Testing Program

4.1 Data Collection for Beta Testing

As part of our beta testing program, we collect various types of information from participants to help us enhance our services. This includes:

- Feedback: Detailed feedback provided by beta testers regarding their experience, including suggestions for improvements and reports of any issues or bugs encountered.
- **Usage Data**: Data on how beta testers interact with our services, including features used, duration of use, and any error messages or crashes.
- **Technical Data**: Information about the devices and software used by beta testers, such as device type, operating system, browser type, and network information.

4.2 Use of Beta Testing Data

The data collected from beta testers is used for multiple purposes, including:

- **Service Improvement**: To identify and fix bugs, improve performance, and enhance the overall user experience.
- **Feature Development**: To develop new features and functionalities based on user feedback and usage patterns.
- User Experience Optimization: To make informed decisions about user interface design and feature prioritization.
- **Communication**: To keep beta testers informed about updates, new features, and other relevant information.

4.3 Sharing Beta Testing Data

Beta testing data may be shared with the following parties:

- **Internal Teams**: Our development, design, and product management teams use the data to improve and develop our services.
- Third-Party Service Providers: Companies that assist us with data analysis, development, and testing processes. These providers are contractually obligated to protect your data and use it only for the purposes we specify.
- Research and Development Partners: Academic institutions, research organizations, or partners involved in joint development projects.

4.4 User Rights in Beta Testing

Beta testers have several rights regarding their data, including:

- **Access**: You have the right to request access to the data we have collected about you during the beta testing program.
- **Correction**: If you believe any of the data we have is inaccurate or incomplete, you have the right to request corrections.
- Deletion: You can request the deletion of your data collected during the beta testing program. However, some data may be retained as necessary to comply with legal obligations or to resolve disputes.

- **Withdrawal**: You can withdraw from the beta testing program at any time. Upon withdrawal, we will cease further data collection and remove your participation data from active use.
- **Informed Consent**: We ensure that all beta testers are fully informed about what data is collected, how it is used, and their rights regarding the data.

By participating in our beta testing program, you agree to the collection, use, and sharing of your data as described in this section. If you have any questions or concerns about your participation, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

5. Affiliate Program

5.1 Data Collection for Affiliate Program

We collect various types of information from participants in our affiliate program, including:

- Contact Information: Your name, email address, phone number, and other contact details.
- Performance Data: Information about your referral activities, such as the number of referrals, conversion rates, and commissions earned.

5.2 Use of Affiliate Program Data

The data collected from affiliates is used for multiple purposes, including:

- **Tracking Performance**: To monitor and track the performance of your referral activities and calculate your commissions.
- **Communication**: To manage our communications with you, including updates on your performance, program changes, and other relevant information.
- **Program Improvement**: To enhance and develop our affiliate program based on user feedback and performance data.
- Commission Payments: To manage and process commission payments to affiliates.

5.3 Sharing Affiliate Program Data

Affiliate data may be shared with the following parties:

- **Internal Teams**: Our marketing, sales, and finance teams use the data to manage and improve the affiliate program.
- Third-Party Service Providers: Companies that assist us with data analysis, commission payments, and program management. These providers are contractually obligated to protect your data and use it only for the purposes we specify.
- Research and Development Partners: Academic institutions, research organizations, or partners involved in joint development projects.

5.4 User Rights in Affiliate Program

Affiliates have several rights regarding their data, including:

- **Access**: You have the right to request access to the data we have collected about you during your participation in the affiliate program.
- **Correction**: If you believe any of the data we have is inaccurate or incomplete, you have the right to request corrections.
- Deletion: You can request the deletion of your data collected during the affiliate program. However, some data may be retained as necessary to comply with legal obligations or to resolve disputes.
- **Withdrawal**: You can withdraw from the affiliate program at any time. Upon withdrawal, we will cease further data collection and remove your participation data from active use.
- **Informed Consent**: We ensure that all affiliates are fully informed about what data is collected, how it is used, and their rights regarding the data.

By participating in our affiliate program, you agree to the collection, use, and sharing of your data as described in this section. If you have any questions or concerns about your participation, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

6. Data Security

6.1 **Security Measures**

We take the security of your personal information seriously and implement various measures to protect it, including:

- **Encryption**: We use encryption technologies to protect sensitive information transmitted online, ensuring that your data is secure during transfer.
- Access Controls: We restrict access to personal information to employees, contractors, and agents who need to know that information to operate, develop, or improve our services. Access is granted only to those with a legitimate need and is controlled through authentication and authorization mechanisms.
- Regular Security Audits: We conduct regular security audits and assessments
 to identify and address potential vulnerabilities in our systems. This helps us
 maintain a robust security posture and respond promptly to emerging threats.

6.2 Breach Notification

In the event of a data breach that affects your personal information, we will notify you as required by applicable laws and regulations. Our notification process includes:

- **Timely Notification**: We will notify you as soon as possible after discovering a data breach that may compromise your personal information.
- Details of the Breach: The notification will include details about the nature of the breach, the types of data involved, and the steps we are taking to address the breach and mitigate its impact.
- Protective Measures: We will provide information on the steps you can take to
 protect yourself from potential harm resulting from the breach, such as monitoring
 your accounts and changing passwords.

7. User Rights

7.1 Access and Correction

You have the right to request access to the personal information we hold about you. If you believe that any information we have is incorrect or incomplete, you have the right to request corrections. To access or correct your information, please contact us using the details provided in the "Contact Information" section.

7.2 Data Portability

You have the right to request a copy of your personal information in a structured, commonly used, and machine-readable format. This allows you to transfer your data to another service provider if you choose to do so. To request data portability, please contact us using the details provided in the "Contact Information" section.

7.3 Right to Erasure

You have the right to request the deletion of your personal information, subject to certain exceptions. We will comply with your request unless we are required to retain the information to comply with legal obligations, resolve disputes, or enforce our agreements. To request the erasure of your information, please contact us using the details provided in the "Contact Information" section.

7.4 Right to Object

You have the right to object to the processing of your personal information under certain circumstances. If you object, we will cease processing your information unless we can demonstrate compelling legitimate grounds for the processing that override your interests, rights, and freedoms, or if the processing is for the establishment, exercise, or defense of legal claims. To object to the processing of your information, please contact us using the details provided in the "Contact Information" section.

7.5 Rights Under GDPR and CCPA

If you are a resident of the European Union or California, you have additional rights under the GDPR and CCPA, respectively. These rights include:

- **Right to Access**: You have the right to request access to the personal information we hold about you.
- Right to Rectification: You have the right to request corrections to any inaccurate or incomplete personal information.
- **Right to Restriction of Processing**: You have the right to request the restriction of processing of your personal information under certain circumstances.
- **Right to Data Portability**: You have the right to request a copy of your personal information in a structured, commonly used, and machine-readable format.
- **Right to Object**: You have the right to object to the processing of your personal information under certain circumstances.
- **Right to Erasure**: You have the right to request the deletion of your personal information, subject to certain exceptions.
- **Right to Non-Discrimination**: You have the right not to be discriminated against for exercising any of your rights under the CCPA.

To exercise any of these rights, please contact us using the details provided in the "Contact Information" section.

8. Cookies and Tracking Technologies

8.1 Types of Cookies Used

We use various types of cookies and tracking technologies to enhance your experience on our website and to collect information about how you use our services. The types of cookies we use include:

- Session Cookies: Temporary cookies that expire at the end of a browser session.
 These cookies are used to store information during your visit to our website and are deleted when you close your browser.
- Persistent Cookies: Cookies that remain on your device for a set period or until
 you delete them. These cookies are used to remember your preferences and
 settings for future visits.

 Tracking Pixels: Small images embedded in web pages or emails that track user interactions. Tracking pixels help us measure the effectiveness of our marketing campaigns and understand how users interact with our content.

8.2 How We Use Cookies

We use cookies and tracking technologies for various purposes, including:

- Preferences Cookies: To remember your preferences and settings, such as language preferences and login information, to provide a more personalized experience.
- Statistics Cookies: To analyze website usage and performance, helping us understand how users interact with our website and identify areas for improvement.
- Registration Cookies: To manage user registrations and logins, ensuring a seamless and secure authentication process.
- Marketing Cookies: To deliver targeted advertisements and measure their effectiveness, helping us reach potential users and promote our services.
- Third-Party Integration Cookies: To integrate with third-party services and platforms, such as social media networks and analytics providers, enhancing the functionality of our website.

8.3 Managing Cookie Preferences

Cookies are collected by default unless rejected by the user. You can manage your cookie preferences through your browser settings or our cookie consent tool. Most web browsers allow you to control cookies through their settings preferences. However, disabling cookies may affect the functionality of our website and limit your ability to use certain features.

To manage cookies through your browser settings, follow these steps (these steps may vary depending on your browser):

- **Google Chrome**: Go to "Settings" > "Privacy and security" > "Cookies and other site data" > "See all cookies and site data" and adjust your preferences.
- Mozilla Firefox: Go to "Options" > "Privacy & Security" > "Cookies and Site Data" and adjust your preferences.
- **Safari**: Go to "Preferences" > "Privacy" and adjust your preferences.
- Microsoft Edge: Go to "Settings" > "Privacy, search, and services" > "Cookies
 and site permissions" and adjust your preferences.

If you have any questions or need assistance managing your cookie preferences, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

9. International Data Transfer

9.1 Data Transfers Compliance

Kosmic AI LLC is committed to ensuring that your personal information is protected when it is transferred across international borders. We comply with applicable data protection laws regarding the transfer of personal data to countries outside of your country of residence. This includes:

- Standard Contractual Clauses: We use standard contractual clauses approved
 by relevant regulatory authorities to ensure that personal data transferred
 internationally is subject to appropriate safeguards.
- Adequacy Decisions: Where applicable, we rely on adequacy decisions by the European Commission, which determine whether a non-EU country provides an adequate level of data protection.
- **Consent**: In some cases, we may seek your explicit consent for certain transfers of your personal information to ensure compliance with data protection laws.

9.2 Regions Covered

Our data transfer practices apply to users worldwide, including but not limited to:

- **European Union (EU)**: We comply with the General Data Protection Regulation (GDPR) for data transfers from the EU to non-EU countries.
- United States (US): We adhere to relevant US federal and state data protection regulations.
- **Asia and Australia**: We comply with applicable data protection laws in these regions to ensure the protection of personal information.

9.3 Data Transfer Mechanisms

To ensure the protection of your personal information during international transfers, we use various data transfer mechanisms, including:

- **Encryption**: We use encryption to protect data during transfer, ensuring that it is secure and unreadable to unauthorized parties.
- Access Controls: We implement strict access controls to limit who can access your personal information during transfer.
- Data Minimization: We only transfer the minimum amount of data necessary to achieve the intended purpose, reducing the risk of unauthorized access or exposure.

If you have any questions or concerns about the transfer of your personal information across international borders, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

10. Consent

10.1 Notification and Opt-in/Opt-out Options

We are committed to ensuring that you have control over your personal information and the choices you make regarding its use. This includes:

 Obtaining Consent: Where required by law, we will obtain your explicit consent before collecting, using, or sharing your personal information. This may include consent for marketing communications, data sharing with third parties, and the use of cookies and tracking technologies.

- Opt-in Options: For specific uses of your personal information, such as receiving
 marketing communications or participating in beta testing, we will provide you with
 clear opt-in options. You will have the opportunity to give your consent voluntarily
 and with full understanding of the implications.
- Opt-out Options: If you have previously opted in to receive marketing communications or other services, you have the right to opt out at any time. We will provide you with simple and straightforward mechanisms to opt out, such as unsubscribe links in emails or account settings on our platform.

10.2 Updating Consent Preferences

You have the right to update your consent preferences at any time. This includes withdrawing consent for specific uses of your personal information or changing your optin/opt-out choices. To update your consent preferences, you can:

- Contact Us: Reach out to us using the contact information provided in the "Contact Information" section of this Privacy Policy.
- **Account Settings**: Adjust your preferences directly through your account settings on our platform, where available.

10.3 Implications of Withdrawing Consent

Withdrawing your consent may affect your ability to use certain features of our services. For example:

- Marketing Communications: If you withdraw consent for marketing communications, you will no longer receive promotional emails or updates about our services. However, we may still send you essential service-related communications, such as account notifications and security alerts.
- **Service Participation**: If you withdraw consent for data collection related to specific services, such as beta testing or affiliate programs, you may no longer be able to participate in those services.

We will inform you of the potential implications of withdrawing consent when you make such a request.

10.4 Legal Basis for Processing Personal Information

In addition to obtaining consent, we may also process your personal information based on other legal grounds, including:

- Contractual Necessity: Processing your information is necessary for the performance of a contract to which you are a party, such as providing our services or processing transactions.
- **Legal Obligations**: We may process your information to comply with legal obligations, such as regulatory requirements and court orders.
- Legitimate Interests: We may process your information based on our legitimate interests, such as improving our services, preventing fraud, and ensuring the security of our platform. When relying on legitimate interests, we will balance our interests with your rights and interests.

If you have any questions or concerns about your consent preferences or the legal basis for processing your personal information, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

11. Data Retention

11.1 Retention Period

We retain your personal information for as long as necessary to fulfill the purposes outlined in this Privacy Policy, unless a longer retention period is required or permitted by law. The specific retention periods depend on the nature of the data and the purposes for which it was collected. Our retention practices include:

 Account Information: We retain your account information, such as your name, email address, and login details, for as long as your account is active or as needed to provide you with our services.

- Transaction Data: We retain transaction data for a reasonable period to comply with legal and regulatory requirements, resolve disputes, and enforce our agreements.
- **Communications**: We retain communications with you, including emails, feedback, and support requests, for a reasonable period to manage our relationship with you and improve our services.
- Marketing Data: We retain information used for marketing purposes until you opt out of receiving marketing communications or request the deletion of your data.

11.2 Criteria for Data Retention

Our criteria for determining the retention periods include:

- Legal and Regulatory Requirements: We retain data as necessary to comply with legal and regulatory obligations, such as tax and financial reporting.
- **Contractual Obligations**: We retain data as necessary to fulfill our contractual obligations to you and to enforce our agreements.
- Business Needs: We retain data as necessary to support our business operations, such as improving our services, conducting audits, and maintaining security.

11.3 Data Deletion

When we no longer need your personal information for the purposes for which it was collected, we will delete or anonymize it in a secure manner. The methods we use for data deletion include:

- Electronic Deletion: Deleting electronic records from our databases and systems.
- **Anonymization**: Removing personally identifiable information from data sets so that the data can no longer be linked to specific individuals.

11.4 User Rights and Requests

You have the right to request the deletion of your personal information, subject to certain exceptions. To request the deletion of your data, please contact us using the information

provided in the "Contact Information" section of this Privacy Policy. We will respond to your request in accordance with applicable laws and our internal policies.

If you have any questions or concerns about our data retention practices or your rights regarding data deletion, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

12. Regional Compliance

12.1 US and State Laws (CCPA, GDPR)

We comply with US federal and state laws, including the California Consumer Privacy Act (CCPA) and the General Data Protection Regulation (GDPR). This ensures that users' rights are protected and that we adhere to the highest standards of data protection. Our compliance measures include:

- CCPA Compliance: For California residents, we provide additional rights and disclosures required by the CCPA. This includes the right to know what personal information is collected, the right to access and delete personal information, and the right to opt out of the sale of personal information. We do not sell personal information.
- GDPR Compliance: For users in the European Union, we comply with the GDPR
 by providing rights such as data access, correction, deletion, and portability. We
 also implement data protection measures and conduct Data Protection Impact
 Assessments (DPIAs) where necessary.

12.2 Europe (GDPR Compliance)

In addition to GDPR compliance, we ensure that European users have access to all the rights and protections afforded by the GDPR. This includes:

 Data Access and Portability: The right to request access to your personal data and to receive a copy in a structured, commonly used, and machine-readable format.

- Data Correction: The right to request corrections to any inaccurate or incomplete personal data.
- **Data Deletion**: The right to request the deletion of your personal data, subject to certain exceptions.
- Restriction of Processing: The right to request the restriction of processing your personal data under certain circumstances.
- Objection to Processing: The right to object to the processing of your personal data under certain circumstances.
- Automated Decision-Making: The right not to be subject to decisions based solely on automated processing, including profiling, that produce legal effects concerning you or significantly affect you.

12.3 Asia and Australia

We comply with applicable data protection laws in Asia and Australia to ensure users' rights are protected. This includes:

- Asia: Compliance with data protection laws in countries such as Singapore, Japan, and South Korea, which provide specific rights and protections for personal data.
- Australia: Compliance with the Australian Privacy Principles (APPs) under the Privacy Act 1988, which regulate the handling of personal information by organizations.

12.4 Data Protection Measures

To ensure compliance with regional data protection laws, we implement various measures, including:

- **Data Protection Officer (DPO)**: Appointing a DPO to oversee our data protection strategy and ensure compliance with data protection laws.
- Data Protection Impact Assessments (DPIAs): Conducting DPIAs for high-risk data processing activities to identify and mitigate potential privacy risks.
- Privacy by Design: Incorporating privacy considerations into the design and development of our services to ensure data protection from the outset.

 Regular Audits and Reviews: Conducting regular audits and reviews of our data protection practices to ensure ongoing compliance with applicable laws and regulations.

If you have any questions or concerns about our compliance with regional data protection laws, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

13. Children's Privacy

13.1 Age Limit

Our services are not intended for children under the age of 13. We do not knowingly collect personal information from children under 13. If we become aware that we have inadvertently collected personal information from a child under 13, we will take steps to delete such information as soon as possible.

13.2 Parental Guidance

We encourage parents and guardians to monitor their children's online activities and to help enforce our Privacy Policy by instructing their children never to provide personal information without their permission.

13.3 Collection from Minors

If you are a parent or guardian and you believe that your child under 13 has provided us with personal information, please contact us using the information provided in the "Contact Information" section of this Privacy Policy. We will work to delete the information and terminate the child's account as appropriate.

13.4 COPPA Compliance

We comply with the Children's Online Privacy Protection Act (COPPA) to protect the privacy of children under the age of 13. Our practices include:

- **Verifiable Parental Consent**: Before collecting any personal information from children under 13, we obtain verifiable parental consent.
- Parental Access: Parents can review and request deletion of their child's personal information at any time. Parents can also refuse to permit further collection or use of their child's information.
- Privacy Notices: We provide clear and comprehensive privacy notices regarding our information practices for children directed at parents and guardians.

13.5 Educational Services

If we offer services intended for use by children in educational settings, such as online learning tools, we will comply with additional privacy and data protection regulations applicable to those contexts. We will work with educational institutions to ensure that proper consent is obtained and that student data is protected.

If you have any questions or concerns about our children's privacy practices, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

14. Data Protection Officer

14.1 Future Appointment

While we do not currently have a designated Data Protection Officer (DPO), we are committed to appointing a DPO in the future to oversee our data protection strategy and ensure compliance with applicable data protection laws.

14.2 Interim Contact

In the interim, if you have any questions or concerns about your personal data or our data protection practices, please contact us using the information provided in the "Contact Information" section below. We will address your inquiries and concerns to the best of our ability until a DPO is appointed.

15. Changes to the Privacy Policy

15.1 Notification of Changes

We may update this Privacy Policy from time to time to reflect changes in our practices, technologies, legal requirements, and other factors. When we make changes, we will update the "Last Updated" date at the top of this Privacy Policy and provide notice to users as follows:

- Website Notification: We will post a notice on our website informing users of the changes to this Privacy Policy.
- **Email Notification**: Where feasible, we will send an email notification to users who have provided us with their email addresses, informing them of the changes and providing a link to the updated Privacy Policy.

15.2 Effective Date

All changes to this Privacy Policy will be effective immediately upon posting on the website, unless otherwise specified. Your continued use of our services after the changes have been posted constitutes your acceptance of the updated Privacy Policy.

15.3 Review and Acceptance

We encourage you to review this Privacy Policy periodically to stay informed about our data protection practices and your rights. If you do not agree with any changes to this Privacy Policy, you should stop using our services and contact us to close your account.

If you have any questions or concerns about changes to this Privacy Policy, please contact us using the information provided in the "Contact Information" section of this Privacy Policy.

16. Contact Information

16.1 How to Contact Us

If you have any questions, concerns, or requests regarding this Privacy Policy or our data protection practices, please feel free to contact us. We are here to help and ensure that your privacy is respected and protected.

• Email: Josh Wald

• **Phone**: +1 (917) 770-1340

• Mailing Address: josh@kosmic.ai

16.2 Future Data Protection Officer (DPO)

While we do not currently have a designated Data Protection Officer (DPO), we plan to appoint one in the future to oversee our data protection strategy and ensure compliance with applicable data protection laws. Once a DPO is appointed, we will update this Privacy Policy with the relevant contact information.

16.3 Response Time

We strive to respond to all inquiries and requests promptly. Our goal is to address your concerns and provide you with the information you need in a timely and efficient manner. For data protection requests, we aim to respond within the timeframe required by applicable data protection laws.

16.4 Complaints

If you believe that your privacy rights have been violated or if you have a complaint about how we handle your personal information, please contact us using the details provided above. We take all complaints seriously and will work to resolve any issues promptly. If you are not satisfied with our response, you have the right to lodge a complaint with a data protection authority in your jurisdiction.

Thank you for taking the time to read our Privacy Policy. We value your privacy and are committed to protecting your personal information. If you have any further questions or need assistance, please do not hesitate to contact us.

This Privacy Policy outlines how Kosmic AI LLC collects, uses, and protects your personal information. By using our services, you agree to the terms outlined in this policy. For further details or inquiries, please reach out to us using the contact information provided.