



DATA SECURITY POLICY

ERCO DER SERVICES INC.

Last updated: January 15th, 2021

GENERALITIES

This Data Security Policy (hereinafter “Policy”) is elaborated under Data Protection, and Right to Privacy parameters, considering that the protection of privacy is a fundamental right recognized by the United Nations in order to project individual freedom, freedom of expression, privacy, and personal dignity. For instance, Data Protection furnishes data owners protection from data processors of using their personal data in an unauthorized manner.

The main objective followed by ERCO DER SERVICES INC. in this Policy, is to establish and maintain adequate and effective data security measures for users to ensure, confidentiality, integrity and operation availability of their personal data is not violated. As guardian of users’ information, ERCO DER SERVICES INC. formulates this Policy as a guideline to establish the purpose followed by Data collection, and to notice Users about their right to know, update, rectify and/or modify any of the information ERCO DER SERVICES INC. has gathered about them in its data bases, guaranteeing that the User is the sole owner of the Data and has the right to decide about the use of their information.

In execution of its commercial and corporate activities, ERCO DER SERVICES INC. is constantly piling data and information from clients, shareholders, suppliers, commercial allies and employees; therefore, this policy is created in order to assure Data Protection, and the possibility to know, update, rectify and/or modify their information collected from company’s website, e-mail, invoice, text messages, voice messages, phone calls, face to face conversations or by any other physical or electronical mean.

GENERAL OBJECTIVE

Reserve and security of the information furnished by clients, suppliers, employees, and third parties with whom ERCO DER SERVICES INC. has legally obtained their personal data and information, is pursued with the implementation of this Policy

DEFINITIONS

1. **Authorization:** previous, express, and informed consent by personal data owner towards company in order for it to use the data.
2. **Data processing:** any operation or set of operations consisting of collection, storage, use, circulation or suppression of personal data.
3. **Database:** collection of owners' personal data and information.
4. **Owner/User:** person who's information is being used by the company.
5. **Personal data:** any piece of information linked to one or more specific or determinable persons, or may be linked with a person or a company. Personal data may be public, semi-private, private, or sensitive.
6. **Privacy notice:** physical or electronic document generated by the responsible of data treatment, furnished to the data owner informing data treatment policies and his rights inherent to his personal data.
7. **Private data:** due to its intimate or reserved nature is only relevant for the owner, such as photographs, videos or data related to owner's lifestyle.
8. **Public data:** is contained in public documents, final judgments not subject to reserve, and relative information about marital status.
9. **Semi private data:** data that does not have an intimate, reserved nor public nature. Its knowledge or disclosure may interest not only its owner but also a certain sector or group of people, or society in general, such as a business activity financial or credit data.
10. **Sensitive data:** data related to racial or ethnic origin, membership to social or human rights organizations, political or religious beliefs, sex life, biometric or health data. This information may or may not be granted by the owner.

PERSONAL DATA OWNERS' RIGHTS TOWARDS THE COMPANY

Any process leading to personal data treatment by any area of the company including: customers, suppliers, employees or any third party with whom ERCO DER SERVICES INC. sustains commercial or labor relations, must inform data owner expressly and in advance by any means the rights to which he is entitled. These are as follows:

1. Right to know, update, rectify, modify, and consult personal data ERCO DER SERVICES INC. possesses, regarding data which data owner considers partial, inaccurate, incomplete, fractioned or misleading.
2. Right to request at any time proof of the authorization provided to ERCO DER SERVICES INC.
3. With previous request by data owner, right to be informed by ERCO DER SERVICES INC. about the company's use of his personal data.
4. Right to revoke authorization of use and/or request deletion of any data when owner considers ERCO DER SERVICES INC. has not respected its rights to Data Protection.
5. Right to free access to personal data shared with ERCO DER SERVICES INC. for which the company with IT support, is responsible for preserving and archiving in a safe and reliable manner.



CASES IN WHICH COMPANY DOES NOT REQUIRE AUTHORIZATION FROM DATA OWNER TO USE DATA UNDER ITS CONTROL

1. Whenever information is required by a federal or state agency or court.
2. Whenever data is public, due to the fact that this information may be known by general public.
3. In those events where the information is authorized by law to fulfill historical, statistical and/or scientific purposes.

TO WHOM MAY ERCO DER SERVICES INC. PROVIDE OWNER'S INFORMATION WITH NO NEED OF ITS AUTHORIZATION

1. Data owner, its heirs or representatives whenever requested to ERCO DER SERVICES INC.
2. Judicial, federal or state agencies that require ERCO DER SERVICES INC. to provide information.
3. Third parties authorized by federal laws of the state of TEXAS or other US state.
4. Third parties to whom data owner previously authorizes, and authorization is furnished to ERCO DER SERVICES INC.

ERCO DER SERVICES INC. DUTIES TOWARDS DATA OWNERS

ERCO DER SERVICES INC. acknowledges that persona data is exclusive property of the data owner, which is entitled to decide upon data processing. In this sense, ERCO DER SERVICES INC. will make exclusive use of data for those purposes for which it is empowered, assuming duties towards data owners as it follows:

1. Company shall find the means to obtain express authorization from data owner in order to carry out data processing.
2. Company shall clearly and expressly inform its customers, employees, suppliers, and third parties from whom data may be obtained, about the purpose of the treatment to which their data will be subject. Hereto, company shall design a strategy for informing data owners the treatment their data is receiving or may receive in the event additional information is requested to owner via text message, completion of physical formats, webpage, or other.
3. Company shall inform data owners for each case; the response or provision of additional requested information is optional.
4. In all cases in which data is collected, company shall inform owners their rights regarding their data.

5. Company shall provide physical or electronic address and telephone number of the area in charge of data protection.
6. Guarantee data owners at all times the possibility of knowing its information existing or residing in the database; ERCO DER SERVICES INC. shall allow user to request the update or data correction through the mechanisms established in this Policy.
7. Company shall store the records of personal data with due security in order to prevent deterioration, loss, alteration, unauthorized or fraudulent use and shall periodically update and rectify data every time user files a request.

PURPOSES FOR THE CAPTURE, USE AND PROCESSING OF PERSONAL DATA

In execution of its commercial and corporate activities, ERCO DER SERVICES is constantly piling data and information from clients, shareholders, suppliers, creditors, commercial allies and employees to carry out various purposes, being:

- Administrative, commercial, promotional, informative, marketing, and sales purposes
- Offer commercial services; as well as performing promotional, marketing, and advertising campaigns.
- Seek to know its customers, users, suppliers, employees and linked third parties in a closer manner.

In relation to the foregoing, ERCO DER SERVICES INC. may perform the following:

1. Obtain, store, compile. Exchange, update, collect, process, reproduce, and/or dispose of data and information of users who duly provide authorization.
2. Classify, order, separate information provided by data owner.
3. Carry out research, compare, verify, and validate data obtained in due form, with credit risk entities for users with whom company has commercial relationships.
4. In the case in which ERCO DER SERVICES INC. contracts the services of storage and management of databases, with a specialized company, furnish duly obtained information with the previous authorizations from data users.
5. Transfer partial or complete data or information to its subsidiaries, businesses, companies and/or entities, affiliates or strategic allies. Prior, express and duly informed authorization is required by data owner in forementioned circumstance. Authorization shall be featured by any medium, either a physical or electronic document that guarantees user subsequent consultation through technical tools or technological and computer security developments.

Authorization is a statement informing data owner the following:

- Who is responsible or in charge of collecting information.
- Data being collected.
- Purpose of data collection.
- Procedure for the correction, update or suppression of data.

- Information about sensitive data collection.

CHILDREN'S DATA PROTECTION

ERCO DER SERVICES INC. does not intend to collect personal information or data from children, in case such information shall be gathered, additional steps will apply to protect children's data, including:

- Notification to parents about ERCO DER SERVICES INC.'s information practices regarding children, uses to which company may put such information, and whether and to whom this information may be shared.
- In accordance with Children's Online Privacy Protection Act of 1998, and other applicable law and practices, obtaining parents' consent for the collection of children personal information.
- Giving parents access or ability to request access to personal information collected from their children and the ability to request suppression or modification of said data.

PROCEDURE REGARDING INQUIRIES AND REQUESTS MADE BY DATA OWNERS

Every data owner has the right to make inquiries and file requests to the company regarding handling and treatment of their information.

A). REQUEST, CLAIM OR COMPLAINT PROCEDURE:

Any request, claim or complaint filed by a data owner towards ERCO DER SERVICES INC. regarding management and treatment given to their information, will be resolved in accordance with the following rules:

1. Request, claim or complaint will be formulated to company in writing, electronically or through any other mean defined in this Policy. For such purpose, data owner shall indicate its ID, description of the facts that trigger the claim, address or means through which it wants to get answer, and if applicable, accompany claim with supporting documents. In the event in which request is incomplete, company will request the interested party to correct, modify or compliment the claim within five (5) days after its reception. Two months past the five days without correction, modification or complementation of the claim, it will be understood that user has withdrawn the request, claim or complaint.
2. Once the request, claim or complaint is received with no further correction, modification or complementation, company shall include it in the individual registry in a term no longer than two (2) business days with a legend saying "claim in process" and specifying the cause of claim. Such information shall be kept until claim is resolved.



3. Petitioner shall receive response from ERCO DER SERVICES INC. within ten (10) business days counted from the date on which it has effective knowledge of the request.
4. In the event that it is not possible for company to meet the request within said term, motive for delay shall be informed to petitioner, indicating the date in which request will be addressed; in no case may it exceed five (5) business days following the expiration of the first term.

B). INQUIRIES: Policy for personal information handling by ERCO DER SERVICES INC. and the rights users have in relation to data, may be consulted through the following means:

<https://ercoenergy.us/>

Any query user may have about its information or personal data, or whenever it considers necessary to file an information request, or considers its rights have been violated by misuse or mishandle of information, user may file request through the following email: info@ercoenergy.us

If within ten (10) business days counted from the date on which Company has effective knowledge of the request, ERCO DER SERVICES INC. does not attend the query, motive for delay shall be informed to petitioner, indicating the date in which request will be addressed; in no case may it exceed five (5) business days following the expiration of the first term.

IT SECURITY POLICY

It is essential for ERCO DER SERVICES INC. to adopt technical, legal, human and administrative measures to ensure personal data security and right to privacy, protecting confidentiality, integrity, use, unauthorized and/or fraudulent access. Likewise, company has internally implemented mandatory security compliance protocols for all personnel with access to personal data or databases. Internal Policies adopted to prevent adulteration, loss, consultation, use, unauthorized and/or fraudulent access of personal information, are the following:

1. Policies in technological infrastructure in data network (Firewalls, safe mail, content control, antivirus).
2. Policies in technological infrastructure y policies for access to information, applications and data bases (security modules).
3. Technological implementation policies that minimize risk of critical platforms in case of disasters.
4. Technological implementation policies that protect computer servers and equipment from malware.
5. Technological implementation policies that prevent the use of USB devices from unauthorized storages.
6. Technological implementation policies that support the information contained in the different platforms.
7. Non-disclosure agreements with providers, clients, potential clients, and third parties.



8. Confidentiality clause in employee contracts.
9. Notice. By participating in commercial events, all participants declare to know and freely, previously, voluntarily, expressly, and duly informed, authorizes ERCO DER SERVICES INC. to collect, record, process, disseminate, compile, exchange, update, and dispose data or partial information provided by user as well as to transfer said data to its allied companies in order to offer products and/or services to customers in a personalized manner, and to contact user in case of being the winner of a commercial event, send advertising information, direct mail, and commercialize data voluntarily provided at the time of participating in a commercial event. The database will be used from the beginning of the commercial event until the day in which ERCO DER SERVICES INC. enters liquidation.

ERCO DER SERVICES INC. guarantees that it complies with Right to Privacy regulations regarding protection of personal data furnished by users, for which it informs:

1. To guarantee right to privacy to its users, these have the right to know, update and freely rectify. information collected about them in files and databases.
2. User is sole owner of the information and may access its data at any moment, for which they can modify, correct, update, revoke, and request proof of authorization given.
3. As the owner of its information, user is empowered to decide whether it informs or not data, and submit requests regarding personal information.
4. To guarantee its users the right to privacy, ERCO DER SERVICES INC. provides the following means by which users may present any request, claim, complaint or inquiry:

Email: info@ercoenergy.us Phone number: 210-6393818

Webpage: <https://ercoenergy.us/>