

This Data Governance Statement describes the practices of Gee Heavy Machinery LLC, its subsidiaries and affiliates (collectively “**GHM**,” “**we**,” “**us**” or “**our**”) for collecting information from customers and Supply Networks relating to machines, products or other assets and their associated worksites (collectively “**Assets**”), and the operations of our supply networks, including manufacturers, suppliers, service providers, subcontractors and their respective subsidiaries, affiliates, agents and representatives (“**Supply Networks**”). We collect this information through online and offline means including: (1) applications and platforms for use on or through computers, APIs, and mobile devices (“**Applications**”); (2) telematics or other devices on Assets, whether manufactured by Komatsu America Corp (“**Komatsu**”) or by other companies (“**Devices**” and, together with the Applications, “**Digital Offerings**”); and (3) our Supply Networks and customers.

You should regularly review this Statement carefully to understand what information our digital offerings receive, generate and transmit—and what we do with that information. By providing System Data, Operations Data, or Personal Information (each as defined below) to us, you agree to the terms and conditions of this Data Governance Statement, including our collection, use and sharing of that information.

WHAT INFORMATION WE MAY COLLECT

“**System Data**” is information that is ingested or used by or generated through Digital Offerings, which may include:

- **Device, Asset and Component Information**, including model number, serial number, order number, software and hardware version numbers, performance, and configuration, including work tools or other peripheral devices attached to Assets.
- **Electronic Data**, including sensor logs, trends, histograms, event data, other alerts, digital state data, fault codes, idle time, daily and cumulative fuel consumption, emissions data, service meter hours, electronic data files downloaded manually or automatically from an Asset, troubleshooting data, and other data, depending on the customer and Asset and communication channel used by a Device.
- **Inspection Data**, including results of inspections using a GHM or third-party inspection system.
- **Device Location Information**, including the physical location of an Asset (e.g., determined using satellite, GPS, cell phone tower, Bluetooth or WiFi signals).
- **Fluid Data**, including analysis results of fluid samples (such as oil, hydraulic and coolant fluids) obtained using GHM or third-party tools.
- **Event Recorder Data**, including location, speed, direction and associated video recordings, use of controls and positive train control information.
- **Service and Maintenance History**, including work orders (records of all maintenance, repair, parts purchases, replacement and modification to an Asset), component life (history of usage and wear life of a component), maintenance schedule, planned maintenance, warranty coverage data, maintenance and repair contracts, service intervals (scheduled interval for planned maintenance of component replacement activities for an Asset), component lists (lists of parts that make up an Asset) and service

letters (describing special service actions recommended by GHM or the Asset manufacturer to correct a known problem with an Asset).

- **Site and Environmental Conditions**, including the type of work being done, condition of roads or tracks, altitude, climate and material tracking.
- **Patterns of Use**, including any user-defined information relating to a product that a customer provides to us through a Digital Offering.

“**Personal Information**” is information that relates to an identified or identifiable individual, which may include:

- Name
- Postal address (including billing and shipping addresses)
- Telephone number
- Email address
- Identification information such as usernames and user IDs
- The employer or company with which an individual is associated and his or her role and title
- User Profile information
- Location information
- Information about any computer or mobile device used to access Applications
- Information about use of Applications
- Audiovisual data
- Physiological data such as eye movement, facial expressions, heart rate

“**Operations Data**” is information we may collect from a customer or that is otherwise provided by Supply Networks (for example through Komatsu’s data flow & information integration platform with its dealers), which may include:

- Information contained in invoices and service contracts.
- Information about customers, including the customer’s name, address, industry, customer category, the name, position, email address, and telephone number of the designated contact person, the name, email address and telephone number of GHM’s sales representative assigned to the customer, and other information relating to GHM’s relationship with its customer.
- Work order data, including information about the customer, Asset involved, problem identified, and repairs performed.
- Store hierarchy data, including information about GHM inventory reporting and replenishment processes.

- Information used by GHM to manage a fleet of Assets (either owned or rental) including customers and worksites.
- Component data, including information relating to management and replenishment of parts inventory, and customer purchases, returns and replacements.

Information collected by GHM may simultaneously constitute System Data, Personal Information, and Operations Data, or any combination thereof. If you submit any System Data, Operations Data, or Personal Information in connection with Digital Offerings, including System Data that may relate to Devices on Assets, you represent that you have the authority from the manufacturer to do so and to permit us to use the information in accordance with this Data Governance Statement.

HOW WE MAY COLLECT INFORMATION

We and our Supply Networks may collect information in a variety of ways, including:

- **Through Devices:** We may receive information via cellular or satellite link, or radio or Ethernet connection from Assets equipped with a Device, which may include System Data (such as information relating to the Device or Asset) or Personal Information (such as from information generated by fatigue monitoring devices, on-board camera and proximity detection systems, and in-cab monitoring technology). Some information may be collected automatically, such as fault codes, hours of operation and fuel levels.
- **Through Applications and Online:** We may collect information through Applications (e.g., when a customer enters maintenance information) or when a customer uses websites, online services or platforms. We may also receive information through other online means, such as when a customer initiates a data transmission through on-site servers or emails inspection information to us. We may also collect information typically collected through websites and mobile applications, such as browser and device information, application usage data, information collected through cookies, pixel tags and other technologies, IP addresses and location information.
- **Offline:** We may collect information when a customer interacts with us, or our Supply Networks, attends a trade show, places an order or contacts customer service.
- **From Supply Networks:** We may obtain information from our Supply Networks. This information may be provided to us automatically.
- **Through Wearable Technology:** We may collect information through wearable technology, such as fatigue monitoring devices or RFID tags embedded in hardhats or safety vests.
- **From Asset Owners and Others:** We may receive additional information from Asset owners, operators and other persons who have management responsibility for an Asset.
- **From Other Sources:** We may receive a customer's information from other sources, such as public databases, joint marketing partners, social media platforms (including from people with whom a customer is friends or is otherwise connected) and from other third parties. We may collect or generate information from troubleshooting data, from a customer's service providers (such as fluid analysts and site inspectors) or from maintenance, inspection or warranty records.

HOW WE MAY USE INFORMATION

We may, and may permit our Supply Networks to, use collected information for the following purposes:

To Provide Services to a Customer and Others:

- To allow a customer, GHM or a member of our Supply Networks to monitor the status of Assets, to provide a customer use of Applications, to complete and fulfill purchases, and to communicate with a customer regarding a customer's purchase or rental and provide a customer with related customer service.
- To fulfill service agreements, perform maintenance and repairs and deliver rental Assets or parts.
- To make recommendations regarding safety, Asset health, maintenance, worksite efficiency and productivity training for operators.
- To enhance the safety of machine operations, including by tracking proximity to Assets, other objects or humans.
- To enable remote technician services, such as remote troubleshooting, and remote tuning.
- To provide a customer with location-based services and content.

To Enable Communications:

- To manage the connection to the Asset or Device.
- To allow a customer and other users of Applications to communicate with each other through Applications.
- To send administrative or contractual information, for example, information regarding the terms and conditions of using Digital Offerings, warranty policies or service contracts.
- To provide a customer with information about new products and services and to send a customer marketing communications that we believe may be of interest to the customer.

For General Business Purposes:

- To conduct market research or to evaluate GHM or Supply Networks.
- To perform data analytics, audits, improving products, developing new products, enhancing, improving or modifying our Digital Offerings, identifying usage trends and operating and expanding our business activities and for statistical analysis based on aggregated and de-identified data, such as benchmarking reports.
- To provide services to customers, manage work flow, monitor repairs, project future maintenance and service, and troubleshoot issues.
- To validate effectiveness of recommendations, resolve complaints, and fulfill orders.
- To manage inventory in order to provide customers with parts and services.

- To manage a fleet of owned or rented Assets.
- To maximize the efficiency of operations and increase sales.
- To develop digital applications.

Other Uses:

- To allow customers to participate in sweepstakes, contests or similar promotions and to administer these activities. Some of these activities have additional rules, which could contain additional information about how we use and disclose customers' Personal Information. We suggest that customers read any such rules carefully.
- For additional uses as agreed by customers and us.

With respect to audiovisual data that identifies an individual or physiological data for an identifiable individual, we will use that data only to provide products and services to our customers, including to make recommendations regarding safety, Asset health, maintenance, worksite efficiency and productivity training for operators, and to improve our products and services.

HOW WE MAY DISCLOSE INFORMATION

We may disclose information:

- To our affiliates, which are entities directly or indirectly controlling, controlled by, or under common control with us for the purposes described in and subject to this Data Governance Statement. GHM is the entity responsible for information jointly used with its affiliates.
- To Komatsu and its affiliates, which are entities directly or indirectly controlling, controlled by, or under common control with Komatsu. Komatsu is the entity responsible for information jointly used with its affiliates.
- To other members of our Supply Networks to permit them to use System Data and Personal Information to maintain relationships with customers, provide services to customers and send marketing communications to customers.
- To Asset owners, to permit them to manage their use of their Asset.
- To our service providers who provide services such as data analytics, information technology and related infrastructure provision, application development, platform hosting, customer service, product development, auditing, advisory and other services.
- To component manufacturers, to permit them to study the use of their products, to improve their products and to develop new products.
- To agents, service providers or other third parties contracted by or engaged in business with Asset owners, who have management responsibility for the Asset.

- To a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our or any of our affiliates' business, Assets or stock (including in connection with any bankruptcy or similar proceedings).
- To additional recipients as agreed by customers and us.

Location Data: We may share location information with our affiliates and members of our Supply Networks to enable them to provide customers with localized content and services. In some instances, a customer may be permitted to allow or deny such uses and/or sharing of such customer's Device's location, but if a customer does, we and/or our affiliates and Supply Networks may not be able to provide that customer with the applicable services and content.

We may use or disclose information, as we believe to be necessary or appropriate: (a) under applicable law, including laws outside a customer's country of residence; (b) to comply with legal process; (c) to respond to lawful requests from public and government authorities, including public and government authorities outside a customer's country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, and/or that of our affiliates, customers or others, including for purposes of information security; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

De-identified or Aggregated Information: De-identified or Aggregated Personal Information, Operations Data or System Data does not personally identify a customer or any other user of Digital Offerings (for example, we may aggregate Personal Information to calculate the percentage of our customers who have a particular telephone area code, or we may aggregate System Data to calculate component wear rates). We may use and disclose de-identified or aggregated information for any purpose, except where we are required to do otherwise under applicable law.

REMOTE SERVICES AND UPDATES

Device Software Maintenance: From time to time, we use System Data to remotely examine and update Devices that we sell, rent, lease, service or otherwise provide (e.g., to update system settings or to manage the communications carriers used to connect to GHM, our affiliates or others). In doing so, we may change the volume or granularity of System Data that we collect in order to improve the utility of Digital Offerings to customers, as well as to improve our products and services, among other purposes. If the change in data we collect materially changes the scope of System Data, we will update this Data Governance Statement as described in "Updates to This Data Governance Statement" below.

Asset Software Maintenance: In addition, we offer Asset owners the option to participate in automatic update services for Asset software. If customers participate in this service, we will use System Data to remotely update software that controls machine operations for the customer's Asset, and we may push the software update files to the Asset in preparation for an update.

SECURITY

We use reasonable organizational, technical and administrative measures designed to protect information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be

100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of your account has been compromised), please immediately notify us in accordance with the “Contacting Us” section below.

CHOICES AND ACCESS

Your choices regarding our use and disclosure of your Personal Information

We give you choices regarding our use and disclosure of your Personal Information. You may opt-out from:

- **Receiving electronic marketing communications from us:** If you no longer want to receive marketing emails relating to Digital Offerings from us on a going-forward basis, you may opt-out by contacting us via email at marketing@geehm.com. We will process your request(s) as soon as reasonably practicable. Please note that if you opt-out of receiving marketing-related emails from us, we may still send you important administrative messages, from which you cannot opt-out.
- **Our sharing of your Personal Information with our Supply Networks for their direct marketing purposes:** If you would prefer that we not share your Personal Information from Digital Offerings on a going-forward basis with our Supply Networks for their direct marketing purposes, you may opt-out of this sharing by contacting us via email at marketing@geehm.com.

How you can access, change or suppress your Personal Information: If you would like to review, correct, update, suppress or delete Personal Information that you have previously provided to us, you may contact us by email at marketing@geehm.com.

In your request, please make clear what Personal Information you would like to have changed or whether you would like to have your Personal Information suppressed in our database. For your protection, we may only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before implementing your request. We will process your request as soon as reasonably practicable.

Please note that we may need to retain certain information for recordkeeping purposes or in accordance with agreements we may have with a third party (e.g., an Asset owner or member of our Supply Networks).

There may also be residual information that will remain within our databases and other records, which will not be removed.

OTHER IMPORTANT INFORMATION

Third Party Content: This Data Governance Statement does not address, and we are not responsible for, (i) the privacy, information or other practices of any third party operating any website or online service to which a Digital Offerings links (e.g., our Applications may include, for your convenience, a hyperlink to local weather information provided by a third party with whom we have no business relationship) and (ii) Personal Information controlled by a third party, such as a supplier, service provider, or customer, even if such Personal Information is collected or otherwise processed by GHM. Further, the inclusion of

a link in a Digital Offering does not imply endorsement of the linked site or service by us or by our affiliates.

Retention Period: We will retain your Personal Information for the period necessary to fulfill the purposes outlined in this Data Governance Statement unless a longer retention period is required or permitted by law.

Cross Border Transfers: Your information may be stored and processed in any country where we operate or where any member of our Supply Networks operates, and by using a Digital Offering you expressly consent to the transfer of information to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country.

Sensitive Information: Our Digital Offerings are not designed for you to send us sensitive Personal Information such as social security numbers, information related to racial or ethnic origin, political opinions, religion or other beliefs, or genetic characteristics, criminal background or trade union membership. We request that you refrain from sending such information on or through Digital Offerings or otherwise to us.

UPDATES TO THIS DATA GOVERNANCE STATEMENT

We may change this Data Governance Statement. The “Rev.” legend in the header of this document indicates when this Data Governance Statement was last revised. Any changes will become effective when we post the revised Data Governance Statement. Your use of Digital Offerings following these changes means that you accept the revised Data Governance Statement.

CONTACTING US

If you have any questions about this Data Governance Statement, please contact us at legal@geehm.com.