



Privacy Notice

Effective on: [03/24/2025]

Introduction and Scope

KGB Aviation Solutions, LLC (“KGB Aviation,” “we,” “us,” “our”) takes the protection of personal data very seriously. This Privacy Notice (the “**Notice**”) is directed at data subjects whose personal data we may receive from our customers or business partners in our hosted flight data and user information management software applications. This Notice does not apply to personal data we collect by other means, such as personal data that we receive directly through KGB Aviation’s own publicly accessible websites.

EU-U.S. and Swiss-U.S. Data Privacy Frameworks

KGB Aviation Solutions, LLC complies with the EU-U.S. Data Privacy Framework (“**EU-U.S. DPF**”) and the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework (“**Swiss-U.S. DPF**”) as set forth by the U.S. Department of Commerce. KGB Aviation Solutions, LLC has certified to the U.S. Department of Commerce that it adheres to the EU-U.S. Data Privacy Framework Principles (“**EU-U.S. DPF Principles**”) with regard to the processing of personal data received from the European Union and the United Kingdom in reliance on the EU-U.S. DPF and the UK Extension to the EU-U.S. DPF. KGB Aviation Solutions, LLC has certified to the U.S. Department of Commerce that it adheres to the Swiss-U.S. Data Privacy Framework Principles (“**Swiss-U.S. DPF Principles**,” and, collectively with the EU-U.S. DPF Principles, the “**Principles**”) with regard to the processing of personal data received from Switzerland in reliance on the Swiss-U.S. DPF. If there is any conflict between the terms in this Notice and the EU-U.S. DPF Principles and/or the Swiss-U.S. DPF Principles, the Principles shall govern.

To learn more about the Data Privacy Framework Program, and to view KGB Aviation’s certification, please visit <https://www.dataprivacyframework.gov/s/> and <https://www.dataprivacyframework.gov/s/participant-search>, respectively.

VeraSafe Privacy Program

KGB Aviation Solutions, LLC is a member of the [VeraSafe Privacy Program](#). This means that with respect to personal data (“**PII**”) processed in the scope of this Notice, VeraSafe has assessed KGB Aviation’s data governance and data security for compliance with the VeraSafe Privacy Program Certification Criteria. The

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certification criteria require that participants maintain a high standard for data privacy and implement specific best practices pertaining to notice, onward transfer, choice, access, data security, data quality, recourse, and enforcement.

Dispute Resolution

Where a privacy complaint or dispute cannot be resolved through KGB Aviation's internal processes, KGB Aviation Solutions, LLC has agreed to participate in the [VeraSafe Data Privacy Framework Procedure](#). Subject to the terms of the VeraSafe Data Privacy Framework Dispute Resolution Procedure, VeraSafe will provide appropriate recourse free of charge to you. To file a complaint with VeraSafe and participate in the VeraSafe Data Privacy Framework Dispute Resolution Procedure, please submit the required information here: <https://www.verasafe.com/public-resources/dispute-resolution/submit-dispute/>

Categories of PII

Audio, Name, Email, Phone Number, Address, Company Name

Controllership

In the context of this Notice, KGB Aviation acts as a data Processor for the PII we process.

Purpose of Processing

We process PII for the purposes of downloading, decoding, filing, and storing flight data.

When the purposes of processing are satisfied, we will delete such PII within six (6) months.

Data Subject Rights

KGB Aviation Solutions, LLC acknowledges the right of EU, UK, and Swiss individuals to access their personal data pursuant to the Data Privacy Framework and will grant individuals reasonable access to personal information it received pursuant to the Principles. In addition, KGB Aviation will take reasonable steps to permit individuals to correct, amend, or delete such information that is demonstrated to be inaccurate or processed in violation of the Principles. An individual may request to access their information, or otherwise correct, amend, or delete their information in line with the Principles by contacting us at support@kgbaviation.com.

Sharing PII with Third Parties

We share PII with our service providers, who process PII on behalf of KGB Aviation. Such third parties include those:

- Providing IT systems and infrastructure;
- Managing our IT systems and infrastructure; and
- Providing customer support.

Our service providers may be located outside of the United States; however, we will either obtain your explicit consent to transfer your PII to such third parties, or we will require those third parties to maintain at least the same level of confidentiality that we maintain for such PII ourselves. KGB Aviation remains liable for the protection of your PII that we transfer to our service providers, except to the extent that we are not responsible for the event giving rise to any unauthorized or improper processing.

Other Disclosure of Your PII

We may disclose your PII (i) to the extent required by law or if we have a good-faith belief that such disclosure is necessary in order to comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, or private parties, including but not limited to: in response to subpoenas, search warrants, or court orders, or (ii) if we sell or transfer all or a portion of our company's business interests, assets, or both, or in connection with a corporate merger, consolidation, restructuring, or other company change, or (iii) to our subsidiaries or affiliates only if necessary for business and operational purposes as described in the section above.

We reserve the right to use, transfer, sell, and share aggregated, anonymous data, which does not include any PII, about our users as a group for any legal business purpose, such as analyzing usage trends and seeking compatible advertisers, sponsors, clients, and customers.

If we must disclose your PII in order to comply with official investigations or legal proceedings initiated by governmental and/or law enforcement officials, we may not be able to ensure that such recipients of your PII will maintain the privacy or security of your PII.

Access & Review

If you are a data subject about whom we store PII, you may have a right to request access to, and the opportunity to update, correct, or delete your PII. To submit such requests or raise any other questions, please write to our Privacy Office by email at support@kgbaviation.com, or by phone at 716-771-3178.

Choice

You may opt out of having your PII shared with third parties by us, and you may revoke your consent that you have previously provided for us to share your PII with third parties, except as required by law. You may also have the right to opt out if your PII is used for any purpose that is materially different from the purpose(s) for which it was originally collected or which you originally authorized. To do this, you may send your request to us using the information in the "Contact Us" section below.

Changes to this Privacy Notice

If we make any material change to this Notice, we will post the revised Notice to this web page and update the “Effective” date above to reflect the date on which the new Notice became effective.

Contact Us

If you have any questions about this Notice or our processing of your PII, please write to our Privacy Office by email at support@kgbaviation.com or by postal mail at:

KGB Aviation Solutions LLC
Attn: Kevin Balys, Vice President
7461 Seneca St.
East Aurora, NY 14052
USA

Please allow up to four (4) weeks for us to reply.

Binding Arbitration

If your dispute or complaint cannot be resolved by us, nor through the dispute resolution program established by VeraSafe, you may have the right to require that we enter into binding arbitration with you pursuant to the Data Privacy Framework’s Recourse, Enforcement and Liability Principle and Annex I of the Data Privacy Framework.

Regulatory Oversight

KGB Aviation is subject to the investigatory and enforcement powers of the United States Federal Trade Commission (FTC).