

## **Privacy Policy**

SmartyPerks.com

SmartyPerks.com (collectively referred to in this document as “we,” “us” or “Company”) are strongly committed to respecting and protecting your privacy. We know that you care how information about you is shared and used. We appreciate your trust that we will do this sensibly and responsibly. Please carefully read the following privacy policy (“Policy”). The purpose of this Policy is to explain the types of information that the Company collects and receives, what we do with that information, and with whom the Company shares this information. This Policy applies to those individuals who browse and use our Site (“Visitors”) and those individuals whose information is collected otherwise and provided to us, either from us directly or from third parties with whom we conduct business (“Partners”). Any Visitor or individual who provides personally identifiable information (“Personal Information”) or any other information to the Company or to any Partners consents to the collection, use and disclosure of such information under the terms of this Policy.

In order to ensure your privacy, information the Company collects from Visitors to its website located at [www.SmartyPerks.com](http://www.SmartyPerks.com) or applications (including mobile apps) hosted by the Company (all of such Internet locations collectively referred to as the “Site”) and/or our Partners, and/or otherwise is used only in the manner and for the purposes described in this Policy.

If you have any questions about this policy or how your information is being used please contact us at [privacy@SmartyPerks.com](mailto:privacy@SmartyPerks.com).

### **Information Collected by the Company and/or Our Partners**

The Company may collect any Personal Information that is provided to us by our Visitors, and/or our Partners and/or otherwise. This includes, without limitation, name, phone number, mailing address, zip-code, e-mail address, or any other Personal Information that is provided to us in connection with the Site, and/or by our Partners and/or otherwise. In addition, if a purchase is made on the Site and/or on one of our Partners’ websites, we may collect credit card, debit card or other payment account information and shipping and billing addresses for billing purposes and to fulfill your order.

If you register on the Site and create an account, you will create a user name and password which you will need to access your account information. You are responsible for maintaining the confidentiality of your password.

#### **A. Automatic Information**

Examples of other information we collect and analyze include the Internet protocol (IP) address used to connect your computer to the Internet; computer and connection information such as browser type, version, and time-zone setting, browser plug-in types and versions, operating system, and platform; and the full Uniform Resource Locator (URL). During some visits we may use software tools such as JavaScript to measure and collect session information, including page

response times, download errors, length of visits to certain pages, page interaction information (such as scrolling, clicks, and mouse-overs), and methods used to browse away from the page.

## **B. Cookies**

Like many websites, we use “cookies.” Cookies are text files placed in your computer’s browser to store your preferences. Cookies do not contain Personal Information; however, once you choose to furnish a website with Personal Information, such Personal Information may be linked to the data stored in the cookie.

We use cookies to understand website and Internet usage and to improve or customize the content, offerings or advertisements on our Site. For example, we may use cookies to personalize your experience at our Site (e.g., to recognize you by name when you return), or save your password in password-protected areas. We also may use cookies to help us offer you products, programs, or services that may be of interest to you and to deliver relevant advertising.

If you would prefer not to have the benefits of cookies, your Internet browser can be adjusted to treat cookies in different ways. Depending upon the type of browser you are using, you may be able to configure your browser such that: (i) you are prompted to accept or reject cookies on an individual basis or (ii) you are able to prevent your browser from accepting any cookies at all. You should refer to the supplier or manufacturer of your Internet browser for specific details about cookie security. However, you should also understand that rejecting cookies might affect your ability to perform certain transactions on our Site and our ability to recognize your browser from one visit to the next.

## **How the Company Uses Personal Information**

The Company uses Personal Information obtained from Visitors to our Site, and/or from our Partners and/or otherwise: (i) to respond to questions, comments and other requests from Visitors, (ii) to send information about the Company and our events, (iii) to confirm and process orders, (iv) to keep you informed about your order status, (v) to protect the security of our Visitors, systems, and Site, (vi) to improve our products and services, (vii) to run analytics on purchaser data, and (viii) to share information about our Partners’ events and products. We use the payment account information you provide to us for billing purposes and to fulfill your order.

## **Disclosure of Information to Third Parties**

The Company may share Personal Information, including Personal Information that you provide on our Site, to Partners on their websites, or otherwise to us, with third parties as described below.

## **A. Affiliated Entities**

We may share any information, including Personal Information that you provide on the Site, on Partners’ websites, or that we collect in the disclosed manners provided herein, with our

Partners, subsidiaries, and affiliates worldwide, for the purposes described herein (as modified from time to time).

## **B. Strategic Partners**

We may enter into a special relationship with another company that is not owned by or affiliated with the Company to provide additional features on the Site. These special relationships may include Partners, sponsors, and co-branded sites (referred to here as “co-branded pages”). Any information, including Personal Information that you provide on one of these co-branded pages, may be shared with such Partners or sponsors. By participating in activities or providing your Personal Information on these co-branded pages (or by accessing these co-branded pages or the Site), you consent to our providing your Personal Information to such Partners or sponsors. As such Partners or sponsors will use your Personal Information in accordance with their own privacy practices, you should review their privacy policies.

## **C. Service Providers**

We may use third party service providers to help us operate our business and the Site or administer activities on our behalf, such as sending emails, fulfilling orders, and administering sweepstakes. We may share your Personal Information with such service providers for such limited purposes. For instance, if you participate in a loyalty program that results in a prize or award, we will share your Personal Information with our fulfillment and management agencies.

## **D. Other Disclosures**

In addition to the third parties described above, Personal Information of any Visitor, or individual whose information is collected otherwise, may also be shared with parties outside of the Company: (i) as permitted by law, (ii) in the event of a transfer of ownership, assets or a bankruptcy of the Company, (iii) if we determine that disclosure of specific information is necessary to comply with the request of a law enforcement or regulatory agency or other legal process, or (iv) to protect the interests or safety of the Company or Visitors to the Site.

## **Your Choices with Respect to Personal Information**

The Site gives Visitors the opportunity to stop receiving communications from the Company if requested. The Site also gives Visitors options for changing and modifying Personal Information previously provided. To remove or change Personal Information in our database, or to not receive future communications from the Company, please contact us at [privacy@SmartyPerks.com](mailto:privacy@SmartyPerks.com).

## **Children**

The Company does not knowingly solicit or collect Personal Information from Visitors or individuals under the age of eighteen (18) (“Minors”), and we will not knowingly link to any third party website that solicits or collects Personal Information from Minors. If you believe that

a Minor has disclosed Personal Information to us or that we have linked to such a third party website, please contact us at [privacy@SmartyPerks.com](mailto:privacy@SmartyPerks.com).

## **Security and Protection of Personal Information Collected by Us**

The Company's Site has security measures in place to protect the loss, misuse and alteration of the Personal Information under our control. The Company has implemented various physical, electronic, and managerial measures, including education and training of our personnel, to provide Personal Information with reasonable protection from accidental loss or destruction, improper use, alteration, or disclosure. The Company has invested and deployed a wide variety of technology and security features to ensure the privacy of Personal Information that is collected by the Company. The Company will continue to revise policies and implement additional security features as new technologies become available. Unfortunately, no system is perfect; therefore, the Company makes no representations or warranties with regard to the sufficiency of these security measures. The Company shall not be responsible for any actual or consequential damages (or any other damages or liability of any kind whatsoever) that result from a lapse in compliance with this Policy because of a security breach or technical malfunction.

## **Access to Your Personal Information**

If you wish to obtain a copy of the Personal Information that you provided to the Company, or if you become aware the Personal Information you have provided is incorrect and you would like us to correct or delete it, please contact us at [privacy@Smartyperks.com](mailto:privacy@Smartyperks.com). Please note, however, that before the Company is able to provide you with any information or correct any inaccuracies, we may ask you to verify your identity and to provide other details, including Personal Information, to help us to respond to your request. The Company affirms that it will correct, amend, or delete any erroneous information if instructed to do so by you, subject to the safe harbor framework set forth by the United States Department of Commerce Safe Harbor principles of proportionality, data quality, and reasonableness. We always will endeavor to respond within an appropriate timeframe to any request under this section.

## **Enforcement**

The Company will cooperate with the United States Department of Commerce to resolve any complaints and disputes arising in connection with this Policy. All necessary Company employees will be required to be familiar with and adhere to this Policy. The Company will investigate any reported complaints of violations of this Policy and will take prompt remedial action where violations are found. In order to inquire or complain about the Policy or anything related to the privacy of Personal Information handled by the Company, please contact us at: [privacy@SmartyPerks.com](mailto:privacy@SmartyPerks.com).

## **Amendments**

From time to time, the Company may update, modify or change this Policy. When this occurs, the new Policy will be posted on the Site. You should check the Site periodically to review the most recent Policy. Your use of the Site or provision of Personal Information to the Company or

any of our Partners after any update, modification, or change to this Policy constitutes your acceptance of and agreement to such updates, modifications, or changes.