



## **PRIVATE POLICY**

LAST UPDATED ON JUNE 2018

### **1. WHO IS RESPONSIBLE FOR THE PROCESSING OF YOUR PERSONAL DATA?**

Those responsible for the processing of your personal data are:

The company (CERULE FRANCE) which sells in France and in Europe the CERULE brand's product line.

Mailing Address: 2B AVENUE DE L'ENERGIE, 67800 BISCHHEIM

Email of the Data Protection Manager: confidentialite@cerule.com for France and euprivacy@cerule.com for the EU.

CERULE LLC, an American company acting as parent company of CERULE FRANCE

Mailing Address: 735 Commercial Street, Klamath Falls, OR 97601 USA

Email of the Data Protection Manager: globalprivacy@cerule.com

In other words, both CERULE FRANCE and CERULE LLC are together responsible for the processing of your data and «we» are considered “co-responsible” for the said processing. Thus, together, we have developed guidelines and ensure the management of the processing and protection of your personal data.

### **2. WHAT IS THE ROLE OF THE DATA PROTECTION DELEGATE FOR CERULE EU?**

The appointed Data Protection Delegate's mission is to ensure compliance with regulations and rules described in this document. The Delegate is therefore responsible for establishing a register of the processing of personal data implemented by the company and to ensure compliance of the said processing with the regulation and its amendments.

The delegate ensures the “awareness” of the teams and responds to users wishing to exercise their rights regarding personal data collected by Cerule EU.

You can contact the Data Protection Delegate at confidentialite@cerule.com for France and euprivacy@cerule.com for the EU.

### **3. WHAT PERSONAL INFORMATION DO WE COLLECT?**

When ordering or registering on our site you are asked to enter your name, email address, postal address (including billing and shipping addresses), phone number, credit card information, social security number or other details. We recognize the confidential nature of the Personal Information in its care and is accountable for the compliance of itself and its directors, officers, management, employees, representatives, and agents including consultants and independent contractors in protecting this Personal Information.

#### **4. WHEN DO WE COLLECT INFORMATION?**

We collect information from you when you register on our site, place an order, subscribe to a newsletter, open a Support Ticket, enter information on our site or provide us with feedback on our products or services.

#### **5. WHAT IS THE RATIONALE FOR THE PROCESSING OF YOUR PERSONAL DATA?**

We have systems to process your data for different reasons. The most important is that your personal data is necessary to execute the contract you have with us when registering and making a purchase or taking advantage of one of our services or features, although there are other reasons that allow us to do so, such as answering your questions or giving your consent to send you our newsletters, among others.

#### **6. HOW DO WE USE YOUR INFORMATION?**

We may use the information we collect from you in the following ways:

- to quickly process your transactions.
- to send periodic emails regarding your order or other products and services.
- to tell you about our operations, services, and programs;
- to allow you to use, communicate and interact with others on our website; and
- for our internal business purposes, such as data analysis, audits, enhancing our website, improving our services, and identifying usage trends.

#### **7. WE MAY DISCLOSE YOUR PERSONALLY IDENTIFIABLE INFORMATION (PII):**

We share your information with service providers who help us or provide necessary support, whether they are companies from the “Inditex Group” or external collaborators, with whom we have an agreement, whether situated in or out of the European Union.

To fulfill the purposes indicated in this Privacy and Cookie Policy, access to your personal data must be enabled in favor of the entities of Cerule Global and third parties that we use to provide certain services, that is, saying:

- to affiliated companies but not for direct marketing purposes;
- to third-party service providers who provide services to us, such as web site hosting, data analysis, payment processing, order fulfillment, infrastructure provision, information technology services, customer service, e-mail delivery services, credit card processing, auditing, training, and other similar services for the purpose of providing these services to us or on our behalf;
- 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 business, assets or stock (including in connection with any bankruptcy or similar proceedings).
- we may provide PII in response to a court order, subpoena, or government investigation. We also reserve the right to report to law enforcement agencies any activities that we believe to be unlawful or suspicious. We may release Personal Information when we believe that such release is reasonably necessary to enforce or apply our Terms of Use or to protect the interests, rights, property, and safety of others and ourselves.

For service efficiency reasons, some of these suppliers are located outside the European Economic Area where the level of protection of personal data is not comparable to that of the European Union, as it is the case with the United States. In these cases, we wish to inform you that the transfer of data will be done with appropriate safeguards while always maintaining the security of your data: Some providers are accredited by Privacy Shield, a certificate which can be viewed at the following link: <https://www.privacyshield.gov/welcome>

For other suppliers, we signed contractual clauses approved by the Commission, whose contents can be accessed at the following link: [https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries\\_en](https://ec.europa.eu/info/law/law-topic/data-protection/data-transfers-outside-eu/model-contracts-transfer-personal-data-third-countries_en)

## **8. WE COLLECT NON-PERSONAL INFORMATION**

We may also collect Non-Personal Information which does not reveal your specific identity, such as:

- browser information
- information collected through cookies, pixel tags and other technologies
- demographic information and other information provided by you

For example, Cerule

- collects information such as your computer type (Windows or Mac OS X), screen resolution, operating system version and Internet browser type and version and your demographic information. This information does not personally identify you to anyone else.
- may aggregate PII so that the aggregated information does not personally identify you to anyone else.

Your PII may be stored and processed in any country where we have operations, and by interacting with us and providing us with any PII, you consent to the transfer of information to countries outside of your country of residence, including the United States, which may provide for different data protection rules than in your country. (More in paragraph No. AAA)

## **9. THIRD-PARTY DISCLOSURE**

We do not sell, trade, or otherwise transfer to outside parties your Personally Identifiable Information unless we provide users with advance notice. This does not include website hosting partners and other parties who assist us in operating our website, conducting our business, or serving our users, so long as those parties agree to keep this information confidential. We may also release information when it's release is appropriate to comply with the law, enforce our site policies, or protect ours or others' rights, property, or safety.

However, non-personally identifiable visitor information may be provided to other parties for marketing, advertising, or other uses.

Third-party links

We do not include or offer third-party products or services on our website.

## **10. DO WE USE COOKIES?**

Yes. Cookies are small files that a site or its service provider transfers to your computer's hard drive through your Web browser (if you allow) that enables the site's or service provider's systems to recognize your browser and capture and remember certain information. For instance, we use cookies to help us remember and process the items in your shopping cart. They are also used to help us understand your preferences based on previous or current site activity, which enables us to provide you with improved services. We also use cookies to help us compile aggregate data about site traffic and site interaction so that we can offer better site experiences and tools in the future.

## **11. WE USE COOKIES TO:**

Compile aggregate data about site traffic and site interactions in order to offer better site experiences and tools in the future. We may also use trusted third-party services that track this information on our behalf.

You can choose to have your computer warn you each time a cookie is being sent, or you can choose to turn off all cookies. You do this through your browser settings. Since browser is a little different, look at your browser's Help Menu to learn the correct way to modify your cookies. If you turn cookies off, some features will be disabled. It won't affect the user's experience that make your site experience more efficient and may not function properly. However, you will still be able to place orders.

## **12. GOOGLE ADWORDS**

Google's advertising requirements can be summed up by Google's Advertising Principles. They are put in place to provide a positive experience for users.

<https://support.google.com/adwordspolicy/answer/1316548?hl=en>

We have not enabled Google AdWords on our site, but we may do so in the future.

## **13. CAN SPAM Act**

The CAN-SPAM Act is a law that sets the rules for commercial email, establishes requirements for commercial messages, gives recipients the right to have emails stopped from being sent to them, and spells out tough penalties for violations.

We collect your email address to:

- Send information, respond to inquiries, and/or other requests or questions
- Process orders and to send information and updates pertaining to orders.
- Send you additional information related to your product and/or service

To be in accordance with CANSPAM, we agree to the following:

- Not use false or misleading subjects or email addresses.
- Identify the message as an advertisement in some reasonable way.
- Include the physical address of our business or site headquarters.
- Monitor third-party email marketing services for compliance, if one is used.
- Honor opt-out/unsubscribe requests quickly.
- Allow users to unsubscribe by using the link at the bottom of each email.

If at any time you would like to unsubscribe from receiving future emails, you can email us at [confidentialite@cerule.com](mailto:confidentialite@cerule.com) for France and [euprivacy@cerule.com](mailto:euprivacy@cerule.com) for the EU.

- Follow the instructions at the bottom of each email and we will promptly remove you from ALL correspondence.

## **14. HOW LONG WILL YOUR DATA BE KEPT?**

The retention of your data depends on the purposes for which they are processed, as explained below:

### Manage your account profile as a Platform User

Your data will be processed if you retain a registered user status (that is to say, until you decide to delete your user account).

### The implementation, application and execution of the purchase or service contract

We will process your data for the time required to manage the purchase of products or services, including all possible returns, complaints or claims related to the purchase of a product or service. In some cases, we will conserve the data for as long as you have decided, as in the case of payment data (card) where you have asked us to preserve for future purchases possible.

Customer Service: We will process your data for the time necessary to respond to your request or your demand.

Marketing: We will process and retain your personal data until you unsubscribe or cancel your subscription to the newsletter. If you participate in promotional activities, we will keep your personal data for 6 months from the end of the said activities.

Ergonomics and quality analysis: occasionally we will process your data during the period of implementation of an action or of a quality survey or to the point when your browsing data is not attributed to an identified or identifiable natural person.

## **15. WHAT ARE YOUR RIGHTS WHEN YOU ARE PROVIDING US WITH YOUR DATA?**

We pledge to respect the confidentiality of your personal data and to guarantee the exercise of your rights. As Co-responsible parties, we agreed that these rights can be exercised at no cost by sending an email to [confidentialite@cerule.com](mailto:confidentialite@cerule.com) for France, for the EU to [euprivacy@cerule.com](mailto:euprivacy@cerule.com) and [globalprivacy@cerule.com](mailto:globalprivacy@cerule.com) for the rest of the world; simply stating the reason for your request and the right you want to exercise. If we consider necessary to identify you, we may ask for a copy of an ID.

Regardless of the purpose or legal basis under which we will process your data, you are particularly entitled to:

- Request access to the data we have about you. Keep in mind that if you are a registered user of the platform, this information can also be found in the relevant section for your personal data.
- Request the correction of data we already have. Remember that if you are registered user of the platform, you can also access the relevant section in your personal data from your account to modify or update your personal data. However, do not forget that by actively providing your personal data, regardless of the media, you ensure that your info is true and accurate and that you agree to provide us with any corrections or modifications. Any damage or loss caused to the platform or the party responsible for the platform or any other third party on the grounds of erroneous communication of information, inaccurate or incomplete registration forms, is the sole responsibility of the user. We ask you not to forget that in general you should not provide your own personal data and not those of third parties, except as permitted in this Cookies and Privacy Policy.
- Ask us to remove your data to the extent that, it's no longer needed for the purpose for which we might have needed it, according to what has been stated above, or because we are no longer requiring it.
- Seek to limit the processing of your data, which means that in some cases, you can ask us to temporarily suspend the processing of your data or to keep it beyond the necessary time in case you need it.
- Provide guidance on the conservation, deletion, or disclosure of your personal information after your death.

If you have given us your consent to the processing of your data for any purpose, you also have the right to withdraw said consent at any time.

The processing of your data is based on your consent or the contract execution, and you will also have the right to ask for the portability of your personal data. This means that you will be entitled to receive the personal information you have provided in a structured format, as currently used and

readable by a machine, in order to transmit it directly to another entity, provided that this is technically possible. Furthermore, if the processing of your data is based on our own legitimate interest, you will also have the right to object to the data processing.

Finally, we inform you of your right to file a claim with the relevant supervisory data protection authority, in particular:

Commission Nationale de l'Informatique et des Libertés - CNIL

8 rue Vivienne, CS 30223

F-75002 Paris, Cedex 02

Such. +33 1 53 73 22 22

Fax +33 1 53 73 22 00

Website: <http://www.cnil.fr/>

#### **16. HOW DOES OUR SITE HANDLE DO NOT TRACK SIGNALS?**

We honor Do Not Track signals and Do Not Track, plant cookies, or use advertising when a Do Not Track (DNT) browser mechanism is in place.

#### **17. DOES OUR SITE ALLOW THIRD-PARTY BEHAVIORAL TRACKING?**

It's also important to note that we do not allow third-party behavioral tracking

#### **18. UPDATES TO THIS PRIVACY POLICY**

From time to time Cerule may change this Privacy Statement. Please take a look at the «LAST UPDATED» to see when this Privacy Policy was revised. Any changes to this Privacy Policy will become effective when Cerule posts the revised Privacy Policy on the Site. Your interaction with us following these changes means that you accept the revised Privacy Statement.