

## Privacy Policy

Last modified: March \_27\_\_, 2020

### **I. Introduction**

We at Middlemist, LLC (“**Middlemist**,” “**Company**,” “**we**,” or “**us**”) respect your privacy and are committed to protecting it through our compliance with this policy.

This policy describes the types of information we may collect from you or that you may provide when you visit [www.middlemist.co](http://www.middlemist.co) (the “**Website**”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect or may collect in the future:

- On this Website.
- In e-mail, text, and other electronic messages between you and us.
- Through mobile and desktop applications that you download from this Website which we may offer now or in the future and which would provide dedicated non-browser-based interaction between you and this Website
- When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this policy.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Company or any third party (including our affiliates);
- Any third party (including our affiliates), including through any application or content (including advertising) that may link to or be accessible from the Website. Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website. By accessing or using this Website, you agree to this privacy policy and consent to the use and collection of information as described in this policy. This policy may change from time to time (see Changes to Our Privacy Policy [Section XIII - HYPERLINK TO SECTION WITHIN TERMS]). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

### **II. Children Under the Age of 13**

Our Website is not intended for children under 13 years of age. No one under age 13 may provide any personal information to or on the Website. We do not knowingly collect personal information from children under 13. If you are under 13, do not use or provide any information on this Website or through any of its features, register on the Website, make any purchases through the Website, use any of the interactive or public comment features that may be offered on this Website, or provide any information about yourself to us, including your name, address, telephone number, e-mail address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from a child under 13, please contact us at [care@middlemist.co](mailto:care@middlemist.co) and we will delete that information from our database.

### **III. Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Website, including information:

- By which you may be personally identified, such as your name, e-mail address, mailing address, and phone number (“**personal information**”).
- Account information, such as your username and password.
- Billing information, such as credit/debit card details and billing address which is processed by our third-party payment vendors. We do not collect, store or maintain any billing information. It is collected and processed through these third party vendors pursuant to their privacy policies and terms of use which may be found at <https://squareup.com/us/en/legal/general/privacy> and <https://squareup.com/us/en/legal/general/ua>.

- About your ordering demographics and usage details related to our Website.
- Any other information you choose to provide.

We collect this information:

- Directly from you when you provide it to us.
- Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies.
- From third parties, for example, our business partners.

#### *Information You Provide to Us*

The information we collect on or through our Website may include:

- Information that you provide by filling in forms on our Website. This includes information provided at the time of registering to use our Website, subscribing to our service or our newsletter, posting material, or requesting further services. We may also ask you for information when you enter a contest or promotion sponsored by us, and when you report a problem with our Website.
- Records and copies of your correspondence (including e-mail addresses), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through our Website and of the fulfillment of your orders. You may be required to provide financial information before placing an order through our Website.
- Your search queries on the Website.
- Lists or other collections of products and product information that you build and save on our Website.

#### *Information We Collect Through Automatic Data Collection Technologies*

As you navigate through and interact with our Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

- Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
- Information about your computer and internet connection, including your IP address, operating system, and browser type.

We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Click here [<https://www.eff.org/issues/do-not-track>] for information on how you can opt out of behavioral tracking on this Website and how we respond to web browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking.

The information we collect automatically does not include personal information, but we may maintain it or associate it with personal information we collect in other ways or receive from third parties. It helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate our user base size and usage patterns.
- Store information about your preferences, allowing us to customize our Website according to your individual interests.
- Speed up your searches.
- Recognize you when you return to our Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select

this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you access our Website.

- **Flash Cookies.** Certain features of our Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from, and on our Website. Flash cookies are not managed by the same browser settings as are used for browser cookies.
- **Web Beacons.** Pages of our the Website and our e-mails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or opened an e-mail and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

#### **IV. Third-Party Use of Cookies and Other Tracking Technologies**

Some content or applications, including advertisements, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly. For information about how you can opt out of receiving targeted advertising from many providers, see Choices About How We Use and Disclose Your Information [\[Section VII - HYPERLINK TO SECTION WITHIN TERMS\]](#).

#### **V. How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information to:

- Present our Website and its contents to you;
- Provide you with information, products, or services that you request from us;
- Fulfill any other purpose for which you provide it;
- Provide you with notices about your subscription, including expiration and renewal notices;
- To allow you to participate in interactive features on our Website;
- To notify you about changes to our Website or any products or services we offer or provide though it;
- To communicate about promotions, upcoming events, and other news about products and services offered by us and our selected partners;
- To process and deliver contest entries and rewards;
- Conduct or administer surveys and other market research;
- Process and fulfill orders;
- In any other way we may describe when you provide the information; and
- For any other purpose with your consent.

We may also use your information to contact you about our own and third-parties' goods and services that may be of interest to you. If you do not want us to use your information in this way, please update your user preferences in your account profile on the subscription management page [\[LINK\]](#) or follow the instructions under the heading "Unsubscribe" on any e-mail you receive from us. For more information, see Choices About How We Use and Disclose Your Information [\[Section VII - HYPERLINK TO SECTION WITHIN TERMS\]](#).

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

## **VI. Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

- To our affiliates.
- To contractors, service providers, and other third parties we use to support our business
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Website users is among the assets transferred.
- To third parties to market their products or services to you if you have /not opted out of these disclosures. For more information, see [Choices About How We Use and Disclose Your Information \[Section VII - HYPERLINK TO SECTION WITHIN TERMS\]](#).
- To fulfill the purpose for which you provide it. For example, if you give us an e-mail address to use any “refer a friend” feature of our Website, we will transmit the contents of that e-mail and your e-mail address to the recipients.
- For any other purpose disclosed by us when you provide the information.
- With your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our Terms and Conditions [\[LINK TO TERMS & CONDITIONS\]](#) and other agreements, including for billing and collection purposes.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Middlemist, our customers, or others.

## **VII. Choices About How We Use and Disclose Your Information**

We strive to provide you with choices regarding the personal information you provide to us. We have created mechanisms to provide you with the following control over your information:

- **Tracking Technologies and Advertising.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. To learn how you can manage your Flash cookie settings, visit the Flash player settings page on Adobe’s website. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly.
- **Disclosure of Your Information for Third-Party Advertising.** If you do not want us to share your personal information with unaffiliated or non-agent third parties for promotional purposes, you can opt out by logging into the Website and adjusting your user preferences in your account profile [\[INSERT LINK\]](#) or by following the instructions using the “Unsubscribe” link on any e-mail you receive from us.
- **Promotional Offers from the Company.** If you do not wish to have your contact information used by the Company to promote our own or third parties’ products or services, you can opt out by logging into the Website and adjusting your user preferences in your account profile [\[INSERT LINK\]](#) or by following the instructions using the “Unsubscribe” link on any e-mail you receive from us. This opt out does not apply to information provided to the Company as a result of a product purchase, warranty registration, product service experience or other transactions. If you opt out of receiving such communications, note that we may continue to send you non-promotional e-mails (such as order confirmation e-mails or e-mails about changes to our legal terms).
- **Targeted Advertising.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by adjusting

your user preferences in your account profile [[INSERT LINK](#)] or by following the instructions using the “Unsubscribe” link on any e-mail you receive from us.

We do not control third parties’ collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from members of the Network Advertising Initiative (“NAI”) on the NAI’s website.

#### **VIII. Accessing and Correcting Your Information**

You can review and change your personal information by logging into the Website and visiting your account settings page.

You may also send us an e-mail at [care@middlemist.co](mailto:care@middlemist.co) to request access to or delete any personal information that you have provided to us, or to change any such personal information that cannot be changed by self-service features in your account profile [[LINK](#)]. We cannot delete your personal information except by also deleting your user account. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect. We will use commercially reasonable efforts to process such requests in a timely manner.

#### **IX. Your California Privacy Rights**

If you are a California resident, California law may provide you with additional rights regarding our use of your personal information. California Civil Code Section 1798.83 (the “Code”) permits users who are California residents to request certain information regarding the disclosure of personal information to third parties which is used for their direct marketing purposes. To make such a request, to which we shall respond to the extent required by the Code, e-mail us with your name, postal address and e-mail, referencing “California Privacy Rights,” at the address provided in the Contact Information in Section XIII below. In addition, the California Consumer Protection Act of 2018 (the “CCPA”) goes into effect January 1, 2020. We will update this policy prior to that date to provide California residents with additional information with respect to their rights under the CCPA.

#### **X. Important Notice to Non-U.S. Residents**

The owner of the Website is based in the State of Colorado in the United States. We provide this Website for use only by persons located in the United States. We make no claims that the Website or any of its content is accessible or appropriate outside of the United States. Access to the Website may not be legal by certain persons or in certain countries. If you access the Website from outside the United States, you do so on your own initiative and are responsible for compliance with local laws.

#### **XI. Data Security**

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. All information you provide to us is stored on our secure servers behind firewalls. Any payment transactions will be encrypted using SSL technology.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Website, you are responsible for keeping this password confidential. We ask you not to share your password with anyone.

Unfortunately, the transmission of information via the internet is not completely secure. Although we take commercially reasonable steps to protect your personal information, we cannot guarantee the security of your personal information transmitted to our Website. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Website.

#### **XII. Disclosure of Data Breaches**

If, we discover or receive notice that your sensitive personal information has been, or is reasonably believed to have been, acquired by an unauthorized person, we will notify you without unreasonable delay, and in no event not later than the 60th day after the date on which we determine such a data breach occurred.

**XIII. Changes to Our Privacy Policy**

We will post changes we make to our privacy policy on this page and change the Last Updated date at the top of this page. If we make material changes to how we treat our users' personal information, we will notify you via e-mail to the e-mail address specified in your account. You are responsible for ensuring we have an up-to-date active and deliverable e-mail address for you, and for periodically visiting our Website and this privacy policy to check for any changes.

**XIV. Contact Information**

If you have any questions about this Privacy Policy, e-mail us at [care@middlemist.co](mailto:care@middlemist.co).