

## US Privacy & Information Transfer Policy

PLEASE READ THE FOLLOWING PRIVACY POLICY CAREFULLY. WHEN YOU USE OUR WEBSITE YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTOOD, AND AGREE TO BE BOUND BY THIS PRIVACY POLICY.

This Privacy Policy will apply to the website that you are visiting, [www.DirectCellars.com](http://www.DirectCellars.com) (the "Website"), which is owned by Direct Cellars, LLC (the "Company"). Company and its subsidiary companies respect the privacy rights of our online visitors and recognize the importance of protecting the information collected from you. We have adopted a corporate wide Privacy Policy that guides how we collect, store and use the information you provide online. Please note that this policy applies only to sites maintained by Company and its subsidiaries, and not to websites maintained by other companies or organizations to which we link. If you have questions or concerns regarding this statement, you should first contact Company at the email address or postal address specified on the Website.

### INFORMATION COLLECTION AND USE

Our primary goal in collecting personally identifiable information is to provide you with the products and services made available through the Website, including, but not limited to our services, to communicate with you, and to manage your registered user account, if you have one.

**Information Collected Upon Registration:** If you desire to have access to certain restricted sections of the Website, you will be required to become a registered user, and to submit certain personally identifiable information to Company. This happens in a number of instances, such as when you sign up for our services, or if you desire to receive marketing materials and information. Personally identifiable information that we may collect in such instances may include your full name, username, password, email address, address, time zone, telephone number, credit card number, gender, preferences, feedback and other information that you decide to provide us with, or that you decide to include in your public profile.

**Use of Contact Information:** In addition, we may use your contact information to market to you, and provide you with information about, our products and services, including but not limited to our services. If you decide at any time that you no longer wish to receive such information or communications from us, please follow the unsubscribe instructions provided in any of the communications.

**Log Data:** When you visit the Website, our servers automatically record information that your browser sends whenever you visit a website as Log Data. This Log Data may include information such as your IP address, browser type or the domain from which you are visiting, the websites you visit, the search terms you use, and any advertisements on which you click. For most users accessing the Internet from an Internet service provider the IP address will be different every time you log on. We use Log Data to monitor the use of the Website and of our Service, and for the Website's technical administration. We do not associate your IP address with any other personally identifiable information to identify you personally, except in case of violation of the Terms of Service.

**Your Account:** If you use this site, you are responsible for maintaining the confidentiality of your account and password and for restricting access to your computer, and you agree to accept responsibility for all activities that occur under your account or password. Company reserves the

right to refuse service, terminate accounts, remove or edit content, or cancel orders in their sole discretion.

**Cookies:** We use cookies and other technologies to passively collect demographic information, personalize your experience on our site and monitor advertisements and other activities. Cookies are small files downloaded to your computer to track movements within web sites. We may link cookie information to personal information. Cookies link to information regarding what items you have selected for purchase at our store or pages you have viewed. This information is used to keep track of your shopping cart and make sure you don't see the same ad repeatedly. Also, we use cookies to deliver content specific to your interest and to monitor Website usage. Some of our sites use an outside ad company to display ads. These ads may contain cookies. Our ad companies collect cookies received with banner ads, and Company does not have access to this information. Most browsers are automatically set to accept cookies whenever you visit a website. You can disable cookies or set your browser to alert you when cookies are being sent. However some areas of our sites will not function properly if you do so. Please note that this privacy policy covers the use of cookies by Company only and does not cover the use of cookies by any advertisers.

**Other Technologies:** Other technologies used include clear GIFs. Clear GIFs also known as web bugs, beacons or tags, are small graphic images placed on a web page, web-based document, or in an e-mail message. Clear GIFs are invisible to the user because they are typically very small (only 1-by-1 pixel) and the same color as the background of the web page, document or e-mail message. We do not use clear GIFs to collect personal information about you. However, we may use clear GIFs to capture statistical usage information for our web pages, features or other elements on a web page. We may correlate this information to a user to personalize user experience and for statistical analysis of user experiences on our web pages.

**Third Party Services:** Users may register for other services from our Website. Certain products and/or services available on our Website are provided to you in partnership with third parties' and may require you to disclose personally identifiable information in order to register for and access such products and/or services. Such products and/or services shall identify the third party partners at the point of registration. If you elect to register for such products and/or services, your personally identifiable information will be transferred to such third parties' and will be subject to the privacy policy and practices of such third parties'. We are not responsible for the privacy practices and policies of such third parties' and, therefore, you should review the privacy practices and policies of such third parties' prior to providing your personally identifiable information in connection with such products and/or services.

**Service Providers:** We engage certain trusted third parties to perform functions and provide services to us, including, without limitation, hosting and maintenance, customer relationship, database storage and management, and direct marketing campaigns. We will share your personally identifiable information with these third parties, but only to the extent necessary to perform these functions and provide such services, and only pursuant to binding contractual obligations requiring such third parties to maintain the privacy and security of your data.

**Law Enforcement:** We cooperate with government and law enforcement officials or private parties to enforce and comply with the law. We may disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims, legal process (including subpoenas), to protect the property and rights of Company or a third party, the safety of the public or any person, to prevent or stop any illegal, unethical, or legally actionable activity, or to comply with the law.

**Business Transfers:** We may sell, transfer or otherwise share some or all of its assets, including your personally identifiable information, in connection with a merger, acquisition, reorganization or sale of assets or in the event of bankruptcy. You will have the opportunity to opt out of any such

transfer if the new entity's planned processing of your information differs materially from that set forth in this Privacy Policy.

**Information Transfer:** We may transfer personal information to Direct Cellars databases located in countries other than the country from which the information was provided, including the United States, the United Kingdom, Canada, Australia, and Germany. Direct Cellars LLC's privacy program requires the same high level of security and protection of personal information in all geographies with procedures and contracts in place to help ensure security.

Data may be transferred to a vendor or business partner to provide services for Direct Cellars, LLC such as targeted email communications, mailing information or brochures. These vendors and business partners are required to protect and manage the personal information to the same high standards Direct Cellars does, and they cannot use the information for purposes other than to provide the services Direct Cellars has requested.

We may transfer your personal information to countries outside of the European Economic Area ('EEA'). Those countries, which include the United States, may not be subject to laws that provide the same level of protections that are provided by the EEA. To provide adequate protection for personal information received by Direct Cellars in the United States from the EEA, Direct Cellars has self-certified its compliance with the EU-U.S. Privacy Shield Framework as set forth by the U.S. Department of Commerce and it adheres to the Privacy Shield Principles regarding the collection, use, and retention of personal information transferred to it from the EEA. If there is any conflict between the terms of this Privacy Policy and the Privacy Shield Principles, the Privacy Shield Principles shall prevail.

With respect to personal information received under the Privacy Shield Framework, Direct Cellars is subject to the investigatory and enforcement authority of the U.S. Federal Trade Commission. Under certain circumstances, it may be required to disclose personal information in response to lawful requests by public authorities, including national security or law enforcement requirements.

**Data Retention:** We will only retain your personal information for as long as necessary to fulfill the purposes for which we collected it, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period, we consider the amount, nature, and sensitivity of the information, the potential risk of harm from unauthorized use or disclosure of your personal information, the purposes for which we process it and whether we can achieve those purposes through other means, and the applicable legal requirements.

**Data Subject Rights:** When your personal information is collected and used by Direct Cellars, or if you are an Independent Brand Partner based in the European Union and your personal information is collected or used by any Direct Cellars company then you have certain legal rights, known as 'data subject rights', which may be subject to limitations and/or restrictions. These rights include the right to: (i) request access to and rectification or erasure of your personal information; (ii) obtain a restriction on the processing of or to object to processing of your personal information; and (iii) ask for a copy of your personal information to be provided to you, or to a third party, in a digital format. If you wish to exercise one of these rights, please contact us using the contact details set out in this privacy policy.

**Contact:** If you have any questions about this Privacy and Information Transfer Policy, please contact [compliance@directcellars.com](mailto:compliance@directcellars.com), or you may reach us by postal mail at

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