

## Privacy Policy

Effective as of December 19, 2020

PLEASE CAREFULLY READ THE FOLLOWING PRIVACY POLICY OF BLACKSUEDE LLC AND ALL OF ITS SUBSIDIARIES, SUCCESSORS IN INTEREST AND ASSIGNS (if or as applicable) (COLLECTIVELY, "BLACKSUEDE", "US", "WE") BEFORE USING [www.blacksuede.net](http://www.blacksuede.net), all related websites, products and services (the "Site").

Your privacy is very important to us. Our Privacy Policy spells out BlackSuede's commitment to respecting the privacy of the members and visitors to our Site. We reserve the right to change this policy at any time, which we'll do through online posting or an email message sent directly to you.

This Privacy Policy describes how BlackSuede collects and uses the personal information you provide to us on our Site. It also describes the choices available to you regarding our use of your personal information and how you can access and update this information.

### Collection and Use of Information

We collect or may collect information that identifies, relates to, describes, can be reasonably associated with, or linked, indirectly or directly, to you or your household ("Personal Information") from you to provide an efficient, meaningful and customized experience for you on the Site. We collect some or all of the following information from or about you:

- Contact information such as name, email address, mailing/shipping address and phone number.
- If you tell us where you are (e.g., by allowing your mobile device to send us your location or using any locator functions on the site), we may store and use that information to provide you with location-based information.
- Billing information such as credit card number and billing address
- Unique Identifiers such as user name, account number and password
- Preferences information such as product wish lists, order history and marketing preferences
- Your Site activity and behavior (described more fully below in the following sections of our Privacy Policy "Targeted Advertising", "Cookies and other technologies" and "Web Beacons").
- User's date of birth and gender (and only in connection with astrology services or astrological chart calculation functions on the site, user's city and time of birth)
- Information you voluntarily provide to us in connection with your voluntary participation in a research study such as your buying habits, preferences and opinions on products and services we may offer

As is true of most websites, we automatically gather information about your device such as: Your IP address, time and date of visit, browser type, referring/exit pages, operating system, agent version, platform, SDK version, timestamp, API key (identifier for application), application version, device identifier, iOS Identifier for Advertising, iOS Identifier for Vendors, Media Access Control (MAC) address, International Mobile Equipment Identity (IMEI),

Model, manufacture and OS version of device, session start/stop time, locale (specific location where a given language is spoken), time zone, and network status (WiFi, etc.).

We may log this information for system administration and improvement, order verification, marketing and system troubleshooting purposes.

We use this information to:

- Fulfill your order
- Send you an order confirmation
- Send you product or service information
- Send product updates or warranty information
- Respond to customer service requests and applications for employment
- Administer your account
- Send you a newsletter
- Send you marketing and promotional communications
- Respond to your questions and concerns
- Improve our website and marketing efforts
- Conduct research and analysis including understanding how you use our website, products, and services
- Comply with legal obligations including applicable regulations, court orders, judicial proceedings
- Other legal purposes including determining your compliance with this Privacy Policy and our website Terms of Use or other misuse of the website

### **Information Provided by You About Others**

If you decide to provide personal information about another person ("Other Party") while using BlackSuede, including programs through which you refer a friend or family member, we rely upon you to obtain whatever consents from the Other Party that may be required by law to allow us to use the Other Party's personal information. Our use of the Other Party's personal information will be consistent with this Privacy Policy.

### **Information You Provide to Facebook and Other Social Networking Sites (SNS)**

The Site may allow users to access Facebook to interact with friends and to share on Facebook through Wall and friends' News Feeds. If or when this feature is provided, if you are already logged into the Site and Facebook or another SNS, when you click on "Connect with Facebook", or a similar connection on another SNS, or follow similar instructions, you will be prompted to link your profiles. If you are already logged into the Site but not logged into Facebook or another SNS that we support, when you click on "Connect with Facebook", or a similar connection on another SNS, or follow similar instructions, you will be prompted to enter your SNS credentials or to "Sign Up" for the SNS. By proceeding, you are allowing the Site to access your information and you are agreeing to the Facebook or other SNS's Terms of Use in your use of the Site. Conversely, if you are not currently registered as a user of the Site, and you click on "Sign in" using Facebook or another SNS that we support, you will first be asked to enter your Facebook or SNS credentials and then be given the option to register for the Site. In this case, we may receive information from Facebook or another SNS to make it easier for you to create an account on the Site and show our relevant content from your Facebook or SNS friends. Once you register on the Site and connect with Facebook or another SNS, you will be able to

automatically post recent activity back to Facebook or the other SNS. Any information that we collect from your Facebook or other SNS account may depend on the privacy settings you have with that SNS, so please consult the SNS's privacy and data practices. Once applicable, you have the option to disable Facebook Connect at any time by logging into your Account through the Site and going to settings, "Account Settings", and then unselecting "Facebook," or following similar instructions for disconnecting. Further, you can edit privacy settings for the reviews that appear on Facebook or disconnect your Site activity stream by visiting the Facebook Applications Settings page.

## **Information Sharing**

We will share your personal information with third parties only in the ways that are described in this Privacy Policy. We may share personal information with certain third parties in the U.S. and Canada that perform services on our behalf. The services provided by those third party service providers may include: operating the website, hosting the website, providing the products and services you request, authorization and processing of your payments, product fulfillment, fraud protection and credit risk reduction, product customization, serving certain types of advertisements to you, marketing and promotional material distribution on our behalf (including direct mail marketing), loyalty program management, promotions fulfillment and website evaluation. Those third party service providers are not authorized to use or disclose personal information you provide to us on or through this website for any purpose other than to perform the services designated by us.

We and our third party service providers in the U.S. may also disclose your personal information:

- As required or permitted by law such as to comply with a subpoena, in response to a search warrant or other legally valid inquiry, order or similar legal process
- To investigate both in the case of a breach of an agreement or contravention of law
- When we believe in good faith that disclosure is necessary to protect our rights, protect your safety or the safety of others, establish, exercise or defend a legal claim, investigate fraud or respond to a government request
- To any other third party with your prior consent to do so

Additionally, we may share email addresses (in a hashed or de-identified form) that have been provided to us by our registered users, with third parties such as network advertisers and ad exchanges (including SNSs), to serve targeted advertisements to you about our goods and services.

If BlackSuede engages in a joint promotion with an affiliate and/or partner, we may share your contact information with our affiliate and/or partner to be used in relation to the promotion. We may share aggregated or non-personal information (such as the number of daily visitors to a particular web page or the size of an order placed on a certain date) with third parties such as advertising partners.

If BlackSuede is involved in a merger, acquisition or sale of all or a majority portion of its assets, your information may be shared or transferred to a third party acquirer in connection with the transaction. You will be notified if your information becomes subject to a different privacy policy in connection with such a transaction.

The Site may enable you to post content to SNSs (e.g., Facebook or Twitter). If you choose to do this, we will provide information to such SNSs in accordance with your elections. You acknowledge and agree that you are solely responsible for your use of those websites and that it is your responsibility to review the terms of use and privacy policy of the third party provider of such SNSs.

We will not be responsible or liable for: (i) the availability or accuracy of such SNSs; (ii) the content, products or services on or availability of such SNSs; or (iii) your use of any such SNSs.

### **Third Party Websites**

Our Site may contain links to third party websites. When you click on a link to any other website or location, you will leave our Site and go to another site, and another entity may collect personal information from you. We have no control over, do not review, and cannot be responsible for, these outside websites or their content. Please be aware that the terms of this Privacy Policy do not apply to these outside websites or content, or to any collection of your personal information after you click on links to such outside websites. We encourage you to read the privacy policies of every website you visit. The links to third party websites or locations are for your convenience and do not signify our endorsement of such third parties or their products, content or websites.

### **Marketing Communications Choice and Opt-Out**

We want to communicate with you only if you want to hear from us. You may choose to stop receiving our marketing emails by following the unsubscribe instructions included in these emails, updating your communications preferences in your membership account on our website or contacting us at the address, telephone number or email address set forth below. Please note however, that as a user of the service, you cannot opt-out of some administrative communications that are reasonably necessary to the service, such as billing or service notifications.

If you decide at any time that you no longer wish to have your SNS account (e.g., Facebook) linked to your account, then you may de-link the SNS account in the "preferences" section in your account settings, or following similar instructions under account settings or on the Site. You may also manage the sharing of certain personal information with us when you connect with us through an SNS, such as through Facebook. Please refer to the privacy settings of the SNS to determine how you may adjust our permissions and manage the interactivity between the Services and your social media account or mobile device.

You may have the right to access, update, and correct inaccuracies in your personal information in our custody and control, subject to certain exceptions prescribed by law. You may access, update or correct any of your personal information in your account by editing your profile within your account. You may request access, updating or the correction of inaccuracies in other personal information in our custody or control by writing or sending an email to us at the email address set forth below.

We reserve the right to retain any personal information reasonably necessary to appropriately document our business activities and for archival and record retention purposes to the extent permitted by law, including the California Consumer Privacy Act of 2018 ("CCPA") and its attendant Proposed Regulations, as applicable. We will store personal information for as long as

reasonably necessary for the purposes described in this Privacy Policy. You may request deletion of your personal information by us, and we will use commercially reasonable efforts to honor your request where required by law, but please note that we may be required to keep such information and not delete it (or to keep this information for a certain time, in which case we will comply with your deletion request only after we have fulfilled such requirements). When we delete any information, it will be deleted from the active database, but may remain in our archives. We may also retain your information for fraud or similar purposes.

If you have any questions please contact us at:

BlackSuede LLC  
1999 Harrison Street  
18th Floor – PMB #120820  
Attn: BlackSuede Privacy  
Email: [blacksuede@blacksuede.net](mailto:black suede@blacksuede.net)  
Phone: 1-510-882-8605

### **Targeted Advertising**

We may share email addresses (in a hashed or de-identified form) that have been provided to us by our registered users, with network advertisers and ad exchanges (including SNSs), to serve targeted advertisements to you about our goods and services. We may work with third parties, such as network advertisers and ad exchanges that use tracking technologies on our websites in order to provide tailored advertisements on our behalf and/or on behalf of other advertisers across the Internet and we may use third party analytics service providers to evaluate and provide us and/or third parties with information about the use of these ads on third party sites and viewing of ads and of our content. Network advertisers are third parties that display advertisements, which may be based on your activities (including past visits to our websites) across the Internet and mobile media (“Targeted Advertising”).

Targeted Advertising (also known as Behavioral Ads) uses information collected on an individual's web browsing behavior on one website (such as the pages they have visited or the searches they have made) in order to target advertising to that individual on another website. Targeting called Cross Device Tracking can also take place across devices such as tablets, smartphones, laptops and smart televisions. Third parties collect this information by placing or accessing cookies or other tracking technologies in your browser when you visit this, or other, websites.

Behavioral Ads enable us to target advertisements to you for products and services in which you have demonstrated an interest. If you object to receiving Behavioral Ads from us on third party sites, you can learn more about your ability to limit Behavioral Ads below. Our third party ad network and exchange providers, the advertisers and/or traffic measurement services may themselves set and access their own technologies on your device and track certain behavioral usage information via a device identifier. These third party technologies may be set to, among other things: (a) help deliver advertisements to you that you might be interested in; (b) prevent you from seeing the same advertisements; and (c) understand the usefulness of the advertisements that have been delivered to you.

Statements regarding our practices do not apply to the methods for collecting information used by these third parties or the use of the information that such third parties collect. We make no

representations regarding the policies or practices of third party advertisers or advertising networks or exchanges or related third parties.

While sites use a variety of companies to serve advertisements, you may wish to visit [http://www.networkadvertising.org/optout\\_nonppii.asp](http://www.networkadvertising.org/optout_nonppii.asp), which provides information regarding this practice by Network Advertising Initiative (“NAI”) members, and your choices regarding having this information used by these companies, including the “opt-out” procedures of NAI members. Opting out of one or more NAI members only means that those NAI members not mean you will no longer receive any targeted content and/or ads. You may also opt-out of receiving Behavioral Ads on participating sites and services by visiting the Digital Advertising Alliance (“DAA”) website at <http://www.aboutads.info/choices/rs> no longer will be allowed under their own rules to deliver Behavioral Ads to you, but do. Please note, if your browsers are configured to reject cookies when you visit an opt-out page, or you subsequently erase your cookies, use multiple devices or change web browsers, your opt-out may not, or may no longer, be effective. We are not responsible for effectiveness of or compliance with any third parties’ opt-out options or programs.

### **Cookies and Other Tracking Technologies**

This Site uses cookies and other tracking technologies. Cookies are small text files of information stored by the Internet browser on your computer's hard drive. For example, cookies may be used to collect browsing data to keep track of your preferences and profile information and to collect general usage and volume statistical information. Some cookies are served by us, and some are served by third parties who are delivering services on our behalf.

The settings feature on most browsers will tell you how to prevent your browser from accepting new cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Because cookies allow you to take advantage of some of the Site’s essential features, we recommend that you leave them turned on. For instance, if you block or otherwise reject our cookies, you may not be able to add items to your Shopping Cart, proceed to Checkout, or use Site products and services that require you to sign-in. You may set your Internet web browser to refuse cookies or to remove cookies from your hard drive, but like most sites, our Site does not recognize “Do Not Track” signals. You can also learn more about cookies by visiting [www.allaboutcookies.org](http://www.allaboutcookies.org) which includes additional useful information on cookies and how to block them using different browsers. By blocking or deleting cookies used on our website and mobile application, you may not be able to take full advantage of our services.

### **Web Beacons**

Our Site contains electronic images known as web beacons (sometimes called single-pixel gifs) and are used along with cookies to compile aggregated statistics to analyze how our Site is used and may be used in some of our emails to let us know which emails and links have been opened by which recipients. This allows us to gauge the effectiveness of our customer communications and marketing campaigns. We use a third party to gather aggregated information about how you and others use our Site. For example, we will know how many users access a specific page and which links they clicked on. We use this information to understand and optimize how our website is used and also to personalize your user experience.

### **Security**

The security of your personal information is important to us. When you provide such personal information such as a credit card number, we encrypt any transmission of that personal information using secure transport layer security (TLS).

We follow reasonable and generally accepted industry standards to protect the personal information submitted to us, both during transmission and once we receive it. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

If you have any questions about security on our Site, you can contact us at:

BlackSuede LLC  
1999 Harrison Street  
18th Floor – PMB #120820  
Attn: BlackSuede Privacy  
Email: [blacksuede@blacksuede.net](mailto:black suede@blacksuede.net)  
Phone: 1-510-882-8605

#### A Note About Children

We do not intentionally gather personal information from visitors who are under the age of 13. If a child under 13 submits personal information to us and we learn that the personal information is the information of a child under 13, we will attempt to delete the information as soon as possible. If you believe that we might have any personal information from a child under 13, please contact us at [blacksuede@blacksuede.net](mailto:black suede@blacksuede.net).

#### California Residents

If you are a resident of California, you may be entitled to certain rights under the California Consumer Privacy Act of 2018 (“CCPA”).

Under the CCPA and its attendant proposed regulations, California residents may have (a) the right to request access to the personal information collected in the previous 12 months; (b) the right to request deletion of personal information; and (c) the right to opt out of the “sale”, as defined under the CCPA, of personal information. These rights are subject to certain exemptions and exceptions as well as certain steps we must take to verify your identity.

#### Right to Know and Delete

When exercising your right to know, you have the right to request the following from us:

- The categories of personal information we collect about you;
- The categories of sources from which we collect your personal information;
- The business purpose for collecting your personal information;
- The categories of third parties with whom we share your personal information; and
- The specific pieces of personal information we have collected about you in the previous 12 months.

To request access to or deletion of your personal information, please submit your request.

When exercising your right to deletion please note that cancellation and deletion of your account will result in us and you being unable to access your account.

In addition, you can find the following information regarding our data practices in the corresponding sections of our Privacy Policy described below:

<b>Personal Information Practices</b>	<b>BlackSuede Privacy Policy Section</b>
The categories of personal information BlackSuede collects about you	Collection and Use of Information
The business purpose for collecting your personal information	Collection and Use of Information
The categories of sources from which your personal information is collected.	Collection and Use of Information
The categories of third parties with whom we share your personal information.	Information Sharing

### **Right to Opt-out**

We do not generally sell information as the term “sell” is traditionally understood. However, if and to the extent “sale” under the CCPA is interpreted to include advertising technology activities such as those implemented specifically for certain targeted advertising, California Residents may indicate your election and we will comply with applicable law as to such activity.

If you elect to exercise any of your rights under CCPA, BlackSuede will not deny services, provide a different price or rate for our services, or provide a different level of service to you because you exercised such rights.

### **California “Shine the Light” Law**

If you are a California resident and have an established business relationship with us, you may request a notice disclosing the categories of personal information we have shared with third parties, for the third parties’ direct marketing purposes, during the preceding calendar year.

To request a notice, please submit your request to:

BlackSuede LLC  
1999 Harrison Street  
18th Floor – PMB #120820  
Attn: BlackSuede Privacy  
Email: [blacksuede@blacksuede.net](mailto:black suede@blacksuede.net)  
Phone: 1-510-882-8605

### **Notification of Privacy Statement Changes**

We may update this Privacy Policy to reflect changes to our information practices. If we make any material changes, we will notify you by email (sent to the email address specified in your



account) or by means of a notice on this Site prior to the change becoming effective. We encourage you to periodically review this policy for the latest information on our privacy practices.

### **United States Only**

This site is intended to facilitate the sale of goods and services to residents in the United States for receipt in the United States. BlackSuede makes no representation that this Privacy Policy complies with any applicable laws outside the United States. Those who choose to access these pages from locations outside the United States do so at their own initiative and risk.

### **Contact Information**

You can contact us about this Privacy Policy by writing or emailing us at the address below:

BlackSuede LLC  
1999 Harrison Street  
18th Floor – PMB #120820  
Attn: BlackSuede Privacy  
Email: [black suede@blacksuede.net](mailto:black suede@blacksuede.net)  
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