

# ***Santa***

## **Privacy Policy**

*Last Updated: September 20, 2021*

Thanks for visiting Santa (getsanta.com)! Santa (“Santa,” “we,” “us,” or “our”) values your privacy, so we provide this Privacy Policy (the “Privacy Policy” or “Policy”) to describe the information we collect, how we use it, and when and with whom we share it. This Policy applies only to information that we collect and use about you when you access or use our website, mobile application, or other online or mobile service that links to or otherwise presents this Policy to you. We refer to these products and services collectively as the “Services.”

By accessing or using the Services, you agree to this Policy. If you do not agree to this Policy, please do not access or use the Services.

We describe the following in this Privacy Policy:

- [What information do we collect?](#)
- [How do we use the information we collect?](#)
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## 1. What information do we collect?

When we provide the Services, we obtain information about you through the methods described below. Please note that we need certain types of information to provide the Services to you. If you do not provide us with such information, or if you ask us to delete that information, you may no longer be able to access or use certain Services.

### *a. Information you provide directly to us*

We may collect information that you provide directly to us through:

- Your use of the Services, e.g. when you register for an account or ask us questions about our Services;
- Your participation in surveys or submission of forms;
- Your subscription to newsletters;
- Your registration for promotions; and
- Your communications with us, including for customer support and/or technical assistance.

The information you provide directly to us may concern you or others and may include, but is not limited to:

- *Account Information.* When you create a Santa account, we may collect certain profile information associated with your account, such as your name, home address, email address, and mobile device phone number.
- *Purchase Information and Preferences.* When you make purchases, fill out forms, perform searches or otherwise browse the Services, you may also provide us with additional information about yourself, such as your interests and the types of products you'd like to purchase.
- *Financial Information.* We or our service providers may collect financial information in connection with your purchase of products from the Services. This may include financial account or credit card account information.

You are not required to provide us with such information, but certain features of the Services may not be accessible or available, absent the provision of the requested information.

### *b. Information from affiliates and non-affiliated third parties*

We may collect information about you or others through our affiliates or through non-affiliated third parties. We may combine information that we collect from you through the Services with information that we obtain from such third parties and information derived from other products or services we provide.

### *c. Information we collect automatically*

*Device/Usage Information.* We and our third-party service providers, which include ad networks and analytics companies such as Google Analytics, may use cookies, web beacons, and other tracking technologies to collect information about the computers or devices (including mobile devices) you use to access the

Services. As described further below, we may collect and analyze information including but not limited to (a) browser type; (b) ISP or operating system; (c) domain name; (d) access time; (e) referring or exit pages; (f) page views; (g) IP address; (h) unique device identifiers (e.g. IDFA or Android ID); and (i) the type of device that you use. We may also track when and how frequently you access or use the Services, including how you engage with or navigate our website or mobile application. We use this information (including the information collected by our third-party service providers) for analytics (including to determine which portions of the Services are used most frequently and what our users like/do not like), to assist in determining relevant advertising (both on and off the Services), to evaluate the success of our advertising campaigns, and as otherwise described in this Policy.

*Cookies and Other Electronic Technologies.* We and our third-party service providers may use cookies, clear GIFs, pixel tags, and other technologies that help us better understand user behavior, personalize preferences, perform research and analytics, and improve the Services. These technologies, for example, may allow us to tailor the Services to your needs, save your password in password-protected areas, track the pages you visit, help us manage content, and compile statistics about usage of our Services. We or our third-party service providers also may use certain of these technologies in emails to our customers to help us track email response rates, identify when our emails are viewed, and track whether our emails are forwarded.

You can choose to accept or decline cookies. Most web browsers automatically accept cookies, but your browser may allow you to modify your browser settings to decline cookies if you prefer. If you disable cookies, you may be prevented from taking full advantage of the Services, because the Services may not function properly. As we adopt additional technologies, we may also gather additional information through other methods.

*Location Information.* When you use the Services, we may collect general location information (such as general location inferred from an IP address). In the future, we may also request that you grant us access to your precise geolocation. If you grant us access, we may also collect and store the precise location of your device when the Santa app is running in the foreground or background of your device. We describe how we may use your information in more detail below, and we would generally use geolocation to identify whether a Santa mobile store is in your vicinity, to provide more accurate estimates on deliveries, and to enhance your user experience and improve the Services. When applicable, you will always be able to choose whether to enable the location tracking feature through the settings on your device or when prompted by the Santa mobile app.

## 2. How do we use the information we collect?

We use your information for business and commercial purposes, such as:

- To provide you with the Services, including to register you for an account and process transactions;
- To respond to your questions or inquiries, including to provide customer support and troubleshooting assistance;
- To communicate with you, including to send you emails about products and services that may interest you;
- To manage and remember your preferences and personalize the Services;
- To manage, analyze and improve the Services or any other products and services we provide;
- To administer surveys, sweepstakes, promotions, or contests;
- To verify your identity;
- To comply with our legal obligations or as permitted by law;
- To protect the safety and/or integrity of our users, employees, third parties, members of the public, and/or our Services;
- To prevent fraud and enforce our legal terms; and
- To administer and troubleshoot the Services.

We may combine information that we collect from you through the Services with information that we obtain from affiliated and nonaffiliated third parties, and information derived from any other products or services we provide.

We may aggregate and/or de-identify information collected through the Services. We may use de-identified or aggregated data for any purpose, including without limitation for research and marketing purposes and may also share such data with any third parties, including without limitation, advertisers, promotional partners, sponsors, manufacturers, distributors, and/or others.

## 3. When do we share your information?

We may share or disclose information in the following ways:

- *Affiliates.* We may share your information with any of our affiliates.
- *Consent/At Your Direction.* We may disclose your information to nonaffiliated third parties based on your consent to do so. For example, if you submit reviews or otherwise post in publicly-accessible areas of our Services, you are directing us to share your information publicly.
- *Service Providers:* We provide access to or share your information with select third parties who perform services on our behalf. They provide a variety of services to us, including data storage, analytics, billing, marketing, product content and features, customer service, data storage, security, fraud prevention, and legal services.

- *Protection of Santa and Others:* We may share or disclose certain information if we believe in good faith that doing so is necessary or appropriate to (i) protect or defend the rights, safety, or property of Santa or third parties, including to defend or enforce our Privacy Policy, our Terms of Service, or any other contractual arrangement or (ii) respond to your requests for customer service; and/or (iii) protect the rights, property or personal safety of Santa, its agents and affiliates, its employees, users and/or the public.
- *Legal Requirements:* We may share or disclose certain information if we believe in good faith that doing so is necessary or appropriate to comply with any law enforcement, legal, or regulatory process, such as to respond to a warrant, subpoena, court order, or other applicable laws and regulations.
- *Business Transfer:* We may share or disclose certain information, in connection with or during negotiations of any merger, sale of company assets, financing, or acquisition of all or a portion of our business to another company.
- *Aggregate/Anonymous Information:* From time to time, we may share aggregate/anonymous information about use of the Services, such as by creating reports on usage trends. The sharing of such data is unrestricted.

#### **4. Online analytics and tailored advertising**

##### *a. Analytics*

We may use third-party web analytics services on the Services, such as those of Google Analytics. These service providers use the sort of technology described in the “Information we collect automatically” section above to help us analyze how users use the Services, including by noting the third-party website from which you arrive. The information collected by the technology will be disclosed to or collected directly by these service providers, who use the information to evaluate your use of the Services. We also use Google Analytics for certain purposes related to advertising, as described in the following section. To prevent Google Analytics from using your information for analytics, you may install the [Google Analytics Opt-Out Browser Add-on](#).

##### *b. Tailored Advertising*

Third parties whose products or services are accessible or marketed via the Services may also place cookies or other tracking technologies on your computer, mobile phone, or other device to collect information about your use of the Services in order to (a) inform, optimize, and serve marketing content based on past visits to our websites and other sites and (b) report how our marketing content impressions, other uses of marketing services, and interactions with these marketing impressions and marketing services are related to visits to our websites. We also allow other third parties (e.g., ad networks and ad servers such as Google Analytics) to serve tailored marketing to you and to access their own cookies or other tracking technologies on your computer, mobile phone, or other device you use to access the Services. We neither have access to, nor does

this Policy govern, the use of cookies or other tracking technologies that may be placed on your computer, mobile phone, or other device you use to access the Services by non-affiliated, third-party ad technologies, ad servers, ad networks or any other non-affiliated third parties. Those parties that use these technologies may offer you a way to opt out of targeted advertising as described below. You may receive tailored advertising on your computer through a web browser. Cookies may be associated with de-identified data linked to or derived from data you voluntarily have submitted to us (e.g., your email address) that we may share with a service provider in hashed, non-human-readable form.

If you are interested in more information about tailored browser advertising and how you can generally control cookies from being put on your computer to deliver tailored marketing, you may visit the [Network Advertising Initiative's \("NAI"\) Consumer Opt-Out Link](#) and/or the [Digital Advertising Alliance's \("DAA"\) Consumer Opt-Out Link](#) to opt-out of receiving tailored advertising from companies that participate in those programs. To opt out of Google Analytics for Display Advertising or customize Google Display Network ads, you can visit the [Google Ads Settings page](#). Please note that to the extent advertising technology is integrated into the Services, you may still receive advertising content even if you opt out of tailored advertising. In that case, the advertising content will just not be tailored to your interests. Also, we do not control any of the above opt-out links and are not responsible for any choices you make using these mechanisms or the continued availability or accuracy of these mechanisms. If your browsers are configured to reject cookies when you visit this opt-out page, or you subsequently erase your cookies, use a different computer or change web browsers, your NAI or DAA opt-out may no longer be effective. Additional information is available on NAI's and DAA's websites, accessible by the above links.

When using a mobile application you may also receive tailored in-application advertising content. Each operating system--iOS for Apple devices, Android for Android devices, and Windows for Microsoft devices--provides its own instructions on how to prevent the delivery of tailored in-application marketing content. You may review the support materials and/or the privacy settings for the respective operating systems in order to opt-out of tailored in-application advertising. For any other devices and/or operating systems, please visit the privacy settings for the applicable device or contact the applicable platform operator.

## **5. How do we protect your information?**

We implement safeguards to protect the information provided via the Services from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. However, no Internet or email transmission is ever fully secure or error free. Therefore, we do not promise and cannot guarantee, and thus you should not expect, that your personal information or communications will not be collected, disclosed and/or used by others.

## **6. Links to external sites and services**

The Services may contain links to third-party websites or services. We are not responsible for the content or practices of those websites or services. The collection, use, and disclosure of your information will be subject to the privacy policies of the third-party websites or services, and not this Policy. We recommend you read the privacy and security policies of these third parties to understand how they process your information.

## **7. Children's privacy**

Our Services are not designed for children. Only persons 18 years of age or older (or, if you have parental consent, 13 years of age or older) may use the Services. If we discover that an individual under 13 has provided us with personal information, we will close the account and delete the personal information to the extent required by the Children's Online Privacy Protection Act. We may, where permitted by law, retain certain information internally for purposes described in this Policy.

## **8. What choices do you have?**

You have certain rights and choices with respect to your information such as:

- *Account Information:* You can update certain of your account information by accessing your account.
- *Marketing Emails:* You can unsubscribe from marketing emails by following the directions in those emails. If you unsubscribe from marketing emails, please be advised you will continue to receive certain email communications related to your account including information regarding transactions and your relationship with Santa.
- *Location Information:* If you've previously granted Santa access to your precise geolocation information, you can revoke such access by following the instructions in this Policy.
- *Cookies & Analytics:* You can opt out of certain cookie-related and analytics processing by following the instructions in this Policy.

## **9. Consent to Transfer**

Our computer systems are currently based in the United States, so your personal information will be processed by us in the United States, where data protection and privacy regulations may not offer the same level of protection as in other parts of the world. By using the Services, you agree to this Policy and you consent to the transfer of all such information to the United States, which may not offer a level of protection

equivalent to that required in the European Union or certain other countries, and to the processing of that information as described in this Policy.

## **10. California Do-Not-Track Disclosure**

Santa is committed to providing you with meaningful choices about the information collected on our Services for third party purposes. That is why we have provided links (above) to the NAI "Consumer Opt-Out" link, the DAA opt-out link, and a Google opt-out link. However, Santa does not currently recognize or respond to browser-initiated Do-Not-Track signals, as the Internet industry is currently still working on Do-Not-Track standards, implementations and solutions.

## **11. Changes to our Privacy Policy**

We may change this Policy to reflect changes in the law, our information practices, or the features of the Services. At the top of our Policy, we will indicate the date of the most recent update. If we make a material change to the Policy, you will be provided with appropriate notice in accordance with legal requirements. By continuing to use the Services, you are confirming that you have read and understood the latest version of this Policy.

## **12. Contact Us**

Please also feel free to contact us at [privacy@getsanta.com](mailto:privacy@getsanta.com) if you have any questions about our Privacy Policy or information practices.