

# Bitcork, Inc.'s Privacy Policy

## Introduction

Bitcork, Inc. ("**Company**" or "**We**") 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 or that you may provide when you download, access, or use the Bitcork App (the "**App**").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies only to information we collect in this App and in email, text, and other electronic communications sent through or in connection with this App.

This policy DOES NOT apply to information that:

- We collect offline or on any other Company apps or websites, including third party websites you may access through this App, which are governed by the policies of the third parties hosting, maintaining and/or offering those websites and for which we take no responsibility; or
- You provide to or is collected by any third party (see section on "THIRD-PARTY INFORMATION COLLECTION").

Our websites and other apps, and these third parties and/or third party websites may have their own privacy policies, which we encourage you to read before providing information on or through them.

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, do not download, access, or use this App. By downloading, accessing, or using this App, you agree to this privacy policy. This policy may change from time to time (see section on "CHANGES TO OUR PRIVACY POLICY"). Your continued use of this App after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

## Anyone Under the Age of 21

The App is not intended for anyone under 21 years of age, and we do not knowingly collect personal information from any such person, including any children under 13. 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 or about a child under 13, please contact us at [privacy@bitcork.io](mailto:privacy@bitcork.io).

## Information You Provide to Us

### Information We Collect and How We Collect It

We collect information from and about users of our App:

- Directly from you when you provide it to us.
- Automatically when you use the App.

When you download, access, or use this App, we may ask that you provide information as follows:

### Automatic Information Collection and Tracking

- By which you may be personally identified, such as name, age, postal address, email address, telephone number, photographs or images, unique device identifiers as provided, and other information as required by law, including information to meet alcohol compliance regulations on a state by state basis ("**personal information**").

This information includes:

- Information that you provide by filling in forms in the App or at the time of downloading the App. We may also ask you for information when you seek to make any purchase or selection through the App, and when you report a problem with the App.
- Records and copies of your correspondence (including email addresses and phone numbers), 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 the App and of the fulfillment of your orders. You may be required to provide financial information before placing an order through the App. We do not collect or store payment card information (PCI) such as credit cards, but we are required to retain order information and details regarding order approval to comply with state regulations regarding the sale or distribution of alcohol. We may also use such information to make predictions about future orders, as well as making supply, marketing and/or purchasing decisions by us and/or wineries and restaurants that use the App.
- We may also store the contents of a customer's "shopping cart" on our server to ensure that multiple authorized users for the same customer may work together to manage orders and see the same "shopping cart." It also enables us to make predictions about future orders.
- Your login information. We may store logs of successful and failed authentication attempts to our servers to protect users against potentially malicious activities, as well as to assist customer users experiencing difficulties using our software.
- Your search queries and selections on the App, including viewing information about specific wines. We collect this information to ensure that we have provisioned adequate IT resources to host video and multimedia content sufficient to meet customer demand. We may also use the information to predict likely future customer orders, as well as to provide verification that users have viewed training or other materials to enable reporting functionality.
- Tasting appointment information. We collect and retain information noting which users request tasting appointment and for which wines. We may also share information about which wines were tasted with the winery in order to assist with the promotion of wines/brands with the wineries.
- Photographs. We may utilize user photographs to optionally ensure that age verification has been performed, as well as permit users to submit profile photos or photos of their business logos or similar symbols to facilitate user management.
- Location information to verify that orders are being placed in states and territories where we are legally allowed to operate.
- Crash and technical support logs. We may collect and retain information when users request technical support in order to optimize the performance of our software and systems.

You may provide information to be published or displayed ("**Posted**") on public areas of websites you access through the App (collectively, "**User Contributions**"). Your User Contributions are Posted and transmitted to others at your own risk. Although you may set certain privacy settings for such information by logging into your account profile, please be aware that no security measures are perfect or impenetrable. Additionally, we cannot control the actions of third parties with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

When you download, access, and use the App, in addition to the above categories of information, it may also use technology to automatically collect:

### **Information Collection and Tracking Technologies**

- **Usage Details.** When you access and use the App, we may automatically collect certain details of your access to and use of the App, including traffic data, location data, logs, and other communication data and the resources that you access and use on or through the App.
- **Device Information.** We may collect information about your mobile device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, mobile network information, and the device's telephone number. This includes unique device identifiers, such as those provided by Apple and Google Android devices, which allows us to provide enhanced security such as limiting access to "trusted devices."
- **Stored Information and Files.** The App also may access metadata and other information associated with other files stored on your device.
- **Location Information.** This App may collect information about the location of your device in order to comply with alcohol compliance laws and ensure that we can supply in your area. For example, we may collect the current location of your smart phone when an order is placed to ensure that it is within states where we are licensed to conduct business.

If you do not want us to collect this information, please do not download the App or delete it from your device.

The technologies we use for automatic information collection may include:

- **Cookies (or mobile cookies).** A cookie is a small file placed on your smartphone. It may be possible to refuse to accept mobile cookies by activating the appropriate setting on your smartphone. However, if you select this setting you may be unable to access certain parts of our App.
- **Web Beacons.** Pages of the App and our emails 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 email and for other related app statistics (for example, recording the popularity of certain app content and verifying system and server integrity).
- **Bluetooth Beacons.** A beacon is a device which transmits a signal capable of being detected by your smartphone. A beacon allows a smartphone to determine its distance from a beacon. You may choose to not allow “location services” by activating the appropriate setting on your smartphone. However, if you select this setting you may be unable to utilize certain software functions and features

### **Third-Party Information Collection**

When you use the App or its content, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.
- Other third parties as necessary to enable the playing of videos through third party service providers or hosts, such as Google or YouTube.

These third parties may use tracking technologies to collect information about you when you use this App. 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, apps, and other online services websites. 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 or review that responsible provider's privacy policies.

### **How We Use Your Information**

We use information that we collect about you or that you provide to us, including any personal information, for the above purposes, as well as to:

- Provide you with the App and its contents, and any other information, products or services that you request from us.
- Fulfill any other purpose for which you provide it.
- Give you notices about your account, orders, and order history.
- Carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- Notify you when App updates are available, and of changes to any products or services we offer or provide through it.

The usage information we collect helps us to improve our App and to deliver a better and more personalized experience by enabling us to:

- Estimate our customers' interest and usage and shopping patterns.
- Store information about your preferences, allowing us to customize our App according to your individual interests.

- Speed up your searches.
- Recognize you when you use the App.

We use location information we collect to ensure that we comply with local regulations pertaining to the distribution and sale of alcohol, as well as to pair you with items that may be of interest. 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 adjust your user preferences in your account profile.

We may use the information we collect 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.

### **Disclosure of Your Information**

We may disclose aggregated information about our users, and information that does not identify any individual or device, without restriction. In addition, we may disclose personal information that we collect or you provide:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which we disclose it to them.
- 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 Bitcork, Inc.'s assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Bitcork, Inc. about our App 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. We contractually require these third parties to keep personal information confidential and use it only for the purposes for which we disclose it to them. For more information, see section on "CHOICES ABOUT HOW WE USE AND DISCLOSE YOUR INFORMATION".
- To fulfill the purpose for which you provide it. For example, if you give us an email address to use the "email tech sheet" or "contact me" functionality of our software or App, we will transmit the contents of that email address to the recipients.
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request, as well as what may be required to comply with state or federal regulations relating to alcohol distribution, permitting or sales.
- To enforce our rights arising from any contracts entered into between you and us, including the App EULA, terms and conditions, and for billing and collection.
- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Bitcork, Inc., our customers or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and security measures.

### **Your Choices About Our Collection, Use, and Disclosure of Your Information**

This section describes mechanisms for you to control certain uses and disclosures of over your information.

- **Tracking Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies or block the use of other tracking technologies, some parts of the App may then be inaccessible or not function properly.
- **Location Information.** You may be able to choose whether or not to allow the App to collect and use real-time information about your device's location through the device's privacy settings, where applicable. If you block the use of location information, some or all parts of the App may then be inaccessible or not function properly.
- **Promotion by the Company.** If you do not want us to use your email address to promote our own or third parties' products or services, you can opt-out by emailing us at [privacy@bitcork.io](mailto:privacy@bitcork.io).
- **Targeted Advertising by the Company.** 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 emailing us at [privacy@bitcork.io](mailto:privacy@bitcork.io).

- **Disclosure of Your Information for Third-Party Advertising and Marketing.** If you do not want us to share your personal information with unaffiliated or non-agent third parties for advertising and marketing purposes, you can opt-out by emailing us at [privacy@bitcork.io](mailto:privacy@bitcork.io).

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](#).

### **Accessing and Correcting Your Personal Information**

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

If you delete your User Contributions from the App, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other App users. Proper access and use of information provided on the App, including User Contributions, is governed by our terms of use.

### **Your California Privacy Rights**

California Civil Code Section 1798.83 permits users of our App that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to [privacy@bitcork.io](mailto:privacy@bitcork.io) or write us at: 115 W. 8<sup>th</sup> Ave, Suite 300, Eugene OR 97401.

### **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 collected is transmitted using encryption (SSL).

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 App, 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 and mobile platforms is never guaranteed to be 100% secure. Although we do our best to protect your personal information, we cannot guarantee the security of your personal information transmitted through our App. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide.

### **Changes to Our Privacy Policy**

We may update our privacy policy from time to time. If we make material changes to how we treat our users' personal information, we will post the new privacy policy on this page. The date the privacy policy was last revised is identified at the top of the page. You are responsible for periodically visiting this privacy policy to check for any changes.