

MODERE.COM PRIVACY POLICY

Effective Date: November 12, 2021

Thank you for visiting Modere.com. Modere understands that on-line privacy is very important to you. We have adopted this Internet Privacy Policy as part of our commitment to your privacy. The terms “we”, “us”, and “our” refer to the Modere, Inc. family of companies and Modere.com.

ATTENTION CALIFORNIA RESIDENTS: To view more information regarding your rights under the California Consumer Privacy Act (“CCPA”), see the “Your California Privacy Rights” section below.

This Internet Privacy Policy applies to personal information we obtain from you via Modere.com (the Web Site). The Internet Privacy Policy describes what personally identifiable information we may collect or obtain about you (Personal Information), provides examples of how we use Personal Information, and explains your options regarding our use and disclosure of Personal Information. Please note that the Internet Privacy Policy applies only to your interactions with us through this Web Site.

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1. What Personal Information We Obtain

We obtain Personal Information from you -- such as your name, address, account number, shopping history, e-mail address and telephone number -- when you give us that information when shopping or using our services. For example, we will obtain Personal Information about you when you (i) register to use our website; (ii) place an order with us; (iii) participate in advertising promotions; (iv) subscribe to Modere.com E-mail Updates (our e-mail newsletter); (v) or subscribe to Modere mobile text messaging updates and promotions. We will also collect Personal Information when you correspond or speak with us. We may also collect Personal Information about you from third parties, such as demographic or marketing firms, to improve our marketing efforts.

2. How We Use Personal Information

We use Personal Information to conduct our business and to provide you with high quality products and services. For example, if you order from the Web Site, we may send you emails and notices about your order and about other merchandise and services that we think may be of interest to you. We may also share Personal Information with other members of the Modere corporate family. If you want to opt out of getting promotional emails from Modere, see Section 5 below.

3. How We Share Personal Information

To provide you with quality service, we may disclose the Personal Information we collect with service providers

that perform marketing, promotional and other services for us. Service providers who perform services on our behalf are contractually bound to use your Personal Information only to help us to provide you with products and services from Modere. We may also provide information to carefully selected outside companies for the purpose of jointly marketing a product or service to you. We may share information about aggregate shopping histories and demographics with consultants and others for purposes such as analyzing retail trends and marketing, but such information does not identify you or any other individual.

We may also disclose your Personal Information when we believe that it is required by law or necessary to operate our business (e.g., to our attorneys, auditors, or accountants), to protect your rights, to protect our rights, or to protect the rights of others. We may also disclose your Personal Information as part of our customer or contacts list if another company acquires Modere or a portion of our business.

As do most catalog and Internet retailers, we sometimes use others to perform specific functions on our behalf. When we disclose information to these service providers, we disclose information to help them to perform their service. For example, in order to deliver products to you, we must share some information. We partner with third parties (such as the U.S. Postal Service, United Parcel Service, and Federal Express) to ship products, to ensure delivery, and so that we can obtain feedback, improve the quality of our service, and measure and improve the quality of the service of the third party. In the example of shippers, we provide them some personally identifiable information such as your name, shipping address, email address, and phone number.

Similarly, to help you buy products and provide customer service to you, we must provide your credit card number to financial-services corporations such as credit-card processors and issuers. When we submit your credit card number for authorization, we use state-of-the-art data encryption to protect your information. (More on this is below in Data Security.)

Except as described, we do not share or knowingly make any Personal Information available to any third parties.

4. How We Use Cookies

A “cookie” is a small data file stored by your Web browser on your computer’s hard drive. It allows Modere.com to recognize your computer (but not specifically who is using it) upon entering the site. A cookie cannot retrieve any other data from your hard drive, pass on a computer virus, or capture your email address.

We use cookies to keep track of when you return to the Web Site as well as to identify the pages you click on during your visit to our site and the name of the Web site you visited immediately before clicking to Modere.com. We may use this information to improve our site design, product assortments, customer service, and special promotions. You can, of course, disable cookies on your computer by indicating this in the settings, preferences, or options menus in your browser.

5. How You Can Opt Out of Promotional Emails and Text Messaging

You may opt out of receiving promotional emails from Modere at any time by sending an email to unsubscribe@modere.com. Please allow up to ten days for us to process your request. You can also opt out of mobile phone messaging by replying to the text with “STOP”. Please allow up to ten days for us to process your request.

6. Your California Privacy Rights

The following applies solely to California “consumers” as defined in Section 17014 of Title 18 of the California Code of Regulations. We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”). This

policy describes our collection, use, disclosure, and “sale” of “personal information” of California consumers as these terms are defined under the CCPA.

Please note that job applicants, current and former employees, and individuals subject to business-to-business communications are not considered “consumers” for the purpose of this policy.

Information We Collect and Share

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers and disclosed them for the following purposes within the last twelve (12) months:

CATEGORY	EXAMPLE(S)	SOURCE(S)	PURPOSE OF COLLECTION
Identifiers	Name, postal address, IP address, email address, account username	Directly from the consumer	Maintaining and servicing your account, providing customer service, processing orders/transactions
Customer Records	Name, postal address, credit card number, bank account number	Directly from the consumer	Maintaining and servicing your account, providing customer service, processing orders/transactions
Protected Classifications	Gender	Directly from the consumer	Providing advertising or marketing services, and for analytical purposes
Commercial Information	Products purchased, purchasing histories and tendencies	Directly from the consumer	Processing orders/transactions, processing payments
Internet/ Network Activity	Information regarding a consumer’s interaction with a website, application, or advertisement, cookie identifiers, IP address	Directly from the consumer, service providers	Providing advertising or marketing services, for analytical purposes
Geolocation Data	Physical location	Directly from the consumer, service providers	Advertising or marketing services, for analytical purposes
Audio, Electronic, Visual, etc. Information	Audio recordings of customer service calls	Directly from the consumer, service providers	Customer service quality and training purposes
Inferences	Consumer profiles to determine preferences, behaviors, characteristics, etc.	Directly from the consumer, service providers	Providing advertising or marketing services, for analytical purposes

Disclosure of Personal Information for a Business Purpose

Within the preceding twelve (12) months, Modere has disclosed the following categories of personal information to its service providers for the business purpose of performing services on behalf of Modere such as maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services, providing analytic services, or providing similar services on behalf of Modere.

- Identifiers;
- Customer Records;
- Protected Classifications;
- Commercial Information;
- Internet/Network Activity;
- Geolocation Data;
- Audio, Electronic, Visual, etc. Information; and
- Inferences.

Sale of Personal Information

Under the CCPA, the term “sale” is defined very broadly and may encompass some of our tracking, analytics, and advertising activities occurring with third parties via cookies and trackers on our website. Therefore, while we do not sell personal information in the traditional sense, we may “sell” the following categories of personal information as defined by the CCPA to our cookie and tracker providers:

- Internet/Network activity; and
- Geolocation data.

Modere does not knowingly sell personal information of California consumers under the age of sixteen (16) years.

Your Rights and Choices

The CCPA provides California consumers with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Right to Know

You have the right to request that Modere disclose certain information to you about our collection, use, disclosure, and any sales of your personal information over the past twelve (12) months. You may also request a copy of the personal information we have collected on you over the past twelve (12) months. See the “Exercising Your California Privacy Rights” section for instructions on submitting a right to access request.

Right to Deletion

You have the right to request that Modere delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable request, we will delete and direct our service providers to delete your personal information from our records, unless an exception applies.

Exercising Your California Privacy Rights

To exercise the rights described above, please submit a verifiable consumer request to us by either calling the toll-

free number below or submitting a request via the email address below. We may require you to provide certain personal information to allow us to verify your identity, such as your email address, most recent order numbers, etc. or by requesting you submit your request via your customer account if one exists.

Calling us at 877-663-3731

Website: modere.com

Email: privacy@modere.com

Use of an Authorized Agent

You may designate, in writing or through a power of attorney, an authorized agent to make these privacy requests on your behalf to exercise these rights. We will require the agent to provide proof that you have authorized it to act on your behalf and may require you to verify your own identity with us directly before we accept a request.

Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including granting discounts or other benefits, or imposing penalties;
- Provide you a different level or quality of goods and services; or
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Financial Incentives

Modere provides consumers with a \$10 discount code on their birthday. Under the CCPA, this is considered a financial incentive program. Consumers opt into receiving this financial incentive by providing their date of birth during account registration. The birthday discount code is provided via email to the email address provided by the consumer during account registration upon the consumer's birthday. Consumers may opt out of this financial incentive at any time by clicking on the unsubscribe link included in the footer of our emails.

The information Modere has collected through this financial incentive enables us to establish a relationship with our customers and is valued by Modere to provide our customers with a customized offer each year. In determining the value of personal information collected as part of the birthday discount program, we considered the revenue generated from the use of the birthday discounts, which is reasonably correlated to the value provided to the consumer through the personalized birthday discount.

7. Miscellaneous Information

Changes to this Internet Privacy Policy: We reserve the right to change this Internet Privacy Policy, and to apply any changes to previously collected personal information. We urge you to periodically check this Privacy Policy for any changes. The "last revised" date will change when we make revisions to the policy. All changes will be effective upon posting or as otherwise stated in the revision. If you cannot accept the terms of the Internet Privacy Policy, as posted, please do not use this Web Site.

Governing Law, Dispute Jurisdiction: The laws of the State of Utah, excluding its choice of law principles, govern all matters arising from or related to the Web Site, including your access and use, and any Internet transaction between you and us.

Children's Privacy: The Modere Site is not targeted towards, nor intended for use by, anyone under the age of 18. By using the Modere Site, you represent and warrant that you are 18 years of age or older. If you are not at least 18 years of age, do not access, use or register on the Modere Site. In the event we become aware you are under 18, we will cancel your registration.

8. Data Security

The Site incorporates physical, electronic, and administrative procedures to safeguard the confidentiality of your personal information, including Transport Layer Security ("TLS") for all financial transactions through the Site. We use TLS encryption to protect your personal information online, and we also take several steps to protect your personal information in our facilities. Access to your personal information is restricted. Only employees who need access to your personal information to perform a specific job are granted access to your personal information. Finally, we rely on third-party service providers for the physical security of some of our computer hardware. We believe that their security procedures are adequate. For example, when you visit the Site, you access servers that are kept in a secure physical environment, behind an electronic firewall.

While we use industry-standard precautions to safeguard your personal information, we cannot guarantee complete security. 100% complete security does not presently exist anywhere online or offline.

9. How We Store Your Personal Information

Please note, we will not retain your personal information for longer than is reasonably necessary for the disclosed purposes outlined in the "How We Use Personal Information" section.

10. Changes to Our Privacy Notice

We reserve the right to amend the Privacy Policy at any time and for any reason, without notice to you, other than the posting of the amended Privacy Policy. Users should check site to see the current Privacy Policy that is in effect and any changes that may have been made to it. The provisions contained herein supersede all previous notices or statements regarding our privacy practices and the terms and conditions that govern them.

Questions?

If you have questions regarding our Internet Privacy Policy, please contact us at:

Modere, Inc.

Attn: Legal Dept.

588 South 2000 West

Springville, UT 84663

1-801-418-2888

Or email us at info@modere.com

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