

Denim Jeans Observer Privacy Policy

Last Modified: May 24, 2018 (GDPR compliance)

We at Denim Jeans Observer **[DJO]** (Denim Jeans Observer and our affiliates) are committed to protecting your privacy. This Privacy Policy applies to both our Websites (www.denimjeansobserver.com and www.denimjeansobserver.com/mag) and our Subscription Service (the Subscription Service), including our associated mobile applications (Mobile Apps) owned and controlled by **[DJO]**. This Privacy Policy governs our data collection, processing and usage practices. It also describes your choices regarding use, access and correction of your personal information. If you do not agree with the data practices described in this Privacy Policy, you should not use the Websites or the Subscription Service.

We periodically update this Privacy Policy. We will post any privacy policy changes on this page and, if the changes are significant, we will provide a more prominent notice by sending you an email notification, or if you subscribe to the Subscription Service, through the Notification app in your Denim Jeans Observer portal.

While we will notify you of any material changes to this Privacy Policy, we encourage you to review this Privacy Policy periodically. We will also keep prior versions of this Privacy Policy in an archive for your review.

If you have any questions about this Privacy Policy or our treatment of the information you provide us, please write to us by email at helpdesk@denimjeansobserver.com.

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1. Use of the Subscription Service by Denim Jeans Observer and our Customers

The Denim Jeans Observer Subscription Service

Our online Subscription Service allows any company that uses it (our customers and **[DJO]** itself) to create and share marketing, sales and customer service content. The Subscription Service can also be used to help organize sales data about a company's sales pipeline (e.g., leads, customers, deals, etc.). The information added to the Subscription Service, either by site visitors providing their contact information or when a Subscription Service user adds the information, is stored and managed on our service providers' servers. This information is then used to contact visitors about their interest in the company's goods or services and interact with the company. **[DJO]** provides the Subscription Service to our customers for their own marketing, lead generation, and customer service needs, and we use it to meet **[DJO]**'s related needs.

Use by Denim Jeans Observer

We use our own Subscription Service to build webpages that people can visit to learn more about **[DJO]**. Information that we collect and manage using the Subscription Service for our own marketing belongs to us and is used, disclosed and protected according to this Privacy Policy.

Use by Our Customers

Our customers use the Subscription Service to build webpages that people can visit to learn more about their business. **[DJO]** does not control the content of these webpages or the types of information that our customers may choose to collect or manage using the Subscription Service. That information belongs to them and is used, disclosed and protected by them according to their privacy policies and is not subject to this Privacy Policy. **[DJO]** processes our customers' information as they direct and in accordance with our agreements with our customers, and we store it on our service providers' servers, but we do not have control over its collection or management. Our agreements with our customers prohibit us from using that information, except as necessary to provide and improve the Subscription Service, as permitted by this

Privacy Policy, and as required by law. We have no direct relationship with individuals who provide Personal Information to our customers. **[DJO]** acknowledges that you have the right to access your Personal Information. Our customers control and are responsible for correcting, deleting or updating information they have collected from you using the Subscription Service. If requested to remove data we will respond within a reasonable timeframe. We may work with our customers to help them provide notice to their visitors about their data collection, processing and usage. Our agreements with our customers prohibit them from using the Subscription Service to collect, manage, or process Sensitive Information. We are not responsible for our customers' use of information they collect on the Subscription Service.

[DJO] collects information under the direction of its customers, and has no direct relationship with the individuals whose Personal Information it processes. If you are a customer of one of our customers and would no longer like to be contacted by one of our customer that use our Subscription Service, please contact the customer that you interact with directly. We may transfer Personal Information to companies that help us provide our service. Transfers to subsequent third parties are covered by the service agreements with our customers.

"Sensitive Information"

This refers to credit or debit card numbers, personal financial account information, Social Security numbers, passport numbers, driver's license numbers or similar personal identifiers, racial or ethnic origin, physical or mental health condition or information, or other employment, financial or health information.

2. Information We Collect

When You Visit our Websites

You are free to explore the Websites without providing any Personal Information about yourself. When you visit the Websites or register for the Subscription Service, we request that you provide Personal Information about yourself, and we collect Navigational Information.

When You Use our Mobile Application

We use mobile analytics software to allow us to better understand the functionality of our Mobile Apps on your mobile device. This software may record information such as how often you use the application, the events that occur within the application, aggregated usage, performance data, and where the application was downloaded from. In addition to information we collect on our Websites, when you use our Mobile Apps we may also collect your city location, device model and version, device identifier (or "UDID"), OS version, and your **[DJO]** Subscription Service credentials.

We send push notifications from time to time in order to update you about events or promotions. If you no longer wish to receive such communications, you may turn them off at the device level.

We may link information we store within the analytics software to Personal Information you submit within the Mobile App. We do this to improve services we offer you and improve our marketing, analytics and site functionality.

"Personal Information"

This refers to any information that you voluntarily submit to us and that identifies you personally, including contact information, such as your name, e-mail address, company name, address, phone number, and other information about yourself or your business. Personal Information can also include information about any transactions, both free and paid, that you enter into on the Websites, and information about you that is available on the internet, such as from Facebook, LinkedIn, Twitter and Google, or publicly available information that we acquire from service providers.

Personal Information also includes Navigational Information or Payment Information where such information can directly or indirectly identify an individual. Navigational information refers to information about your computer and your visits to this website such as your IP address, geographical location, browser type, referral source, length of visit and pages viewed. Please see the "Navigation Information" section below. Payment information includes We collect and process payment information from you when you subscribe to the Subscription Service, including credit cards numbers and billing information, using third party PCI-compliant service providers. Except for this, we do not collect Sensitive Information from you.

Log Files

When you use our services our view content provided by us, we automatically collect information about your computer hardware and software. This information can include your IP address, browser type, domain names, internet service provider (ISP), the files viewed on our site (e.g., HTML pages, graphics, etc.), operating system, clickstream data, access times and referring website addresses. This information is used by **[DJO]** for the operation of the Subscription Service, to maintain quality of the Subscription Service, and to provide general statistics regarding use of the **[DJO]** Website. For these purposes, we do link this automatically-collected data to Personal Information such as name, email address, address, and phone number.

Information we collect from third parties

From time to time, we may receive Personal Information about you from third party sources including partners with which we offer co-branded services or engage in joint marketing activities, and publicly available sources such as social media websites.

Information About Children

The Websites are not intended for or targeted at children under 16, and we do not knowingly or intentionally collect information about children under 16. If you believe that we have collected information about a child under 16, please contact us at helpdesk@denimjeansobserver.com, so that we may delete the information.

3. How We Use Information We Collect

Compliance with Our Privacy Policy

We use the information we collect only in compliance with this Privacy Policy. Customers who subscribe to our Subscription Services are obligated through our agreements with them to comply with this Privacy Policy.

We Never Sell Personal Information

We will never sell your Personal Information to any third party.

Use of Personal Information

In addition to the uses identified elsewhere in this Privacy Policy, we may use your Personal Information to:

- improve your browsing experience by personalizing the Websites and to improve the Subscription Service;
- send information or **[DJO]** content to you which we think may be of interest to you by post, email, or other means and send you marketing communications relating to our business;
- promote use of our services to you and share promotional and information content with you in accordance with your communication preferences;
- provide other companies with statistical information about our users -- but this information will not be used to identify any individual user;
- send information to you regarding changes to our Customer Terms of Service, Privacy Policy (including the Cookie Policy), or other legal agreements
- meet legal requirements.

We may, from time to time, contact you on behalf of external business partners about a particular offering that may be of interest to you. In those cases, we do not transfer your Personal Information to the third party.

We use the information collected through our Subscription Service by our customers for the following purposes:

- to provide the Subscription Service (which may include the detection, prevention and resolution of security and technical issues);
- to respond to customer support requests; and
- otherwise to fulfill the obligations under the **[DJO]** Customer Terms of Service.

Legal basis for processing Personal Information (EEA visitors only)

If you are a visitor/customer located in the European Economic Area ("EEA"), **[DJO]** is the data controller of your personal information. **[DJO]**'s Data Protection Officer can be contacted at helpdesk@denimjeansobserver.com.

Our legal basis for collecting and using the personal information described above will depend on the personal information concerned and the specific context in which we collect it. However, we will normally collect personal information from you only where we have your consent to do so, where we need the personal information to perform a contract with you, or where the processing is in our legitimate interests and not overridden by your data protection interests or fundamental rights and freedoms. In some cases, we may also have a legal obligation to collect personal information from you.

If we ask you to provide personal information to comply with a legal requirement or to perform a contract with you, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information). Similarly, if we collect and use your personal information in reliance on our legitimate interests (or those of any third party), we will make clear to you at the relevant time what those legitimate interests are.

Use of Navigational Information

We use Navigational Information to operate and improve the Websites and the Subscription Service. We may also use Navigational Information alone or in combination with Personal Information to provide you with personalized information about [DJO].

Customer Testimonials and Comments

We post customer testimonials and comments on our Websites, which may contain Personal Information. We obtain each customer's consent via email prior to posting the customer's name and testimonial.

Use of Credit Card Information

If you give us credit card information, we use it solely to check your financial qualifications and collect payment from you. We use a third-party service provider to manage credit card processing. This service provider is not permitted to store, retain, or use information you provide except for the sole purpose of credit card processing on our behalf.

Security of your Personal Information

We use a variety of security technologies and procedures to help protect your Personal Information from unauthorized access, use or disclosure. We secure the Personal Information you provide on computer servers in a controlled, secure environment, protected from unauthorized access, use or disclosure. All Personal Information is protected using appropriate physical, technical and organizational measures.

Social Media Features

Our Websites include Social Media Features, such as the Facebook Like button and Widgets, such as the Share This button or interactive mini-programs that run on our sites. These features may collect your IP address, which page you are visiting on our sites, and may set a cookie to enable the feature to function properly. Social Media Features and Widgets are either hosted by a third party or hosted directly on our Websites. This Privacy Policy does not apply to these features. Your interactions with these features are governed by the privacy policy and other policies of the companies providing them.

External Websites

Our Websites provide links to other websites. We do not control, and are not responsible for, the content or practices of these other websites. Our provision of such links does not constitute our endorsement of these other websites, their content, their owners, or their practices. This Privacy Policy does not apply to these other websites, which are subject to any privacy and other policies they may have.

Public Forums

We offer publicly accessible message boards, blogs, and community forums. Please keep in mind that if you directly disclose any information through our public message boards, blogs, or forums, this information may be collected and used by others. We will correct or delete any information you have posted on the Websites if you so request, as described in "Opting Out and Unsubscribing" below.

Retention of Personal Information

How long we keep information we collect about you depends on the type of information, as described in further detail below. After such time, we will either delete or anonymize your information or, if this is not possible, then we will securely store your information and isolate it from any further use until deletion is possible.

We retain Personal Information that you provide to us where we have an ongoing legitimate business need to do so (for example, as long as is required in order to contact you about the Subscription Service or our other services, or as needed to comply with our legal obligations, resolve disputes and enforce our agreements).

When we have no ongoing legitimate business need to process your Personal Information, we securely delete the information or anonymise it or, if this is not possible, then we will securely store your Personal Information and isolate it from any further processing until deletion is possible. We will delete this information from the servers at an earlier date if you so request, as described in "To Unsubscribe from Our Communications" below.

If you provide information to our customers as part of their use of the Subscription Service, our customers decide how long to retain the personal information they collect from you. If a customer terminates its use of the Subscription Service, then we will provide customer with access to all information stored for the customer by the Subscription Service, including any Personal Information provided by you, for export by the customer according to our agreement with our customer. After termination, we may, unless legally prohibited, delete all customer information, including your Personal Information, from the Subscription Service.

If you have elected to receive marketing communications from us, we retain information about your marketing preferences for a reasonable period of time from the date you last expressed interest in our content, products, or services, such as when you last opened an email from us or ceased using your **[DJO]** account. We retain information derived from cookies and other tracking technologies for a reasonable period of time from the date such information was created.

4. How we Share Information we Collect

Service Providers

We employ other companies and people to provide services to visitors to our Websites, our customers, and users of the Subscription Service and may need to share your information with them to provide information, products or services to you. Examples may include removing repetitive information from prospect lists, analyzing data or performing statistical analysis, providing marketing assistance, processing credit card payments, supplementing the information you provide us in order to provide you with better service, and providing customer service or support. In all cases where we share your information with such agents, we explicitly require the agent to acknowledge and adhere to our privacy and customer data handling policies.

Denim Jeans Observer Partners

In addition, we may share data with trusted partners to contact you based on your request to receive such communications, help us perform statistical analysis, or provide customer support. Such third parties are prohibited from using your Personal Information except for these purposes, and they are required to maintain the confidentiality of your information.

We partner with trusted third parties to provide you with co-marketing content that we think may be relevant to you. When you engage with these co-marketing partners, we will tell you who we are sharing data with, and provide a link to the co-marketing partner's privacy policy so you can learn more about how to opt-out of the partner's communications. These co-marketing partners are required to adhere to our privacy and data protection policies.

Corporate Events

If we (or our assets) are acquired by another company, whether by merger, acquisition, bankruptcy or otherwise, that company would receive all information gathered by **[DJO]** on the Websites and the Subscription Service. In this event, you will be notified via email and/or a prominent notice on our website, of any change in ownership, uses of your Personal Information, and choices you may have regarding your Personal Information.

Compelled Disclosure

We reserve the right to use or disclose your Personal Information if required by law or if we reasonably believe that use or disclosure is necessary to protect our rights, protect your safety or the safety of others, investigate fraud, or comply with a law, court order, or legal process.

5. International Transfer of Information

International Transfers within Denim Jeans Observer's Entities

This Privacy Policy shall apply even if we transfer Personal Information to other countries. We have taken appropriate safeguards to require that your Personal Information will remain protected. When we share information about you within and among **[DJO]**'s affiliated entities, we make use of standard contractual data protection clauses, which have been approved by the European Commission, and we rely on the EU-U.S. and Swiss-U.S. Privacy Shield Framework to safeguard the transfer of information we collect from the European Economic Area and Switzerland. Please see our Privacy Shield notice below for more information.

International transfers to third parties

Some of the third parties described in this privacy policy, which provide services to us under contract, are based in other countries that may not have equivalent privacy and data protection laws to the country in which you reside. When we share information of customers in the European Economic Area or Switzerland, we make use of the EU-U.S. and Swiss-U.S. Privacy Shield Frameworks, European Commission-approved standard contractual data protection clauses, binding corporate rules for transfers to data processors, or other appropriate legal mechanisms to safeguard the transfer. Please see our Privacy Shield Notice below.

Privacy Shield Notice

Denim Jeans Observer participates in and has certified its compliance with the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework. Denim Jeans Observer is committed to subjecting all personal data received from European Union (EU) member countries and Switzerland, in reliance on the Privacy Shield Framework, to the Framework's applicable Principles.

[DJO] is responsible for the processing of personal data it receives under the Privacy Shield Framework and subsequently transfers to a third party acting as an agent on its behalf. **[DJO]** complies with the Privacy Shield Principles for all onward transfers of personal data from the EU and Switzerland, including the onward transfer liability provisions.

In certain situations, **[DJO]** may be required to disclose personal data in response to lawful requests by public authorities, including to meet national security or law enforcement requirements.

6. Cookies and Similar Technologies

Cookies

[DJO] and its partners use cookies or similar technologies (such as web beacons) to analyze trends, administer the website, track users' movements around the website, and to gather demographic information about our user base as a whole.

Navigational Information Collected by Our Customers

Our customers can use the tools we provide, as well as tools provided by third parties, to collect Navigational Information when you visit their webpages on the Subscription Service. **[DJO]** does not control our customers' use of these tools, nor do we control the information they collect or how they use it.

Single Sign-On

Where applicable, you can log in to our site using a Single Sign-on (SSO) service like your Google or Facebook account. This service will authenticate your identity and provide you the option to share certain personal information with us such as your name and email address to pre-populate our sign up form. Such services may give you the option to post information about your activities on this Web site to your profile page to share with others within your network.

Flash Cookies and Other Third Party Tracking Technologies

The Adobe Flash Player (and similar applications) use technology to remember settings, preferences and usage similar to browser cookies but these are managed through a different interface than the one provided by your Web browser. This technology creates locally stored objects that are often referred to as "Flash cookies." **[DJO]** does not use Flash cookies. However, our customers of our software platform may create pages on the **[DJO]** platform that employ Adobe Flash cookies.

Advertising

We partner with a third party ad network to either display advertising on our Web site or to manage our

advertising on other sites. Our ad network partner uses cookies and Web beacons to collect information about your activities on this and other Web sites to provide you targeted advertising based upon your interests. If you wish to not have this information used for the purpose of serving you targeted ads, you may opt-out by clicking here: <http://preferences.truste.com/> (or if located in the European Union, by clicking here: <http://www.youronlinechoices.eu/>). Please note this does not opt you out of being served advertising. You will continue to receive generic ads.

Third Party Tracking Technologies

The use of cookies and web beacons by any tracking utility company is not covered by our Privacy Policy or Cookie Policy.

7. How to Access & Control Your Personal Data

Reviewing, Correcting and Removing Your Personal Information

You have the following data protection rights:

- You can request access, correction, updates or deletion of your personal information.
- You can object to processing of your personal information, ask us to restrict processing of your personal information or request portability of your personal information.
- If we have collected and process your personal information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of any processing we conducted prior to your withdrawal, nor will it affect processing of your personal information conducted in reliance on lawful processing grounds other than consent.
- You have the right to complain to a data protection authority about our collection and use of your personal information. Contact details for data protection authorities in the EEA, Switzerland and certain non-European countries (including the US and Canada) are available [here](#).)

To exercise any of these rights, please contact us at helpdesk@denimjeansobserver.com, Attention: Privacy. We will respond to your request to change, correct, or delete your information within a reasonable timeframe and notify you of the action we have taken.

Anti-Spam Policy

The Acceptable Use Policy applies to us and to our customers and, among other things, prohibits use of the Subscription Service to send unsolicited commercial email in violation of applicable laws, and requires the inclusion in every email sent using the Subscription Service of an "opt-out" mechanism and other required information. We require all of our customers to agree to adhere to the Acceptable Use Policy at all times, and any violations of the Acceptable Use Policy by a customer can result in immediate suspension or termination of the Subscription Service.

To Unsubscribe From Our Communications

You may unsubscribe from our marketing communications by clicking on the "unsubscribe" link located on the bottom of our e-mails, updating your communication preferences, or by sending us an email at helpdesk@denimjeansobserver.com, Attention: Privacy. Customers cannot opt out of receiving transactional emails related to their account with us or the Subscription Service.

To Unsubscribe from Our Customers' Communications

Our customers are solely responsible for their own marketing emails and other communications; we cannot unsubscribe you from their communications. You can unsubscribe from our customers' marketing communications by clicking on the "unsubscribe" link located on the bottom of their emails, or by contacting them directly.