

Privacy Policy

Last Updated: August 1, 2023

Visual Comfort & Co. values your trust and we take your privacy seriously and we are committed to protecting and respecting your privacy. The purpose of this Privacy Policy is to inform you what information we collect from you, how we use your information and the choices that you have regarding our use of your information. This Privacy Policy applies to information we collect about you in our stores, through our websites and mobile applications, chat function and anywhere else we interact with you.

By accessing or using this website, you agree to this Privacy Policy. This Privacy Policy may change from time to time. Your continued use of the website after we make changes is deemed acceptance of those changes, so please check this Privacy Policy periodically for updates.

If you are a resident of California, please also see our California Consumer Privacy Act Policy at Section XII of this Privacy Notice below.

OUR COMMITMENT TO YOU

The following document outlines our privacy practices and policies in great detail. In summary, Visual Comfort & Co. takes great care with your data and never shares personally identifiable information about our customers with third parties for their direct marketing use. We send commercial emails only to customers who have asked to receive them. Please read on for more information.

I. PERSONAL INFORMATION COLLECTED

We will collect personal information from users in a variety of ways, including, but not limited to, when users visit the site, register on the site, place an order, fill out a form, respond to a survey, use the chat function, subscribe to a newsletter and in connection with other activities, services, features or resources we make available on our website anonymously. If we provide links to websites of other organizations, this privacy policy does not cover how that organization processes personal information. We encourage you to read the privacy notices on the other websites you visit.

We utilize various third party providers in connection with the site including, but not limited to, running the chat platform. You do not have to use the chat function to use our website. These third parties may collect information, to send marketing messages to you in a way that may personally identify you. The information collected by these service providers may include (i) Navigation data: IP address; User-Agent (web browser information) and web browser cookie, which reveal the Visitors/Customers date and time of visit; type of device used to access the website; location; pages and products visited; basket content; purchased products); (ii) Chat / interaction data: messages exchanged with support; date and time of message; date, time and content of replies to surveys; customer's clicks on pop-ups and/or banners); (iii) Historical data regarding prior navigation and chat/interaction (segmented by Customer ID). (iv) Identification data (such as full name, company name, email, phone number). Please keep in mind that your browser settings may not permit you to control the technologies utilized by these third-party companies.

HOW DO WE COLLECT YOUR DATA?

The following are examples of the ways in which information will be collected:

- Directly from you (e.g., during account registration, filling out a form, subscription to a newsletter or emails, information you enter in the chat function)

- Indirectly from you (e.g., observing your actions on the website)
- From third parties (e.g., third party social networking providers, data aggregators, affiliates)
- From publicly available sources (e.g., online database searches)

WHAT DATA DO WE COLLECT?

The following are examples of the types of personal information collected:

- Information you provide: name, email address, mailing address (billing and shipping), phone number, transaction information, payment card information, etc.
- Information associated with the use of our site: information gathered from cookies and web pixels, such as IP address and interactions on the website to enhance your experience on our website, aggregations of multiple visits to the website, chat information
- Non-personal identification information: the browser / system information, the type of computer and technical information about users means of connection to our website, such as the operating system and the Internet service provider(s) utilized and other similar information.

HOW WILL WE USE YOUR DATA?

We use your personal information for the following purposes:

- Fulfill the order and delivery of products along with tax collection and remittance
- Live chat and servicing an order or inquiry
- Provide relevant information based on location – e.g. nearby showrooms
- Determine eligibility for admittance into trade discount program
- Account activation and maintenance
- Analytics, business trends, and insights
- Interaction on social media

We may share your personal information with one or more of the third parties described here:

- between and among companies which are affiliated or under common ownership with Visual Comfort & Co.,
- vendors, service providers and consultants that perform services on our behalf,
- companies which store and process data on our behalf,
- companies which perform data analytics for us,
- companies which help deliver and track our products,
- companies which send you information about products on our behalf, and,
- companies which you request us to share your personal information with.

Sharing of personal information with service providers or disclosures to third parties may involve the storage or processing of personal information outside of the jurisdiction in which you are located. Local privacy laws may require the disclosure of personal information to governmental authorities under circumstances that are different than those that apply in your country of residence.

In addition to what is listed in this Privacy Policy, we may also collect, use, and share your personal information in other ways with your consent or as otherwise permitted or required by law.

II. DATA RETENTION

When you place an order through the website or create an account, or otherwise interact with us, we will maintain your order information for our records no longer than necessary with respect to the purpose of the processing, unless otherwise required or permitted by law. When determining the retention period, we take into account various criteria, such as the nature of the use of the Sites, your general relationship with us, the impact

on our ability to provide you the Sites if we delete your personal information, mandatory retention periods provided by law and the statute of limitations, and our use of your personal information for aggregated market research.

III. COMMUNICATIONS

We may use your personal information to contact you with newsletters, marketing, or promotional materials.

IV. COOKIES

Cookies are files placed on your computer to collect standard Internet log information and visit behavior information. You can instruct your browser to refuse all cookies or to indicate when a cookie is being sent though some features of the website require cookies, including registration for an online account. When you visit our website, we may collect information from you automatically through cookies or similar technology in order to enhance and personalize your online experience and permit us to remember you when you return to our website, to deliver personalized marketing, and to better understand the way you use our website.

V. DATA COLLECTION

We collect information using the following technologies in order to analyze the functionality and effectiveness of the website, to measure the performance of a marketing effort on our behalf, including email marketing, or to place advertising on our behalf across the Internet.

- “Cookies” as explained above.
- “Log files” track actions occurring on the website and collect data including your IP address, browser type, Internet service provider, referring/exit pages, and date/time stamps.
- “Web beacons,” “tags,” and “pixels” (such as the Meta pixel) are electronic files used to record information about how you browse the website.

The types of cookies that appear on our sites include:

- Essential cookies required for our sites to operate. They allow you to navigate one of our sites and use its services and features (e.g., cookies that help you stay logged in). Without essential cookies, our sites will not run smoothly and our sites, or certain services or features, might not even be available to you simply because of technical limitations.
- Preference cookies allowing us to store information about your choices, settings and preferences. They also help us recognize you when you return to our sites, remember your language settings (among others) and customize our sites accordingly. They are not essential to the functioning of our sites.
- Analytics cookies collecting or using information about your site use, which helps us improve our sites. Among the uses of analytics cookies are to show us which pages are most frequently visited, help us record difficulties you have with our sites, and track purchases and behaviors leading to purchases. These cookies add up our customers’ visits to show us larger patterns in our customers’ behavior. We look at these larger patterns to analyze site traffic.
- Marketing cookies help us determine which ads or content to show you, both on our sites and on other sites. To do this, these cookies use information about your behavior on various sites to target our ads and content. These cookies allow us to limit the number of times you see our ads and content across your devices. They help us personalize the ads and content we show you. They also enable us to measure the effectiveness of our marketing campaigns.

VI. “DO NOT TRACK” SIGNALS

Our website does not support Do Not Track (DNT) at this time. DNT is a privacy preference you can set in your web browser to indicate that you do not want certain information about your web page visits tracked and collected across websites. For more details, including how to turn on Do Not Track, visit www.donottrack.us.

VII. SECURITY

The security of your personal information is important to us, but remember that no method of transmission over the Internet, or method of electronic storage, is 100% secure. Any transmission of personal information is at your own risk. We strive to use commercially acceptable means to protect your personal information.

VIII. GOOGLE ANALYTICS

We use a tool called “Google Analytics” to collect some information we listed above, including usage and website activity information. We use the information we get from Google Analytics to improve the services. In order to collect this information, Google Analytics may set cookies on your browser or mobile device, or read cookies that are already there. Google Analytics may also receive information about you from apps you have downloaded, that partner with Google. We do not combine the information collected through the use of Google Analytics with personally identifiable information.

The legal basis for data collection and processing with Google Analytics is your consent. You can withdraw your consent at any time, with future effect, by disabling the cookies in your browser. It cannot be ruled out that Google Analytics may use the data described in this Section “Google Analytics” for its own purposes and link it to other data such as possibly existing Google Analytics accounts.

Google’s ability to use information collected by Google Analytics about your visits and share it with another application which partners with Google is restricted by the Google Analytics Terms of Use and the Google Privacy Policy. Please review those and see <https://www.google.com/policies/privacy/partners/> for information about how Google uses the information provided to Google Analytics and how you can control the information provided to Google. To prevent your data from being used by Google Analytics, you can download the Google Analytics opt-out browser add-on for Google Analytics, which can be found here: <https://tools.google.com/dlpage/gaoptout/>.

IX. EUROPEAN UNION RESIDENTS’ PRIVACY RIGHTS ACCORDING TO THE GENERAL DATA PROTECTION REGULATION (GDPR)

If you are a resident of the European Union (“EU”) or the United Kingdom (“UK”), you may have certain additional rights, as detailed below.

You have the following rights:

- Right to be informed about the collection and use of your personal information;
- Right to request access to your personal information;
- Right to rectification – you can request that your personal information be corrected or amended if the personal information held is incorrect in some way;
- Right to be forgotten: under certain circumstances you can request that your personal information be deleted;
- Right to restrict processing of your personal information;

- Right to data portability – you can request a transferable copy of personal information that has been provided to us;
- Right to object to our processing of your personal information which is inconsistent with the primary purpose for which it was collected; and
- Right to object to decisions being taken by automated means.
- Right to withdraw consent – where data processing is based on your consent, you have the right to withdraw such consent at any time. Such a withdrawal will not affect the lawfulness of the processing, use, or disclosure prior to the consent withdrawal.
- Right to lodge a complaint – you have the right to lodge a complaint with the competent supervisory authority.

Under the GDPR, the lawful bases we rely on for processing your information are:

- consent,
- contractual obligation, and
- legitimate interests.

Our basis for collecting and using the personal information described in Section I above will depend on the personal information concerned and the specific context in which we collect it, as described in the chart below. We are processing your information in order to fulfill contracts we might have with you (for example if you make an order through the website), to pursue our legitimate business interests listed above, pursuant to a legal obligation and otherwise in accordance with what you have consented to.

Purpose•	Consent	Contract	Legal Obligations	Legitimate Interest
Fulfill the order and delivery of products along with tax collection and remittance		•		•
Live chat and servicing an order or inquiry	•	•		•
Determine eligibility for admittance into trade discount program				•
Provide relevant information based on location – e.g. nearby showrooms	•			•
Account activation and maintenance		•		•
Interaction on social media				•
Analytics, business trends and insights				•

Additionally, please note that your information may be transferred outside of Europe, specifically to the United States. Any transfers of data outside the EU/EEA will be made in line with applicable data protection laws, for the purposes specified above, and are normally based on the EU Commission’s standard contractual clauses.

We may share your information with our affiliates, in which case we will require those affiliates to honor this Privacy Policy. Affiliates include our parent company and any subsidiaries or other companies that we control or

that are under common control with us.

Please contact us at privacy@visualcomfort.com if you have any questions. Additionally, if you are unhappy with how we have used your data, you can also contact the ICO.

Information Commissioner's Office

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

ICO website: <https://www.ico.org.uk>

X. YOUR RIGHTS

To the extent a specific element of our processing, use, or disclosure of your personal information relies upon your consent, you may withdraw such consent at any time by contacting us by email at privacy@visualcomfort.com. Such a withdrawal will not affect the lawfulness of the processing, use, or disclosure prior to the consent withdrawal.

If you wish to object to the processing, use, or disclosure of your personal information on the basis of legitimate interest and no opt-out mechanism is available to you directly, please send your request to privacy@visualcomfort.com

If you do not provide us with certain portions of your personal information, we may not be able to fulfill the requested purpose of collection, such as to respond to your queries or to provide our website to you. However, unless otherwise specified, not providing your personal information will not result in legal consequences for you.

XI. EXERCISE YOUR RIGHTS

For any questions regarding the Privacy Policy or to exercise your rights, please contact privacy@visualcomfort.com.

XII. CALIFORNIA CONSUMER PRIVACY ACT POLICY

The California Consumer Privacy Act provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights. This California Privacy Rights Notice ("Notice") is provided pursuant to the California Consumer Privacy Act ("CCPA") (California Civil Code Section 1798.100, et seq.), as amended by the California Privacy Rights Act ("CPRA") (California Civil Code Section 1798.100, et seq.) (collectively, "California Law").

1. PERSONAL INFORMATION COLLECTED:

The chart below shows the category of information that we have collected during the past 12 months and the purpose for which we may use such information. We obtain the personal information listed in the chart below from the following categories of sources:

- Directly from you (e.g., during account registration).
- Indirect from you (e.g., observing your actions on the website)
- From third parties (e.g., third party social networking providers, data aggregators, affiliates)
- From publicly available sources (e.g., online database searches)

We may share your personal data with one or more of the third parties for a business or commercial purpose. In the past 12 months, we have disclosed the personal information categories identified below to the following categories of third parties for a business or commercial purpose: between and among companies which are affiliated or under common ownership with Visual Comfort & Co., vendors, service providers and consultants that perform services on our behalf, companies which store and process data on our behalf, companies which perform data analytics for us, companies which help deliver and track our products, companies which send you information about products on our behalf, and, companies which you request us to share your personal information with.

Category	Examples	Collected	Purpose
Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol ("IP") address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	Yes	a) Fulfill the order and delivery of products along with tax collection and remittance b) Live chat and servicing an order or inquiry c) Provide relevant information based on location – e.g. nearby showrooms d) Determine eligibility for admittance into trade discount program e) Account activation and maintenance f) Analytics, business trends, and insights g) Interaction on social media
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)) (containing personal information and sensitive personal information per Cal. Civ. Code § 1798.140(ae))	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card	Yes	a) Fulfill the order and delivery of products along with tax collection and remittance b) Live chat and servicing an order or inquiry c) Provide relevant information based on

	<p>number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>		<p>location – e.g. nearby showrooms</p> <p>d) Determine eligibility for admittance into trade discount program</p> <p>e) Account activation and maintenance</p> <p>f) Analytics, business trends, and insights</p> <p>g) Interaction on social media</p>
Protected classification characteristics under California or federal law.	<p>Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).</p>	No	--
Commercial information.	<p>Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	Yes	<p>a) Fulfill the order and delivery of products along with tax collection and remittance</p> <p>b) Live chat and servicing an order or inquiry</p> <p>c) Provide relevant information based on location – e.g. nearby showrooms</p> <p>d) Determine eligibility for admittance into trade discount program</p> <p>e) Account activation and maintenance</p> <p>f) Analytics, business trends, and insights</p> <p>g) Interaction on social</p>

Biometric Information	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No	--
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Yes	a) Analytics, business trends, and insights
Geolocation data.	Physical location or movements.	Yes	a) Analytics, business trends, and insights
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	No	--
Professional or employment-related information	Current or past job history or performance evaluations.	Yes	a) Determine eligibility for admittance into trade discount program
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No	--
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	Yes	a) Determine eligibility for admittance into trade discount program b) Analytics, business trends, and insights c) Interaction on social media

PERSONAL INFORMATION SOLD TO OR SHARED WITH THIRD PARTIES

In the past 12 months, we have not sold your personal information for direct, monetary profit. We may, however, engage in certain information disclosure activities that may be considered “sales” or “sharing” under the California Law.

In the preceding 12 months, we have sold or shared the following categories of personal information:

Category	Business or Commercial Purpose	Categories of Third Parties to Whom Personal Information was Disclosed That May be Considered a “Sale/Sharing” Under California Law
Identifiers	To provide you with personal advertising and content	Advertisers and advertising networks, including social media companies
Internet or other electronic network activity information	To provide you with personal advertising and content	Advertisers and advertising networks, including social media companies
Geolocation data	To provide you with personal advertising and content	Advertisers and advertising networks, including social media companies

2. RIGHT TO ACCESS:

You have the right to request disclosure of the following categories of information that we have collected, used, disclosed, shared, or sold about you:

- Personal information we have collected about you;
- Sources from which the personal information is collected;
- The business or commercial purpose for collection, sharing or selling personal information;
- Third parties with whom we share or sell your personal information; and
- Specific pieces of personal information we have collected about you.

3. RIGHT TO DELETE:

You have the right to request that we delete personal information that we collected from you to the extent required under California Law and subject to certain exceptions. We retain personal information to maintain your account, to comply with applicable laws and regulations, and other permissible purposes. Accordingly, we may not be able to delete all of your personal information.

Please note that, for your safety, we cannot fulfill certain requests if we cannot verify your identity.

4. RIGHT TO CORRECT INACCURATE PERSONAL INFORMATION:

You have the right to request that we correct any of your personal information that we maintain about you that is inaccurate.

5. RIGHT TO OPT-OUT / DO NOT SELL AND SHARE INFORMATION:

You have the right to direct us to not sell or share your personal information at any time. Advertising and analytics companies collect information through our sites.

If you have an opt-out preference signal enabled (e.g., the Global Privacy Control), you will automatically be opted out of the sale or sharing of your information, but we may ask you to confirm your preference if you have previously consented to the sale or sharing of your personal information. Please also note that if you have an account with us, but are not logged into your account, we may not be able to associate the browser or device information connected to your opt-out preference signal with you. If you would like for us to make this

connection, you may submit additional information to us through the interactive webform linked above and in the “Do Not Sell or Share My Personal Information” link at the bottom of our website.

To download and use a browser supporting the opt-out preference signal, please visit <https://globalprivacycontrol.org/orgs>. If you choose to you the opt-out preference signal, you will need to enable it for each supported browser or browser extension you use.

6. RIGHT TO OPT-IN:

We do not knowingly sell or share personal information from individuals under 16 years of age, unless we receive affirmative authorization (the "right to opt-in") from either the consumer who is between 13 and 16 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt-in to personal information sales or sharing may opt-out of future sales or sharing at any time. In the event that we learn that we have collected personal information from a child under age 13, we will delete that information as quickly as possible. If you believe that we might have any information from a child under 13, please contact us at privacy@visualcomfort.com.

7. NON-DISCRIMINATION:

We will not discriminate against consumers for exercising any California Law rights.

8. APPOINTING AN AGENT:

You may designate an authorized agent to make a request under California Law on your behalf. To designate an authorized agent to submit a request on your behalf you must: (1) provide that authorized agent written and signed permission to submit such request; and for requests to know/access, delete or correct, (2) verify your own identity directly with us. Please note, we may deny a request from an authorized agent that does not submit proof that they have been authorized by you to act on your behalf.

9. EXERCISE YOUR RIGHTS:

You do not need to create an account with us to exercise your rights under California Law. To exercise the rights described above, you may submit a consumer request to us by:

- Calling us at 877.762.2323
- Sending us a request through our online request portal
- Emailing us at privacy@visualcomfort.com

To exercise your right to know, access, delete, or correct your personal information as described above, we need to verify your identity or authority to make the request and confirm the personal information relates to you. Your verifiable consumer request must provide sufficient information that allows us to reasonably verify that you are the person about whom we collected personal information or an authorized representative. Depending on your request, to verify your identity or authority, we may ask for information such as your name, an email address you have used with Visual Comfort & Co. or a phone number you have used with us.

10. OTHER CALIFORNIA PRIVACY RIGHTS:

In addition to your rights under California Law, California’s “Shine the Light” law (Civil Code Section § 1798.83) gives you, if you are a resident of California, the right to request certain details about how your information is disclosed to third parties for direct marketing purposes. If you are a California resident and would like to make such a request, please contact us using the information provided in Section XIV “Contact Us” below.

XIII. ELIGIBLE RESIDENTS OF COLORADO, CONNECTICUT, UTAH AND VIRGINIA

For eligible residents of Colorado, Connecticut Utah and Virginia, you also have rights with respect to the personal information, also known as personal data, that we collect about you. This Section supplements this Privacy Policy and applies solely to eligible residents of Colorado, Connecticut, Utah and Virginia. Any terms not defined in this Section have the same meaning as defined under the applicable Colorado, Connecticut, Utah and Virginia privacy law, including the Colorado Privacy Act, Connecticut Data Privacy Act, Utah Consumer Privacy Act and Virginia Consumer Data Protection Act. Subject to certain exceptions, if you are an eligible resident of one of these states, you have certain privacy rights which may include, depending on your state of residency:

- **Right to Access.** You have the right to confirm whether we process your personal information and the right to access such personal information. You also have the right to obtain your personal information in a portable, and to the extent reasonably feasible, readily usable format that you can transmit without hinderance.
- **Right to Delete.** You have the right to request that we delete the personal information you have provided to us or that we have otherwise obtained about you.
- **Right to Correct.** Except for residents of Utah, you have the right to request that we correct inaccuracies in your personal information, taking into account the nature of the personal information and the purposes of the processing of your personal information.
- **Right to Opt Out.** Where applicable, you have the right to opt out of the processing of your personal information for the purposes of (i) targeted advertising, (ii) the sale of your personal information, and (iii) except for residents of Utah, profiling in furtherance of decisions, including, for eligible residents of Connecticut, solely automated decisions, that produce legal or similarly significant effects.
- **Right to Appeal.** Except for residents of Utah, you have the right to appeal our decision with regard to your request to exercise any rights described herein.

You do not need to create an account with us to exercise your Colorado, Connecticut, Utah and Virginia privacy law rights. If you (or your authorized agent) would like to exercise the rights described in this Section, including the right to opt out, please submit a request to us by either:

- Sending us a request through our online request portal
- Emailing us at privacy@visualcomfort.com

Additional Disclosures for Colorado Residents: We may sell or use your personal information as described in Section I of this Privacy Policy for targeted advertising purposes.

XIV. CONTACT US

If you have any questions about our Privacy Policy, you can contact us at privacy@visualcomfort.com.